



## MINUTES OF THE 197th MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

(ADOPTED)

- DATE:** June 22, 2016
- PLACE:** Eneyaauhkaat Lodge, Eastmain
- PRESENT:** Manon Cyr, Québec (by phone)  
Annie Déziel, Canada  
Pascale Labbé, Québec  
Ginette Lajoie, Cree Nation Government (CNG) (by phone)  
Jean-Pierre Laniel, Québec  
Chantal Otter Tétreault, CNG  
Jean Picard, Canada, Vice-Chairperson  
François Provost, Québec  
Jean-Yves Savaria, Canada (by phone)  
  
Marc Jetten, Executive Secretary  
Graeme Morin, Environmental Analyst
- ABSENT:** Andy Baribeau, CNG  
Yvon Boilard, ex-officio member, Hunting, Fishing and Trapping Coordinating Committee (HFTCC)  
Melissa Saganash, CNG, Chairperson
- GUESTS (for Item 9):**  
  
Philippe Lemire, director, Bureau de la coordination du Nord-du-Québec, Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET)  
Geneviève Paiement-Paradis, research and socioeconomic planning officer, Bureau de la coordination du Nord-du-Québec, MTMDET

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

In the chairperson's absence, the members asked Pascale Labbé to chair the meeting. On motion by Jean-Pierre Laniel, seconded by Chantal Otter Tétreault, the agenda was adopted as amended.

### 2. **ADOPTION OF THE MINUTES OF THE 196TH MEETING**

On motion by Jean Picard, seconded by Jean-Pierre Laniel, the minutes of the 196th meeting (February 25, 2016) were adopted as amended.

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

#### a. *Strategic environmental assessment and bill modernizing the Environment Quality Act*

The analyst outlined Bill 102 amending the *Environment Quality Act* to modernize the environmental authorization scheme and establish a strategic environmental assessment (SEA) process. In the bill's current form, plans, programs and strategies would be submitted to an SEA at the discretion of the responsible

department. It would seem that policies are not subject to an SEA. The bill also provides for the creation of a public register of projects subject to the environmental impact assessment and review procedure for southern Québec.

In the members' opinion, the fact that SEAs are voluntary poses a problem. Moreover, the public register should also include projects in the territory covered by the JBNQA. Lastly, the new authorization scheme must set out the rules of procedure for consulting the Crees, including with regard to project-related risks and conditions of authorization. The SEA subcommittee will hold a conference call to discuss the matter.

**b. *Cumulative effects study***

In light of the cumulative effects report, the members agreed to hold a workshop with the lead author, the members of COMEV, COMEX and COFEX-South and representatives of the signatory parties. The workshop would be held in Montréal in the third week of September. The French version of the report is still being revised; in the meantime, the secretary will send the English version of the report to the workshop participants.

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

Further to the workshop held with experts in February, the analyst prepared a document identifying two issues to be taken into consideration when drawing up the 2018-2023 tactical plans for integrated forest development. Ideally, the JBACE should transmit its recommendation by the end of 2016. The forestry subcommittee will meet to go over the issues. In the meantime, the analyst will document the content of a 2013-2018 plan for the Territory to inform the work of the subcommittee.

**4. ADMINISTRATION**

**a. *Adoption of the financial statements***

Following clarifications, the members adopted the financial statements for the year ended March 31, 2016 on motion by François Provost, seconded by Jean Picard.

**b. *Appointment of a chairperson and vice-chairperson***

The Québec government has not yet appointed a chairperson for the JBACE for the 2016-2017 fiscal year.

The Government of Canada appointed Jean Picard as vice-chairperson for 2016-2017. On motion by Jean-Pierre Laniel, seconded by Ginette Lajoie, the members passed a resolution giving Mr. Picard signing authority for JBACE cheques and bank documents.

**c. *Organizational diagnosis proposal***

A member of the Administrative Committee presented the proposal, including a workshop with partner organizations and an internal process. The members want to focus on the inner workings of the JBACE first, assisted by a resource person. The secretary will send the specifications to potentially interested firms.

## **5. ADOPTION OF THE REPORT OF ACTIVITIES 2015-2016**

On motion by Chantal Otter Tétreault, seconded by Annie Déziel, the report of activities was adopted as amended. The secretary will send the report to the Government of Québec House Leader for tabling before the parliamentary Committee on Transportation and the Environment.

## **6. GUIDANCE DOCUMENT FOR PROPONENTS IN THE SELF-ASSESSMENT PROCESS UNDER THE FISHERIES ACT**

The analyst went over the changes made to the guidance document in light of the comments received from Fisheries and Oceans, which was consulted to ensure the document was consistent with the *Fisheries Act* as amended in 2012. Since the document encourages proponents to inform interested Crees of their projects and enquire about Aboriginal fisheries that might be affected, the JBACE will consult the Cree Nation Government on the matter.

On motion by Jean-Pierre Laniel, seconded by Annie Déziel, the guidance document was approved as amended. The secretary will send the document to the Cree Nation Government's Director of the Environment and Remedial Works.

## **7. TARGETED CONSULTATION ON THE DIRECTIONS OF QUÉBEC'S WATER STRATEGY**

A member attended the MDDELCC targeted consultation of Aboriginal bodies in April. The member said it was difficult to discuss the proposed directions of the water strategy with the other members because the consultation documents are confidential.

The members think the Committee should submit preliminary comments prior to the strategy's tabling, stressing the importance of water for Cree traditional pursuits, the need to improve knowledge acquisition in the North and the need to adapt the watershed-based management model.

## **8. MEETING WITH THE CHAIRPERSON OF THE REVIEW COMMITTEE (COMEX)**

A member met with COMEX chairperson Suzann Méthot to discuss issues of shared interest. COMEX is interested in the issue of cumulative effects and intends to participate in the planned JBACE workshop on this topic.

COMEX is putting together a public consultation guide. The JBACE should see how much it overlaps with its own initiative to produce a public participation guide for proponents. COMEX and the JBACE could work together on that aspect.

## **9. PRESENTATION ON THE SUSTAINABLE MOBILITY PLAN FOR NORTHERN QUÉBEC**

Philippe Lemire and Geneviève Paiement-Paradis, respectively director and research and socioeconomic planning officer at the Bureau de la coordination du Nord-du-Québec (Northern Québec coordination office), Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET), explained the process for drawing up a sustainable mobility plan for the Nord-du-Québec administrative region. The JBACE members shared their views on the development and maintenance of transportation infrastructure (see attached presentation summary).

## 10. FILE UPDATE

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

The MDDELCC will be putting out a call for tenders for the second phase of the work. The work is not likely to happen this summer. There's no date yet for the MDDELCC's presentation in Chisasibi on the characterization report. As soon as the report is received, the secretary will post it in the "Members only" section of the JBACE website.

## 11. OTHER BUSINESS

### a. *International Association for Impact Assessment (IAIA) conference in Montréal, April 2017*

The members think that the JBACE should submit a paper at the session on climate change and Indigenous peoples at the IAIA conference in Montréal. The secretary will submit a paper abstract to the members for their approval.

### b. *Project follow-up*

In response to a question, members said they would enquire as to their respective department's involvement in post-authorization follow-up of projects.

### c. *Review of federal environmental laws*

Federal departments received letters mandating them to strengthen environmental laws, in particular the *Fisheries Act*, the *Canadian Environmental Assessment Act* and the *Navigation Protection Act*. The government intends to hold consultations in the fall. The secretary will see if he can get more information.

### d. *Climate change and Aboriginal communities*

A member said that Environment and Climate Change Canada intends to launch consultations on a pan-Canadian strategy for combatting climate change. Aboriginal communities will be included in the consultations. The member will pass on information.

## 12. NEXT MEETING

The JBACE plans to hold its next meeting in Montréal, on September 20, 2016. Subject to guests' availability, the cumulative effects workshop will be held the next day.



Marc Jetten  
Executive Secretary  
October 4, 2016

## **APPENDIX: PRESENTATION ON THE SUSTAINABLE MOBILITY PLAN FOR NORTHERN QUÉBEC**

Philippe Lemire, director of the Bureau de la coordination du Nord-du-Québec (BCNQ), Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET), explained the background to the Sustainable Mobility Plan (SMP). Progress on the plan was delayed due to restructuring of the department, review of the Plan Nord and budget considerations. The draft SMP for the Nord-du-Québec administrative region will be submitted to targeted consultations and the JBACE will be invited to participate.

Geneviève Paiement-Paradis, research and socioeconomic planning officer at the BCNQ, explained the steps involved and the objectives of the SMP. The general objective is to ensure the sustainable mobility of people and goods throughout Northern Québec in a manner that protects human and ecosystem health. The MTMDET has jurisdiction over certain roads and owns 15 airports in Northern Québec. The situation in the Eeyou Istchee James Bay territory is distinct from the rest of Québec in that the MTMDET is not responsible for some of the strategically important roads (e.g. James Bay highway, western part of the Route du Nord, the Trans-Taiga Road) and the roads are not all subject to the same legislation.

For example, the MTMDET cannot restrict vehicle loads and sizes on the James Bay highway because it's under the management of Hydro-Québec. And the sections of the *Highway Safety Code* governing vehicle loads and sizes do not apply to the access roads to Cree communities maintained by the MTMDET (Waskaganish, Eastmain, Wemindji). A Québec member mentioned that the Eeyou Istchee James Bay Regional Government has a regulation regarding the territory's roads. Multipurpose forest roads do not fall under the responsibility of the MTMDET, but rather of the Ministère des Forêts, de la Faune et des Parcs, the same as elsewhere in Québec.

The SMP is an integrated, multimodal plan designed to ensure that all transportation-related action in the region contributes to social equality, environmental protection and economic efficiency. The SMP defines regional transportation guidelines and objectives taking into account present and future needs in the movement of people and merchandise. The SMP for Northern Québec must take the specificities of the region into account, including the legislative framework of the James Bay and Northern Québec Agreement, the government directions under the Plan Nord, and local needs.

The acquisition of data to determine present and future transportation needs and the transportation infrastructure in the region is key to identifying the transportation issues, guidelines and objectives addressed by the SMP for Northern Québec. The BCNQ is in the process of drafting and updating a regional portrait of transportation.

Ms. Paiement-Paradis explained that the MTMDET is attempting to identify the trends in transportation needs and future economic development that could have an impact on transportation demand over the next ten years, including the demographic trends in communities and potential mining development. Mr. Lemire said that connectivity with adjacent regions (Abitibi-Témiscamingue, Saguenay-Lac-Saint-Jean) and between Eeyou Istchee James Bay and Nunavik must also be taken into consideration. Furthermore, the MTMDET must take climate change impacts and adaptation into account in the SMP. The department is already taking steps to adapt infrastructure built on thaw-sensitive permafrost soil in Nunavik.

According to Mr. Lemire, increasing the number of road corridors is not desirable from a sustainable development perspective. Furthermore, stakeholders need to be open to new ideas for getting to the North. Building more roads in the territory is less and less likely given the principles of integrated management to be considered in public consultations or project authorization.

In reply to a question, Geneviève Paiement-Paradis said that the SMP defines directions and objectives solely for the main road network and does not specifically address multipurpose forest roads under the responsibility of the MFFP (with exceptions).

A member asked if the MTMDET plans on upgrading the road between Matagami and Lebel-sur-Quévillon (R-1005), a major road link between Cree communities on the James Bay coast and inland communities. Philippe Lemire replied that eight culverts have been rebuilt and one bridge has been built. The BCNQ is currently working to bring signage up to standard and make snowmobile crossings compliant and safe. Several other culverts will be replaced as of this summer and deforestation and work to improve drainage will also be carried out. In the coming years, improvements will be made to non-compliant intersections and additional granular material will be installed on the road.

According to Mr. Lemire, the Route 167 Nord extension project has highlighted the importance of community mobilization. The MTMDET worked closely with the community of Mistissini during the project and learned from the experience in terms of the environmental and social impacts of projects, including the impacts of opening up an area that was previously difficult to access.