



Comité consultatif pour l'environnement de la Baie James
James Bay Advisory Committee on the Environment

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MINUTES OF THE 140th MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

(Adopted)

DATE: April 6, 2005

PLACE: JBACE secretariat, Montréal

PRESENT: François Boulanger, Canada
Glen Cooper, CRA
Guy Demers, Québec
Marian Fournier, Québec
Ginette Lajoie, CRA, Chairperson
Claude Langlois, Canada
Chantal Leblanc-Bélanger, Canada
Pierre Moses, Québec
Gilles H. Tremblay, Canada

Marc Jetten, Executive Secretary

ABSENT: George L. Diamond, CRA
Willie Iserhoff ex-officio member, HFTCC
Diom Romeo Saganash, CRA, Vice-Chairperson
Denis Vandal, Québec

Call to order and adoption of agenda

After thanking the outgoing chairperson, Guy Demers, for his work in leading the Committee, the members welcomed incoming chairperson Ginette Lajoie.

Guy Demers moved that the following agenda be adopted. Chantal Leblanc-Bélanger seconded the motion.

1. Adoption of minutes of the 139th meeting (January 25)
2. Resolution authorizing the Chairperson to sign cheques and other banking documents
3. Salary revision for the executive secretary
4. File update
5. Comments regarding the transitional measures applicable to private vacation development
6. Consultation on the Sustainable Development Plan
7. Adoption of the Strategic Plan
8. Presentation on the *Act to amend various legislative provisions concerning municipal affairs* (Bill 54)
9. Information regarding redeployment at the Ministère du Développement durable, de l'Environnement et des Parcs
10. Next meeting

Motion passed unanimously.

1. Adoption of minutes of the 139th meeting (January 25, 2005)

François Boulanger moved that the minutes of the 139th meeting be adopted as modified. Pierre Moses seconded the motion. Motion passed unanimously.

2. **Resolution authorizing the Chairperson to sign cheques and other banking documents**

JBACE Resolution 2005-04-06-01 authorizing Ginette Lajoie to sign cheques and other banking documents on behalf of the JBACE:

- WHEREAS the Cree Regional Authority has appointed Ginette Lajoie as Chairperson of the JBACE for fiscal year 2005-2006 in accordance with paragraph 22.3.5 of the James Bay and Northern Québec Agreement
- WHEREAS any financial commitment on the part of the JBACE must be signed by the Chairperson and the Executive Secretary of the JBACE pursuant to section 16 of the Rules of Internal Management of the James Bay Advisory Committee on the Environment

On motion by Chantal Leblanc-Bélanger, seconded by Pierre Moses:

It is unanimously resolved to authorize Ginette Lajoie to sign cheques and other banking documents on behalf of the JBACE.

3. **Salary revision for the executive secretary**

The JBACE approved the Administrative Committee's recommendation to raise the executive secretary's salary by 4% for 2005-2006, from \$47 000 to \$48 880.

The Chairperson and his predecessors will meet with the secretary to fix performance objectives for the current year.

4. **File update**

a. **Study of impact assessment and review of projects on Category I lands**

The consulting firm Option Environnement will be filing its interview report and analysis soon. The documents were revised to incorporate the subcommittee members' comments. The firm will submit the outline for the final report at the same time.

b. Memorandum of understanding with the Cree-Québec Forestry Board

The JBACE wishes to conclude a memorandum of understanding with the CQFB on the review of the next generation of forest management plans. The MOU should be based on the “Proposal regarding the forestry mandate of the JBACE and the memorandum of understanding on the review of forest management plans” adopted by the JBACE on January 25, 2005. A CRA member is currently preparing a draft MOU, which will be submitted to the JBACE for approval before being sent to the CQFB.

c. Work placement 2005

The deadline for applications for the summer 2005 intern position is April 11. The Administrative Committee should start interviewing potential candidates soon. The successful candidate will help with a pilot project to develop a waste recovery and recycling model for the community of Wemindji. The project could be extended to the other Cree communities as well.

A member for Canada stressed the importance of supporting the intern during the project. Supervision will be vital to ensuring that the internship is not just a one-time thing, but rather the initiation of measures to foster sustainable management of residual materials.

A second person will be hired to assist the intern in setting up the recycling program in Wemindji. CRA members and the authorities in Wemindji will be asked to submit the names of potential candidates.

5. Comments regarding the transitional measures applicable to private vacation development

In February of this year, the Ministère des Ressources naturelles et de la Faune (MRNF), Secteur Territoire, established transitional measures for the granting of land rights for private vacation development. The measures, which bar the granting of land rights for certain types of areas in the James Bay Territory, will be in effect until a regional plan for public land development (PRDTP) is adopted for the Nord-du-Québec region.

A member for the CRA tabled the following letters:

- Letter from Normand Laprise, of MRNF-Territoire, to Paul Gull, Deputy Grand Chief of the Grand Council of the Crees (GCC), regarding illegal camps in the Territory (February 1, 2005)

- Letter from Paul Gull and François Dupuis, of the coordination table on access to the Territory, to Abel Bosum (GCC), Pierre H. Cadieux (Secrétariat aux affaires autochtones), etc., regarding access to wildlife resources, the road network and illegal camps (February 16, 2005)

The members discussed a draft letter from the JBACE commenting on the transitional measures: the letter would express the Committee's satisfaction with the fact that no new private vacation leases will be granted in areas of interest to the Crees, including Category II lands, protected areas and sites of special interest to the Crees identified pursuant to the Agreement Concerning a New Relationship Between the Gouvernement du Québec and the Crees of Québec (2002).

The letter would also ask for map data on the location of rough shelter and vacation leases as well as of illegal hunting and fishing camps in relation to the boundaries of Cree family traplines. The JBACE needs this information to be able to effectively participate in the consultations regarding the preparation of the PRDTP and to comment, if necessary, on the advisability of renewing existing leases in areas of interest to the Crees.

6. Consultation on the Sustainable Development Plan (SDP)

The Administrative Committee made a proposal regarding the JBACE's participation in the SDP consultations. Although there had been question of hiring a consultant to conduct the consultations with James Bay communities, it seems this is no longer a viable option due to the impending Goose Break and simultaneous consultations on other projects: it would be hard to find Cree resource people who are available during that time. Furthermore, since the consultations held by Minister Mulcair will be ending in mid-May, it leaves very little time for gathering comments and then drafting and adopting a brief.

Consequently, the Administrative Committee recommends that the JBACE's brief focus on the principles of sustainable development under the environmental and social protection regime of the JBNQA. The brief will also highlight the strategic directions, or priority areas, the JBACE intends to favour, including building an ongoing relationship with the authorities at the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP).

The JBACE members approved this approach. The executive secretary will draft a brief to be revised by the Administrative Committee and then adopted by the JBACE by the end of the month.

The Minister's Office proposes to push the SDP consultation in the James Bay region back to May 17, 2005. The Grand Council of the Crees has not yet responded to this proposal, but the date seems pretty much official: the Minister will be traveling to Chibougamau on May 17. Under the circumstances, the members feel that the JBACE should present its brief in Chibougamau. Since the Chairperson has other engagements on May 17, the secretary will see if the Vice-Chairperson is available.

7. Adoption of the Strategic Plan 2005-2007

The strategic plan subcommittee prepared a working document. All of the themes addressed in the document were approved by the JBACE members, except for drinking water quality. A member for Québec wants the strategic plan to state his government's position that the Québec *Regulation respecting the quality of drinking water* applies to James Bay Category IA lands. The CRA-appointed members would prefer to see the JBACE back an objective of public health rather than take position on a matter of legal dispute. They feel that the JBACE should encourage local governments to adopt equivalent drinking water quality standards to those existing in other jurisdictions.

The members agreed that the strategic plan will emphasize the importance for the Cree First Nations of protecting public health. To that end, the JBACE will encourage the adoption of appropriate drinking water standards.

Claude Langlois moved that the strategic plan be adopted as modified. Gilles H. Tremblay seconded the motion. Motion passed by a majority.

JBACE Resolution 2005-04-06-02 regarding the adoption of the strategic plan:

- WHEREAS the strategic plan subcommittee proposed a strategic plan;
- WHEREAS said strategic plan conforms to the draft strategic plan adopted by the JBACE on November 30, 2004;

On motion by Claude Langlois, seconded by Gilles H. Tremblay:

It is resolved by majority vote to adopt the strategic plan as modified.

The strategic plan will be sent to JBNQA stakeholders and, if necessary, revised to reflect their expressed concerns.

8. **Presentation on the Act to amend various legislative provisions concerning municipal affairs (Bill 54)**

Guy Demers, of MDDEP, presented Bill 54, *An Act to amend various legislative provisions concerning municipal affairs*, assented to in November 2004. His presentation focused on Chapter IX, which sets forth the conditions of authorization for hog farms: such a project is currently being examined by the Review Committee (COMEX). Hog farm projects are submitted to environmental assessment or analysis and, if approved, a certificate of authorization is issued to the proponent.

Once the certificate has been issued, the municipality contemplated by the project must hold a public consultation dealing exclusively with odour reduction: all other aspects of hog farming are covered by the *Agricultural Operations Regulation*. At the end of the consultation period, the municipality submits a report. If the proponent meets the conditions stipulated in the report, the municipality issues a permit. If a citizen is not satisfied, a request for conciliation may be made. If the request is approved, the Minister of Municipal Affairs appoints a conciliator, who makes recommendations to the municipality, which may then decide to set new conditions on which the permit is to be issued.

If the proposed hog farm in Chapais were to be authorized at the end of the environmental assessment procedure, the James Bay Municipality would have to hold a consultation on odour reduction methods. To date, the councils of the Waswanipi and Oujé-Bougoumou Cree First Nations and the Assembly of the Grand Council of the Crees have opposed the project because of feared environmental impacts. Because there is not enough land under cultivation in the region for spreading liquid manure generated by the hog farm, all of the manure would be treated by methods similar to those used for wastewater.

9. **Information regarding redeployment at the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP)**

A member for Québec informed the Committee of recent changes in the structure of MDDEP branches and the functions of associate deputy ministers and directors. The secretary will try and obtain an updated organizational chart for the Department.

A CRA member said that people from MDDEP sometimes hold local meetings to inform the communities about legislation or regulations under preparation. The JBACE should have access to such information. A Québec-appointed member will look into how the JBACE members could be kept better informed about the Department's activities.

10. Next meeting

The JBACE will hold its next meeting on Tuesday, June 7, 2005, in Québec City.

Marc Jetten
Executive Secretary
June 8, 2005