



## MINUTES OF THE 184<sup>TH</sup> MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

(ADOPTED)

- DATE:** April 7, 2014
- FORMAT:** Conference call
- PRESENT:** Line Choinière, Canada  
Manon Cyr, Québec  
Anne-Marie Gaudet, Canada  
Guy Héту, Québec  
Ginette Lajoie, Cree Nation Government (CNG)  
Jean-Pierre Laniel, Québec  
Marie-Josée Lizotte, Québec  
John Paul Murdoch, CNG  
Chantal Otter Tétreault, CNG  
Jean Picard, Canada, Chair  
Monique Lucie Sauriol, Canada  
Isaac Voyageur, CNG, Vice-Chair  
  
Marc Jetten, Executive Secretary  
Graeme Morin, Environmental Analyst
- ABSENT:** Caroline Girard, ex officio member of the Hunting, Fishing and Trapping  
Coordinating Committee (HFTCC)

### 1. **RESOLUTION AUTHORIZING THE NEW CHAIR TO SIGN CHEQUES AND BANK BILLS**

#### **JBACE Resolution No. 2014-04-07-01 authorizing Jean Picard to sign the JBACE's cheques and banking documents:**

- WHEREAS the Government of Canada appointed Jean Picard as Chair of the JBACE for fiscal 2014-2015, under a notice from the Director of the Strategic Relations Division of Environment Canada (Atlantic-Québec) dated March 10, 2014, pursuant to paragraph 22.3.5 of the *James Bay and Northern Québec Agreement*;
- WHEREAS any financial commitment by the JBACE must bear the signatures of the Chair and of the Executive Secretary of the JBACE pursuant to section 16 of the JBACE's Rules of Internal Management.

*On a motion by Guy Héту, seconded by Chantal Otter Tétreault:*

**It was unanimously resolved to authorize Jean Picard to sign the JBACE's cheques and other banking documents as a replacement for Rodney Mark, starting April 1, 2014.**

## **2. CONDITIONS FOR THE JBACE'S PARTICIPATION IN THE JOINT COMMISSION WITH THE BAPE FOR CONSULTATIONS ON URANIUM**

Under an agreement between the Gouvernement du Québec and the Crees, the Bureau d'audiences publiques sur l'environnement (BAPE) has invited the JBACE to take part in a joint commission concerning the review of the uranium industry in the territory, under Section 22 of the JBNQA. To determine the conditions for the JBACE's participation, the members appointed by the Cree Nation Government (CNG) have submitted a draft protocol to be concluded with the BAPE. This document provides for the creation of a JBACE special commission to work with the commission members appointed by the BAPE. The special commission would consist of two members appointed by the CNG, one member appointed by Québec and one member appointed by Canada. The draft protocol also sets out terms and conditions for collaboration between the BAPE and the JBACE as well as the consultations to be carried out in the territory under Section 22.

The Québec members are not in agreement with the composition of the proposed special commission; they believe that the rules of jurisdiction provided in Section 22 have to apply. Given that this matter involves an initiative by the Gouvernement du Québec concerning development of a natural resources industry, there should be no member representing Canada on the JBACE special commission. Even so, the Québec members would like to ensure the special involvement of the Crees as provided under the JBNQA. They have therefore proposed that the JBACE appoint two CNG members and one Québec member to the joint commission.

The members appointed by Canada are of the view that uranium development comes under both federal and provincial jurisdiction. To emphasize the Crees' special status, they propose that only two CNG members be appointed to the JBACE special commission. Even so, the commission would be assisted during the work by a subcommittee with a member from each party. The CNG members think that such an arrangement would delay the work because communication would have to be maintained between the special commission and the subcommittee, in addition to communication with the BAPE.

### **JBACE Resolution no. 2014-04-07-02 concerning the creation and composition of the JBACE special commission regarding the BAPE mandate on the uranium industry:**

- WHEREAS the Gouvernement du Québec and the Crees of Québec have concluded an agreement concerning the BAPE's mandate of inquiry concerning the uranium industry in the territory under Section 22 of the JBNQA;
- WHEREAS the JBACE has been invited to form a joint commission with the BAPE to ensure the compatibility of the mandate of inquiry with the provisions of Section 22 of the JBNQA, in particular the guiding principle of special involvement for the Crees; and
- WHEREAS the members of the Cree Nation Government have prepared a draft protocol between the JBACE and the BAPE, which provides for the creation of a JBACE special commission.

*On a motion by Isaac Voyageur, supported by Chantal Otter Tétrault:*

**It is resolved by a majority<sup>1</sup> to create a special commission of the JBACE to participate in the mandate of inquiry concerning the uranium industry, which commission will consist of two members of the Cree Nation Government, one Québec member and one Canada member.**

The JBACE special commission will undertake the following actions in the short term:

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<sup>1</sup> The Québec members voted against the resolution. Their position is that the matter comes under provincial jurisdiction under paragraph 22.3.4a of the JBNQA and that no members appointed by Canada should sit on the JBACE special commission.

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- a. Review the draft protocol submitted by the members of the CNG, with the exception of the part on the composition of the special commission, to develop a version that is satisfactory to all three parties;
  - b. Determine the human resources required to sustain the work;
  - c. On the basis of the agreed-on protocol referred to in point a above, hold discussions with the BAPE commission to conclude a protocol on the inquiry into the uranium industry;
  - d. Submit the final version of the protocol to the JBACE for approval.

Depending on the issues to be discussed, the members of the JBACE special commission may request assistance from other members.



Marc Jetten  
Executive Secretary  
June 5, 2014