

EYYOU MARINE REGION PLANNING COMMISSION

MINUTES OF A MEETING

Held in Chisasibi, Quebec

on February 18-19, 2014

THE MEETING COMMENCED AT 9:40AM ON FEBRUARY 18, 2014.

PRESENT: Chantal Tétreault
Alan Penn
Lorne McNeice

ABSENT: David Alagalak

Being duly appointed members of the Eeyou Marine Region Planning Commission (the “**Planning Commission**”).

This was a joint meeting with the **Eeyou Marine Region Wildlife Board** (the “**Wildlife Board**”) and the **Eeyou Marine Region Impact Review Board** (the “**Impact Review Board**”).

Also in attendance were Daisy House (Nominated Chairperson), Marina Kataquapit (interim secretary) and Steven Nguyen (Gowlings).

I. AGENDA

1. The members reviewed and approved the agenda of the meeting. The following items were added to the agenda: (i) language, (ii) vehicles, (iii) office and vehicle policies and (iv) auditors.

II. MINUTES

2. The minutes of the meeting of the Planning Commission held on October 22-23, 2013 were reviewed and approved.

On a motion duly made by Alan Penn and seconded by Lorne McNeice, the Planning Commission adopted **resolution PC2014-01** approving the minutes of the meeting held on October 22-23, 2013 with minor changes not affecting the substance thereof.

III. LANGUAGE

3. The question of language was raised. The members considered practical means of ensuring that documents are available in sufficient languages to ensure they are understood by all persons affected. It was suggested that project documents be available in a language that most people will understand.
4. Information will also need to be shared between the Planning Commission, the Impact Review Board and the Wildlife Board (collectively the “EMR Entities”) and it will be important to consider harmonization of the use of language between the documents of the EMR Entities.

IV. WEB SITE

5. It had previously been decided that the creation of the website would be deferred until the regional planner and wildlife manager were hired. However, given the delays in filling these positions, the members discussed the possibility of creating a provisional website.
6. It was suggested that a simple website be created, which website can be modified at a later time. The initial website will contain links to the *Eeyou Marine Region Land Claims Agreement* (the “EMRLCA”), an overview of the Planning Commission and its mandate, and contact information. The website of the Planning Commission will be prepared in conjunction with those of the Impact Review Board and the Wildlife Board.
7. It will be clearly indicated that this website is temporary. It should also be clear on the website that the EMR Entities are independent bodies and are not controlled by Cree or government interests.

On a motion duly made by Alan Penn and seconded by Chantal Tétreault, the Planning Commission adopted **resolution PC2014-02** approving the creation of a basic website for the Planning Commission, to be made in conjunction with those of the Impact Review Board and Wildlife Board, for a total amount not exceeding \$5,000, which amount shall be shared equally between the EMR Entities, and instructing the Chairperson to do all things necessary and to sign all documents required to carry out the foregoing resolution.

8. Directive **PC2014-01** was issued to Chantal Tétreault to oversee the creation of the websites for the EMR Entities, including that of Planning Commission.

V. VEHICLES

(a) Pickup truck

9. Roderick Pachano (Wildlife Board) and Marina Kataquapit had obtained quotes for the purchase of a vehicle for the Planning Commission, which quotes were tabled for review

and consideration by the Planning Commission.

10. This vehicle would be purchased jointly and its use will be shared with the Impact Review Board.
11. The members proposed that a policy be developed in order to manage the use of the vehicle, particularly how it will be shared between the employees of the Planning Commission. Storage space for the vehicle will also need to be considered.
12. It was mentioned that vehicle insurance can be obtained under the Cree Nation Government – Board of Compensation group insurance plan but that the insurance documents will need to be reviewed in order to ensure that personal use of the vehicle will be covered.

On a motion duly made by Chantal Tétreault and seconded by Lorne McNeice, the Planning Commission adopted **resolution PC2014-03** approving the purchase of a sports utility vehicle jointly with the Impact Review Board for a total amount not exceeding \$70,000, subject to funding, workplan and budgetary considerations and approvals, and instructing the Chairperson to do all things necessary and to sign all documents required to carry out the foregoing resolution.

13. **Directive PC2014-02** was issued to legal counsel to obtain insurance coverage for the vehicle to be purchased by the Planning Commission, which coverage shall include the use of the vehicle by family members of the employees.
14. **Directive PC2014-03** was issued to the Corporate Secretary and to the Chairperson to obtain additional quotes for vehicle and to proceed with the purchase of said vehicle.
15. **Directive PC2014-04** was issued to Brian Craik (Impact Review Board) to amend the workplan in order to provide for the purchase of the vehicle and to seek the required approvals.

(b) Boat

16. The EMR Entities must consider whether to rent or buy a boat as there are advantages and disadvantages to each option. These options shall be considered more carefully and a decision shall be made at a later date, once the EMR Entities have finished setting up their offices.
17. It was suggested that a larger boat may be advisable as it would be more durable and could give greater access to the Eeyou marine region.

VI. LIABILITY INSURANCE (UPDATE)

18. Legal counsel presented an update on liability insurance coverage for the Planning Commission.
19. Mr. Nguyen explained that though the Cree Nation Government – Board of Compensation

has advised Gowlings that the coverage is in place, Gowlings is still waiting for official documents from the insurance underwriters to confirm the coverage.

20. Mr. Nguyen also provided a brief overview of the insurance coverage and highlighted to the Planning Commission that the insurance policy must be updated in the event of any change in the members, employees, assets or other characteristics of the Planning Commission in order to ensure continued coverage.

VII. 2ND ROUND – JOB POSTINGS FOR REGIONAL PLANNER

21. As the job posting for the Regional Planner position resulted in an insufficient number of applications, a second round posting will take place. The closing of this second posting will be on February 28, 2014.
22. The job posting was revised slightly and will be distributed more widely in order to solicit additional applications, though the same screening and interview process will apply.

VIII. HOUSING FOR STAFF

23. Daisy House presented an update on the housing for the future staff of the Planning Commission. Though some of the housing is being acquired by other entities, there should still be sufficient housing for the new employees so long as they are hired within the next few months. Chisasibi has agreed in principle to lease to the EMR Entities housing units originally designated for sale. However, due to the current housing shortage in Chisasibi, it will be necessary to act quickly.
24. Given the likely characteristics of the Regional Planner that will be jointly hired by the Planning Commission and the Impact Review Board, as well as those of the Wildlife Management Director that will be hired by the Wildlife Board, it was decided that smaller units in one of Chisasibi's six-plexes would be more appropriate than the duplex units.
25. The EMR Entities will likely need a total of 3 housing units for the following staff members: (i) Regional Planner; (ii) Wildlife Management Director; and (iii) Wildlife Officer.
26. Housing will not be needed for the other staff members, including the local wildlife officers, as these positions will most likely be filled by locals.
27. It was mentioned that housing leased through Chisasibi include the necessary insurance coverage.
28. **Directive PC2014-05** was issued to Daisy House to make a request to obtain 3 housing units in one of Chisasibi's six-plexes.
29. **Directive PC2014-06** was issued to legal counsel to review the lease agreements for the 3 housing units.

IX. OFFICE SPACE

30. Though office space is still available, the space originally chosen by the EMR Entities, located in the commercial center in Chisasibi, required too many leasehold improvements (\$400,000) to be economically feasible. However, additional quotes for the leasehold improvements are being obtained
31. The Planning Commission also visited alternate offices located in the administrative building in Chisasibi.

X. ARCTIC FIBER

32. A project proposal involving the laying of a fiber optic cable between the London and Tokyo, which cable would also pass through the James Bay was submitted to the Nunavik Marine Region Impact Review Board by Arctic Fiber. As the proposed cable would pass through a portion of the Cree/Inuit offshore overlapping area, the EMR Entities informed Arctic Fiber that the project should also be reviewed by the Impact Review Board.
33. As a number of questions arose concerning the proposal, a report will be prepared by the Impact Review Board and Arctic Fiber was advised that the Impact Review Board's recommendations will be integrated to the Nunavik Marine Region Impact Review Board's report.
34. It is expected that this report, including the Impact Review Board's recommendations, shall be sent to the Minister.
35. Concerns were raised about corrosion and its effect on marine life and it was clarified that only the Impact Review Board deals directly with project proponents and that the Planning Commission and the Wildlife Board should forward any concerns to the Impact Review Board.
36. It was also raised that it would be beneficial to clarify the roles and responsibilities of each of the EMR Entities and that flowcharts similar to those prepared by the Nunavik Marine Region entities could be developed for the EMR Entities.

XI. FIRST NATION BANK ACCOUNT BALANCES

37. Brian Craik (Impact Review Board) informed the Planning Commission that the federal government has transferred funding into the bank account of the Planning Commission held at the First Nations Bank.

XII. BUDGET

38. As certain budgetary allocations were not used, notably due to the delay in the hiring of the staff of the Planning Commission, the workplans shall be amended and be submitted for approval by the Government of Canada to provide for the reallocation of these amounts towards various expenses.

XIII. WORKPLANS FOR 2014-2015

39. It was mentioned that the workplan for the 2014-2015 fiscal year will have to be prepared.
40. **Directive PC2014-08** was issued to the Chairperson and to Brian Craik (Impact Review Board) to prepare the workplan for the 2014-2015 fiscal year.

XIV. POLAR BEAR

41. Alan Penn presented on the various positions and agreements that had been reached regarding polar bear harvesting, as well as the potential effect of the *Convention on International Trade in Endangered Species* on international polar bear trade.
42. Various entities, including the EMR Entities, will need to consider this issue.
43. Though the issue is being researched and discussed by the Polar Bear Technical Committee, none of the EMR Entities are a member of this committee and their minutes are confidential.
44. In opposition to the number set by the government, the Polar Bear Technical Committee reached the conclusion that an annual harvest of 44 polar bears would be a legitimate management objective and public consultations were held in Innujuak on the matter.
45. Though both the governments of Quebec and Canada have come in support of that number, debate exists over the methodology used to establish the polar bear population.
46. The main concern of the Crees was the risk that polar bear trade would be banned, particularly as different environmental zones exist and the population in the south Hudson bay zone (which zone includes the Eeyou marine region) has a stable polar bear population.
47. It was noted that the Government of Quebec had sent a letter to the Nunavik Marine Region Impact Review Board concerning the matter but that no such letter was sent to the Impact Review Board.

XV. LOGOS

48. Various new logo designs were presented for consideration by the EMR Entities.

49. The logo for the Planning Commission will be the second proposed logo that had been developed for it, with minor changes to the design of the lacing and of the teepee.
50. The logo for the EMR Entities shall be a combination of the logos of each individual EMR Entity.

XVI. OFFICE AND VEHICLE POLICIES

51. It was noted that the EMR Entities must develop office and vehicle policies. A working group was created to develop these policies.
52. **Directive PC2014-06** was issued to Chantal Tétreault, Aurélie Bourbeau-Lemieux (Wildlife Board) and Brendan O'Donnell (Impact Review Board) to develop office and vehicle policies for the EMR Entities and to legal counsel to review the final draft of said policies.

XVII. GCCEI MEMBER FOR EMRIRB

53. A new member will have to be nominated to replace Isaac Masty as the Grand Council of the Crees (Eeyou Istchee) representative on the Impact Review Board once he is officially appointed as the Chairperson.

XVIII. SYMPOSIUM ON SCIENCE AND TRADITIONAL ENVIRONMENTAL KNOWLEDGE IN JAMES BAY

54. Claude Saint-Charles (Wildlife Board) presented an update on the Symposium on Science and Traditional Environmental Knowledge in James Bay (the "**Symposium**"). A list of speakers and a draft schedule for the Symposium was tabled for review by the Planning Commission.
55. The Symposium will be held from March 25 to 27, 2014. Members of the EMR Entities who wish to attend will need to register and speakers will have to submit abstracts of their presentations.
56. Though there is currently a limit on the number of attendees, it was suggested that this limit could be reviewed in light of the funding contributions made by the Wildlife Board and the Impact Review Board.

XIX. AUDITORS

57. As the proposals for auditing services received by the Planning Commission were nearly identical in terms of services and price, BDO Canada was selected to be the auditors for the Planning Commission given that they are the auditors for the Cree Nation of Chisasibi, which would result in cost savings.

On a motion duly made by Chantal Tétreault and seconded by Lorne McNeice, the Planning Commission adopted **resolution PC2014-04** approving the appointment of BDO Canada as the auditors for the Planning Commission and instructing the Chairperson to do all things necessary and to sign all documents required to carry out the foregoing resolution.

58. A proposal had also been received from Albert Rondeau for accountancy consulting services. As the staff members have yet to be hired, the consideration of this proposal was deferred until such time as staff is hired.

MEETING RECESSED AT 6:10PM ON FEBRUARY 18, 2014; RECONVENED AT 9:30AM ON FEBRUARY 19, 2014

XX. MANDATE OF THE PLANNING COMMISSION

59. Alan Penn presented a summary on the mandate of the Planning Commission. A document entitled “Preparing for the development of a land use plan and providing relevant input to planning related issues prior to the formal adoption of a regional land use plan” was tabled for review by the members.
60. A key point of the presentation was the interaction between the *James Bay and Northern Quebec Agreement* (the “JBNQA”) and the EMRLCA, particularly as the former did not provide for land use planning powers over a large part of the territory. In addition, the JBNQA did not provide for a review of harvest impact on marine regions.
61. Various issues and considerations were raised, such as, among other things:
- The changing interface between terrestrial and marine environments;
 - The necessity to have an integrated view of the coast;
 - The need to cooperate with the *James Bay Advisory Committee on the Environment*;
 - The fact that the boundaries of the Province of Quebec in the coastal area are not formally defined due to practical and political reasons;
 - The limited costal infrastructure that exists in the James Bay;
 - The jurisdiction over anadromous fish and migratory waterfowl;
 - The disparate nature of the scientific information that currently exists concerning the James Bay, which information has yet to be pooled together to look at the interests of the coastal communities;
 - The need to reinforce the importance and validity of traditional knowledge;
 - The possibility of creating a Northern Research Institute through the joint use of

Cree and Inuit funds to counter the lack of research in the north of Quebec; and

- The possibility of cooperating with the Cree Research and Development Institute regarding scientific research in the James Bay coastal area.

62. A second document, entitled *Eeyou Marine Region Symposium Some Observations on research and field-data Collection prior to the commissioning of the La Grande hydro-electric Complex* was tabled for discussion purposes. This latter document is still a draft which may be revised following the comments of the members.
63. It was mentioned that Professor Colin Scott and Monica Mulrennan will be holding consultations for the entire month of June in the coastal Cree communities in order to identify key issues in the coastal area.
64. As the land use plan will have to be developed by the members of the Planning Commission and not by the Regional Planner, it was suggested that the Planning Commission meet to identify goals, objectives and next steps. Furthermore, working groups will need to be established for such purposes.
65. In addition, hiring individuals to help with the work may be necessary and key resource persons should be identified now as a certain expertise will be necessary for the development of the land use plan.
66. The Planning Commission may also consult and coordinate with the Nunavik Marine Region Planning Commission and the Nunavut Planning Commission on this matter, as per paragraph 8.4.19 of the EMRLCA
67. However, it was noted that the first priority at this point in time is the hiring of the staff of the Planning Commission.
68. Finally, it was suggested that once the EMR Entities begin to hold separate meetings, a member of the Planning Commission should attend the meetings of the Wildlife Board and Impact Review Board, as the case may be, as an observer so as to stay current with the developments of those entities.

XXI. NEXT MEETING

69. The next meeting of the Planning Commission will be held in Montreal on March 24, 2014.
70. An additional meeting will be held on April 16-17, 2014, jointly with the Impact Review Board and the Wildlife Board.

XXII. ADJOURNMENT

71. There being no further business to discuss, the meeting was adjourned.

MEETING ADJOURNED AT 1:45PM ON FEBRUARY 19, 2014

Chairperson

Recording Secretary