

EYYOU MARINE REGION PLANNING COMMISSION

MINUTES OF A MEETING

Held at 270 St Antoine St W, Montreal, Quebec

on October 22-23, 2013

THE MEETING COMMENCED AT 9:00AM ON OCTOBER 22, 2013.

PRESENT: Chantal Tétreault – GCCEI (Interim Chairperson)
Alan Penn – GCCEI
Lorne McNeice – Canada

ABSENT: David Alagalak – Nunavut

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 (GCCEI), Steven Nguyen (Gowlings), Don Axford and federal representatives Cédric Paître (Environment Canada) and Caroline Girard (Department of Fisheries and Oceans).

I. AGENDA

1. The members reviewed and approved the agenda of the meeting.

II. MINUTES

2. The minutes of the meeting of the Planning Commission held on June 27-28, 2013 were reviewed and approved.

On a motion duly made by Lorne McNeice and seconded by Chantal Tétreault, the Planning Commission adopted **resolution PC2013-13** approving the minutes of the meeting held on June 27-28, 2013 with minor changes not affecting the substance thereof.

III. CHAIRPERSON

3. The members were informed that Roderick Pachano's nomination as Chairperson of the Wildlife Board has been confirmed by the Minister of Fisheries and Oceans.
4. The letter dated October 22, 2013 from the Minister of Fisheries and Oceans and addressed to Roderick Pachano to this effect was tabled for information purposes.
5. A letter dated July 12, 2013 from the Department of Environment of Nunavut and addressed to Alain Grenier of Aboriginal Affairs and Northern Development supporting the nomination of Isaac Masty as Chairperson of the Impact Review Board was also tabled for information purposes.

IV. MAIN OFFICE

(a) Service agreement with Nellie Pashagumiskum

6. It was proposed that a service agreement be entered into between Ms. Nellie Pashagumiskum and the Cree Nation of Chisasibi, on behalf of the Planning Commission, for logistical support in setting up the office of the Planning Commission in Chisasibi. As the Planning Commission will be sharing an office with the Impact Review Board and the Wildlife Board, a single service agreement will be signed.
7. As the Planning Commission, the Impact Review Board and the Wildlife Board (the "EMR Entities") are still in an organizational phase, the contract will be concluded between the Cree Nation of Chisasibi, on behalf of the EMR Entities, and Ms. Pashagumiskum. Daisy House (nominated Chairperson) will oversee the implementation of the agreement.
8. **Directive PC2013-24** was issued to legal counsel to prepare a service agreement between the Cree Nation of Chisasibi and Nellie Pashagumiskum for logistical support in regard to the setting up of the office of the EMR Entities in Chisasibi.

On a motion duly made by Chantal Tétreault and seconded by Lorne McNeice, the Planning Commission adopted **resolution PC2013-14** approving a service agreement between Nellie Pashagumiskum and the Cree Nation of Chisasibi, on behalf of the Planning Commission, for logistical support in setting up the offices of the Planning Commission, the Impact Review Board and the Wildlife Board for a total amount not exceeding \$25,000 and mandating the Cree Nation of Chisasibi to enter into such agreement on behalf of the Planning Commission.

(b) Office layout and management

9. A proposed floor plan for the joint offices of the EMR Entities was tabled for consideration and approval by the members of the Planning Commission.

10. Amendments were made to the floor plan in order to provide space for a Geographic Information System (mapping) room and a larger conference room.
11. It was suggested that the Planning Commission look to the Nunavik Marine Region Planning Commission with regard to the exact activities carried out by the Nunavik Marine Region Planning Commission. This will be important in determining the job description for the relevant positions.
12. It was also suggested that either the Wildlife Management Director (Wildlife Board) or the Regional Planner be responsible for the general management of the office.
13. Following the comments of the members of the Planning Commission, an updated floor plan as well as a draft lease offer was tabled for consideration and approval by the Planning Commission.
14. As the EMR Entities will share the office space, it was suggested that the lease be entered into between the Wildlife Board and Chisasibi Center Inc. The Planning Commission and the Impact Review Board will enter into a sublease agreement with the Wildlife Board for their respective office space.

On a motion duly made by Alan Penn and seconded by Lorne McNeice, the Planning Commission adopted **resolution PC2013-15** approving, subject to review by legal counsel, a sublease agreement between the Planning Commission and the Wildlife Board on terms reasonably comparable to those found in the lease agreement between the Wildlife Board and Chisasibi Center Inc., and in an amount not exceeding one third of the value of said lease agreement, and authorizing the Chairperson to do all things necessary and sign all documents required to carry out the foregoing resolution.

MEETING RECESSED AT 12:15PM; MEETING RECONVENED AT 1:40PM

V. STAFF

15. The job posting for the Regional Planner, which has already been posted and circulated, was tabled for information purposes.
16. It was suggested that the position also be posted on the Cree Human Resources Development website and that the job description of the Regional Planner be eventually amended to include a reference to the Cree/Inuit Offshore Overlap Agreement.
17. Salaries for all positions were set in accordance with the Eeyou Marine Region Land Claims Agreement Implementation Plan.
18. **Directive PC2013-25** was issued to Chantal Tétreault to be responsible for a preliminary screening of the applications for the positions of Regional Planner and to select candidates to be interviewed.

19. **Directive PC2013-26** was issued to Lorne McNeice and to Brendan O'Donnell (Impact Review Board) to conduct an interview of the selected candidates for the position of Regional Planner.

VI. HOUSING UPDATE

20. Pursuant to directive PC2013-19, Daisy House verified and reported on the availability and costs of staff housing in Chisasibi.
21. Housing units are available at competitive rates, but the actual needs of the Planning Commission will have to be determined before lease agreements can be concluded.

VII. FISCAL YEAR 2013-2014 – BUDGET AND WORKPLAN

22. Don Axford presented an update on the budget and workplan of the Planning Commission for the 2013-2014 fiscal year.
23. Certain delays were incurred in the finalization of these documents as there were communication issues with the federal employee who had been assigned to work with the Planning Commission.
24. Two distinct funding agreements will be concluded: (i) between the Government of Canada and the Grand Council of the Crees (Eeyou Istchee) on behalf of the EMR Entities and providing secretariat services to the Planning Commission for the period from April 1, 2013 to December 31, 2013, and (ii) between the Government of Canada and the Planning Commission for the period from January 1, 2014 to March 31, 2014.
25. A draft funding agreement was tabled for review and consideration by the members of the Planning Commission. The amounts provided are those specified in the workplan and it was noted that the work plan could be amended as required in order to reflect any changes to the budgetary estimates.

On a motion duly made by Lorne McNeice and seconded by Alan Penn, the Planning Commission adopted **resolution PC2013-16** approving, subject to review by legal counsel, the funding agreement and the workplan for the period from January 1, 2014 to March 31, 2014, providing for a total expenditure of ● , as reviewed and with such changes not affecting the substance thereof, and authorizing the Chairperson to do all things necessary and sign all documents required to carry out the foregoing resolution.

VIII. FISCAL YEAR 2013-2014 – BUDGET AND WORKPLAN – INTERIM IMPLEMENTATION SECRETARIAT

26. A draft funding agreement between the Government of Canada and the Grand Council of the Crees (Eeyou Istchee) on behalf of the EMR Entities for the period from April 1, 2013 to December 31, 2013 and the accompanying workplan was tabled for consideration by the

members of the Planning Commission.

3. On a motion duly made by Lorne McNeice and seconded by Alan Penn, the Planning Commission adopted **resolution PC2013-17** approving, subject to review by legal counsel, the funding agreement and the workplan for the period from April 1, 2013 to December 31, 2013, as reviewed and with such changes not affecting the substance thereof, and mandating that the Grand Council of the Crees (Eeyou Istchee) do all things necessary and sign all documents required to carry out the foregoing resolution.

IX. PRESENTATION OF GOVERNMENT OF CANADA MANDATE

(a) Department of Fisheries and Oceans

27. Caroline Girard of the Department of Fisheries and Oceans presented an overview of the responsibilities of the department of Fisheries and Oceans Canada.
28. A number of potential issues were discussed regarding the respective jurisdictions of the federal and provincial governments over certain areas and fish species and specific concerns were raised regarding the scope of application of the *James Bay and Northern Quebec Agreement*, the *Eeyou Marine Region Land Claims Agreement* and the *Nunavik Marine Region Land Claims Agreement*.
29. It was also noted that Quebec fishery officers do not have the authority to act in the Eeyou Marine Region.
30. A copy of this presentation was tabled for information purposes.

RECESSED AT 5:00PM ON OCTOBER 22, 2013; RECONVENED AT 9:00AM ON OCTOBER 23, 2013

(b) Environment Canada

31. Cédric Paître of Environment Canada presented an overview of Environment Canada's mandate and highlighted examples of cases in which the Wildlife Board and Environment Canada would have to work together.
32. Mr. Paître also noted that Environment Canada's activities in the James Bay region consists essentially of surveys and that it does very little in terms of the implementation of the *James Bay and Northern Quebec Agreement*.
33. Several issues were raised, such as the importance of communication between the Government of Canada and Aboriginal groups and the lack of enforcement by the Government of Canada of its regulations.

34. It was also noted that it will be important to ensure an application of the provisions of the *Eeyou Marine Region Land Claims Agreement* in a manner consistent with the *James Bay and Northern Quebec Agreement*.
35. A copy of the presentation was tabled for information purposes.
36. A copy of a second presentation on the Migratory Bird Regulations was tabled for consideration by the members of the Planning Commission. A formal presentation will follow at the next meeting of the Planning Commission.
37. A briefing note prepared by Alan Penn for a meeting of the Polar Bear Management, CITES, and the Eastern Arctic Interjurisdictional Group held on September 18, 2013 was also tabled for consultation by the members of the Planning Commission.

X. SYMPOSIUM

38. Jules Dufour presented an update on the organization of the Symposium on Science and Traditional Environmental Knowledge in James Bay and Hudson Bay. A proposal from ArcticNet for the organization of the Symposium was tabled for review and approval by the Planning Commission.
39. The dates are now confirmed for the 25-27 of March, 2014. The total budget is estimated at \$32,273, excluding any taxes that may be applicable.
40. **Directive PC2013-27** was issued to legal counsel to provide legal advice on the status of the Planning Commission and any related tax exemptions.
41. It was suggested that presentations be made by Hydro Quebec, Ontario Hydro and Manitoba Hydro, as well as a presentation on the creation of a marine park by the Cree First Nation of Wemindji. The Cree Nation of Chisasibi expressed interest in making a presentation on wildlife habitats.
42. The members of the Planning Commission will communicate with any other individuals or groups they know who may have relevant knowledge to present at the Symposium.
43. While it had initially been decided that the costs of the Symposium be supported entirely by the Wildlife Board, the budget may not be sufficient to support the entire costs. As such, it was suggested that the Planning Commission and the Impact Review Board will each contribute an amount of \$15,000 to the budget of the symposium.

On a motion duly made by Chantal Tétrault and seconded by Lorne McNeice, the Planning Commission adopted **resolution PC2013-18** approving a contribution of \$15,000 towards the organization of the Symposium on Science and Traditional Environmental Knowledge in James Bay and Hudson Bay and authorizing the Chairperson to do all things necessary and sign all documents required to carry out the foregoing resolution.

44. Although the Planning Commission and the Impact Review Board will be contributing to

the costs of the Symposium, it was decided that agreement related to the organization of the Symposium should be signed by the Wildlife Board.

45. **Directive PC2013-28** was issued to Aurélie Bourbeau-Lemieux (Wildlife Board) to look into the possibility and costs of offering simultaneous translation from English and French to Cree and Inuktitut for the Symposium.

XI. LIABILITY INSURANCE

46. Brian Craik and legal counsel provided an update on the application for liability insurance. The application has been filed and will be considered for approval at the next meeting of the Board of Compensation.

RECESSED AT 12:10PM, RECONVENED AT 1:30PM

XII. LOGO

47. As no entries were obtained through the logo contest, Gordongroup provided designs for the collective logo of the EMR Entities which were tabled for consideration by the members.
48. The members did not feel that the logos submitted properly represented the EMR Entities and requested that more logo designs be presented at the next meeting of the Planning Commission.
49. It was noted that a logo had already been developed for the referendum on the *Eeyou Marine Region Land Claims Agreement* and that such logo could serve as inspiration for the logo of the EMR Entities and of the Planning Commission.

XIII. AUDITORS

50. An additional proposal from an independent Cree certified public accountant will be considered at the next meeting of the Planning Commission in addition to the proposals of Raymond Chabot Grant Thornton and BDO Canada already tabled at the previous meetings of the Planning Commission.
51. It was also suggested that the auditor should not perform general accounting work for the Planning Commission as there should be a clear line between day to day accounting work and auditing services.

XIV. WEBSITE

52. Three proposals for the creation of a website for the Planning Commission were considered by the Planning Commission, those submitted by Gordon Group, Soleica and Strata360.

53. It was noted that it is difficult at the present time to determine the exact needs of the Planning Commission with regard to the website and it was suggested that a decision be deferred until such time as staff members have been hired.

54. It was decided that a basic website be created for the Symposium but that the question of the full website for the EMR Entities will be decided at a later time.

On a motion duly made by Lorne McNeice and seconded by Alan Penn, the Planning Commission adopted **resolution PC2013-19** approving the creation of a basic website for the Symposium on Science and Traditional Environmental Knowledge in James Bay and Hudson Bay for an amount not exceeding \$1,000 and authorizing the Chairperson to do all things necessary and sign all documents required to carry out the foregoing resolution.

XV. OFFICIAL LANGUAGES ACT

55. It was decided that a joint letter from the EMR Entities will be sent to Mr. Bernard Valcourt, Minister of Indian Affairs and Northern Development, to request additional funding to permit the Planning Commission to operate in English, French and Cree, in accordance with the provisions of the Eeyou Marine Land Claims Agreement.

56. **Directive PC2013-29** was issued to Chantal Tétreault to send a letter to Mr. Bernard Valcourt, Minister of Indian Affairs and Northern Development, to request funding for the Planning Commission to operate in English, French and Cree.

XVI. POLICIES REGARDING INFORMATION

57. Policies regarding confidentiality, public dissemination and access to information used by the Nunavik Marine Region entities were tabled for information purposes.

XVII. NUNAVIK MARINE REGION IMPACT REVIEW BOARD FORMS AND GUIDES

58. The Nunavik Marine Region Impact Review Board's impact assessment process guides were tabled for information purposes. The guides are also available on the website of the Nunavik Marine Region Impact Review Board.

XVIII. OTHER MATTERS

59. **Directive PC2013-30** was issued to Chantal Tétreault to create a Facebook page for the EMR Entities.

XIX. NEXT MEETING

60. The next meeting of the Planning Commission will be held in Chisasibi on February 18-19, 2014.

XX. ADJOURNMENT

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

MEETING ADJOURNED AT 4:00PM ON OCTOBER 23, 2013

Chairperson

Recording Secretary