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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

MINUTES OF THE 129TH MEETING

(APPROVED)

DATES: October 17 and 18, 2011

PLACE: Edifice Marie-Guyart, Quebec City

PRESENT:

KRG appointees:

Michael Barrett, Chairperson
Adamie Kalingo, Vice-Chairperson

Government of Canada appointees:

Claude Abel
Gilles H. Tremblay
Thessa Girard-Borgouin

Québec government appointees:

Paule Halley
Denyse Gouin
Sylvie Létourneau

Executive Secretary:

Nancy Dea

ABSENT:

Charlie Arngak, KRG appointee

GUESTS:

Pierre Arcand, Minister, MDDEP
Diane Jean, Deputy Minister, MDDEP
Léopold Gaudreau, Assistant Deputy Minister, MDDEP
Jacques Dupont, Assistant Deputy Minister, MDDEP
Patrick Beauchesne, Director, Ecological Heritage and Parks
Branch, MDDEP

Vincent Desormeaux, Project Manager, Ecological Heritage and Parks Branch, MDDEP
Stéphane Cossette, Ecological Heritage and Parks Branch, MDDEP
Alain Thibault, Ecological Heritage and Parks Branch, MDDEP
Aude Tremblay, conseillère, MRNF
Michèle Fournier, Climate Change Office, MDDEP
Carole Garceau, Climate Change Office, MDDEP
Catherine Gauthier, Climate Change Office, MDDEP

1. Call to order and adoption of the agenda

The 129th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9:00 a.m. on October 17, 2011, in Quebec City. The Chairperson invited the members to suggest changes to the agenda. It was then adopted unanimously. The meeting took place in accordance with the agenda shown below.

1. Call to order and adoption of the agenda
2. Minutes of the 128th meeting and the September 2 teleconference
3. Business arising from the 128th meeting and correspondence
 - a) Public consultation on the amendment of the CEAA
 - b) Residual hazardous materials management guides
 - c) Drinking water tank cleaning project
 - d) Environmental assessment regime in Nunavik
4. Budget, secretariat and members
 - a) Annual report
 - b) Members
 - c) Website
 - d) Budget
 - e) Secretariat
5. Bill 14: *Act respecting the Development of Mineral Resources in keeping with the Principles of Sustainable Development*
6. Fees applicable for the delivery of certificates of authorization under the *Environment Quality Act*
7. Parc national des Monts-Pyramides project
8. Québec 2013–2020 action plan on climate change: MDDEP presentation
9. Plan Nord
10. Miscellaneous
 - a) Presentation to the KRG Council
 - b) MRNF consultation: Establishment and operation of local forests
 - c) Nunavik residual material management plan
11. Date and place of next meeting

2. Minutes of the 128th meeting and the September 2 teleconference

The members discussed the minutes of the 128th meeting and made some changes. Gilles Tremblay proposed the adoption of the 128th meeting minutes, which was seconded by Denyse Guoin.

The members also discussed the minutes of the September 2 teleconference and put forward minor changes. Their adoption was proposed by Paule Halley and seconded by Denyse Guoin.

3. Business arising from the 128th meeting and correspondence

The members reviewed the list of correspondence. With regards to business arising from the previous meeting, the following items were discussed:

a) Public consultation on the amendment of the CEAA

The KEAC was informed that the Standing Committee on Environment and Sustainable Development would be meeting on October 18th to discuss the schedule of briefs to be presented, including that of the KEAC, with regards to the review of the *Canadian Environmental Assessment Act (CEAA)*.

The Executive Secretary also noted that the KEAC had received a copy of the position paper by the James Bay Advisory Committee on the Environment (JBACE) on the revision of the CEAA.

b) Residual hazardous materials management guides

The Executive Secretary presented the printed versions of the residual hazardous materials guides as well as the posters that will accompany each of the three guides.

The guides have so far been distributed to the Northern villages of Kuujuaq and Ivujivik by the Environmental Technician of the Kativik Regional Government (KRG). She will continue to distribute these publications as she visits each of the 12 remaining Northern villages.

The members decided to print the poster presented in Guide No. 2, which discuss household hazardous waste, on refrigerator magnets. The magnets will be distributed to households throughout the region.

c) Drinking water tank cleaning project

The Executive Secretary mentioned that she spoke with Mr. Barbeau, researcher at the *École Polytechnique de Montréal*, regarding the KEAC's interest in continuing with the project. Mr. Barbeau also noted that he and his team could proceed with the project in 2012.

The members revised a draft letter in which the KEAC requests financial support for conducting a field study in Nunavik in order to (i) evaluate the efficiency of different cleaning techniques for household drinking water tanks and (ii) address the issue of the frequency of cleaning needed to ensure good quality drinking water.

It was proposed that the project be presented to the Nunavik Nutrition and Health Committee (NNHC) so that the NNHC could then state its support and confirm the scientific credibility of the project in a letter to accompany the KEAC letter.

d) Environmental assessment regime in Nunavik

in 2009, the document entitled *KEAC Position Paper on Strengthening the Environmental and Social Impact Assessment and Review Procedure in Nunavik* was sent to the Canadian Environmental Assessment Agency, but no response was ever received. By request from the Chairperson of the federal Environmental and Social Impact Review Panel (COFEX-North), the KEAC position paper was recently resent to the new President of the Canadian Environmental Assessment Agency, Elaine Feldman.

The members agreed to continue drafting a mandate for a consultant who would then prepare a document that would outline the committee's recommendations for the revision of the schedules 1 and 2 of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA). The mandate will list the KEAC's objectives concerning the revision and set a clear direction for the consultant in order to prepare the document.

4. Budget, secretariat and members

a) *Annual report*

The Executive Secretary presented the printed version of the 2010–2011 annual report. She noted that, following the lead of the JBACE, the KEAC printed fewer copies this year and will instead send an email with a link to download the electronic version of the report. The email will also note that paper copies are available upon request.

b) *Members*

The members welcomed the new member appointed by the federal government, Thessa Girard-Bourgoin. Ms. Girard-Bourgoin explained that she has worked for the past six years as a case advisor in the litigation office at Aboriginal affairs and was recently transferred to the James Bay Implementation Office. Her academic background is in History and she has also worked in international development.

c) Website

The website was recently updated to include the electronic versions of the 2010–2011 annual report and the residual hazardous material guides. Members can also now access KEAC archives via the Intranet.

The Executive Secretary also noted that the average number of monthly website visits over the past four months has been approximately 1700 per month.

d) Budget

The members reviewed the financial summary for June–September 2011 prepared by the Executive Secretary. The Executive Secretary explained that in March 2011, an overpayment was made to the KRG for office rental. A credit is to be issued by the KRG. A new rental lease will be drafted and ready for review at the next KEAC meeting.

e) Secretariat

The Chairperson requested that Jennifer Matchett, a KRG administrative coordinator, replace Laina Grey as a signing authority for the KEAC. The other KEAC signing authorities are Michael Barrett, Cecilia Anderson (a KRG secretary) and Stéphanie Benoit (KEAC executive secretary on maternity leave). A resolution to this effect was adopted.

5. Bill 14: Act respecting the Development of Mineral Resources in keeping with the Principles of Sustainable Development

On August 24, 2011, two members, Claude Abel and Paule Halley, presented the KEAC position paper on Bill 14 to the Committee on Agriculture, Fisheries, Energy and Natural Resources at the Québec National Assembly. The position paper may be downloaded from the KEAC website. The brief was transmitted to the KRG, the Makivik Corporation and the *Ministère des Ressources naturelles et de la Faune* (natural resources and wildlife, MRNF).

6. Fees applicable for the delivery of certificates of authorization under the Environment Quality Act

It was explained to the members that the proponents of projects subject to the environmental and social impact assessment and review procedure in southern Québec (section 31.1 of the *Environment Quality Act*) must pay fees at each stage of the procedure in order to receive the authorization of the *ministère du Développement durable, de l'Environnement et des Parcs* (sustainable development, environment and parks, MDDEP) The fees vary depending on the scale of the project and whether or not public hearings must be organized. Similar provisions do not apply to the proponents of projects subject to the

environmental and social impact assessment and review procedure in the territory covered by the JBNQA, in particular north of the 55th parallel.

The members discussed the need for fees for projects in the North. They suggested that, if project proponents are one day required to pay such fees, the money raised could be directed into an environmental fund for the North.

It was also noted that the KRG does not charge project proponents for services such as copying maps and documents, as well as compliance confirmations.

The members had several questions regarding this topic and asked that it be placed on the agenda at the next meeting to allow time for further reflection and for more information to be gathered.

7. Parc national des Monts-Pyramides project

The members welcomed Stéphane Cossette and Alain Thibault of the MDDEP Ecological Heritage and Parks Branch. The MDDEP representatives presented a summary of the provisional master plan for *parc national des Monts-Pyramides*, the fourth national park project in Nunavik. The proposed name for the park is *Ulittaniujalik*, an Inuktitut word referring to the ancient shorelines etched horizontally on the mountains in the area (notably on Pic Pyramide) by the former Glacial Lake Naskaupi.

A working group, composed of members of the communities of Kuujuaq, Kangiqsualujuaq and Kawawachikamach, along with representatives of the KRG, the Makivik Corporation and the two concerned outfitters, has been closely involved throughout this project. Initially, a territory was reserved for park purposes in 1992. The working group however recommended that the study area be increased to include sites of ecological and cultural interest, such as the downstream section of the Ford River, Lake Tasirlaq, Lake Qamanialuk and Helen Falls. These sites contain unique natural elements that are not represented elsewhere in the park project. The territory proposed for the park now covers more than 5000 km² and, following creation, will become one of the largest parks in Québec.

Parc national des Monts-Pyramides will contribute to the objective of protecting at least 12% of the territory covered under the Plan Nord. It will protect a representative portion of the natural region known as the George River Plateau, a major salmon river and its drainage basin, as well as Pyramid Mountain. Following approval by the MRNF, expired mining claims could be integrated into the park project. Moreover, as a conservation area, the park will protect the ecological integrity of its entire territory, and industrial activities will be prohibited. Four types of zones are planned in the park: maximum preservation, preservation, natural environment and service zones. The working group has

proposed a maximum preservation zone for an area of the upmost cultural importance to the Inuit of Kangiqsualujjuaq. If the proposal is approved, visitors will not be permitted access to this zone.

Kuujjuaq will be the main gateway to the park. Kangiqsualujjuaq and Kawawachikamach will serve as secondary access points. Visitors will be required to pay park-entry fees and register with park authorities prior to entering the park. Visitors will also have to comply with the park zoning plan. In this respect, it was mentioned that the MDDEP had received a letter from the Hunting, Fishing and Trapping Coordinating Committee regarding the possibility of increasing the fines payable for unauthorized access to the park. An increased fine intended to serve as a dissuasive measure would be welcome, but would require an amendment to the *Parks Act*.

Mr. Cosette and Mr. Thibault pointed out that rights, such as hunting and fishing rights, would not be affected by the creation of the park. The provisions of the JBNQA take precedence over the *Parks Act*. It was also indicated that a harmonization committee will be created to monitor the procedures set up to ensure that visitor activities do not interfere with the harvesting rights of Inuit or Naskapi.

Since park creation is provided for in the *Partnership Agreement on Economic and Community Development in Nunavik* (Sanarrutik Agreement), the park may offer educational and recreational opportunities. The park will also foster the development of nearby communities by creating jobs and generating economic spinoffs.

Information sheets on the park project, the provisional master plan and a summary may be downloaded from the MDDEP website. The KRG has prepared a status report and carried out an environmental and social impact assessment study, which includes an economic impact study. These documents, which have been transmitted to the Kativik Environmental Quality Commission (KEQC) and the MDDEP Environmental Assessment Branch, may also be downloaded from the MDDEP website.

Public hearings organized jointly by the MDDEP pursuant to the *Parks Act* and by the KEQC pursuant to the *Environment Quality Act* are scheduled for November 21–25, 2011, in the communities of Kangiqsualujjuaq, Kuujjuaq and Kawawachikamach.

The members decided that a brief should be prepared for the public hearings.

8. Québec 2013–2020 action plan on climate change: MDDEP presentation

The Québec government is developing an action plan on climate change for 2013–2020 and a climate change adaptation strategy. The MDDEP Climate Change Office met with the KEAC to provide the members with information on the current process and, if applicable, obtain their feedback.

In 2006, the Québec government launched its 2006–2012 action plan on climate change. Under the plan, the MDDEP implemented the *programme Climat Municipalités* in 2008 to help municipalities prepare inventories on greenhouse gas (GHG) emissions and to develop action plans to reduce emissions. It was noted that the KRG received MDDEP funding for this purpose and that it is currently preparing such an inventory.

Studies indicate that a large portion of the province's carbon emissions are generated by the transportation sector. In 2009, Québec set a goal to reduce its emissions by 20% in relation to 1990 levels. A member described a breakdown by sector of emissions in Nunavik according to the current GHG inventory work: 62% of emissions originate from buildings and infrastructure, and only 33% from transportation. One member mentioned that, due to the absence of a road network, the region is more dependent on air transportation and this situation must certainly have an impact on GHG emissions.

The MDDEP is conducting consultations with various organizations regarding the preparation of an action plan for the reduction of GHG emissions (2013–2020) and a climate change adaptation strategy. The MDDEP representatives referred to the sectors of energy, buildings and residual material.

One of the main strategic measures for the energy sector is the cap-and-trade system for GHG emissions. Any project in the industrial and energy sectors that emits more than 25,000 tonnes of GHG annually will be subject to the cap-and-trade system beginning in 2013. The territory covered under the Plan Nord will be subject to the same requirement as the rest of Québec. Businesses that distribute fuel in Québec or that import these products for their own use will be subject to the requirement beginning in 2015. It was noted that the mining industry, which is part of the private sector, will be subject to the cap-and-trade system. One of the main goals in this industry is to improve energy efficiency for heating and operations. Training and support measures to help the industry adapt practices to reduce GHG emissions will also be introduced. A revolving fund might be created to help finance large-scale GHG-emission reduction measures.

A member mentioned that buildings and homes in Nunavik use heating oil. Electricity is provided by diesel power plants. Adaptation measures for and adjustments to these kinds of systems are difficult. The MDDEP representatives

noted that, by 2013, all power-production corporations will be subject to the cap-and-trade system and that, by 2015, all fuel distribution companies will be subject to the system.

Under the action plan, off-grid power networks in the North will also be taken into account and the use of renewable and alternative power is under study.

GHG emissions for buildings have increased throughout Québec. Many energy-efficiency programs are currently available, and a GHG-emission reduction component will be added to these programs. The adaptation of these programs to Northern realities is being reviewed. Finally, the *Building Code* will be updated and adapted to include provisions regarding the reduction of GHG emissions.

Regarding the residual material sector, an initiative to eliminate organic waste from landfill sites by 2020 has been launched. Organic waste is the main source of GHG emissions in this sector. The implementation of organic-waste collection systems could receive support.

Other initiatives under study include expanding extended producer responsibility to include coolants and refrigeration appliances, as well as reducing the emissions of energy-recovery equipment for waste.

Forest emissions have not been included in the GHG inventories. Nonetheless, certain actions could be developed for this sector.

A public awareness campaign will also be initiated. A website could be developed to hold all the information on climate change that is currently available from various government websites. Eligibility under the *programme Action-Climat* could be expanded, for example, to include Aboriginal communities. Education tools may also be developed for schools.

It was pointed out that none of these potential actions have been approved by the government and that the action plan is in its early stages.

The second part of the MDDEP presentation concerned adaptation measures regarding the environmental and economic impacts of climate change. The global climate is changing and temperatures in the North as well as levels of precipitation are increasing more than in other parts of the province. Adaptation measures need to be developed to help people to prepare for these changes.

The development of knowledge and know-how will contribute to permafrost and impact monitoring in villages such as Salluit. An increase in awareness and training will include the improvement of the transfer of knowledge between researchers and communities. Also, in the North, the consequences of disasters associated with climate change will need to be managed by improving civil security and warning systems.

Moreover, there is a need to preserve biodiversity and ecosystem benefits by managing these resources in the context of climate change. One member mentioned that the sea and rivers are very important to Inuit. Consequently, changes to these have a great impact on the people.

Another member mentioned the importance of developing a regional focus group so that the Northern and Inuit perspectives may be heard and integrated into the action plan and the strategy.

The MDDEP representatives invited the KEAC to transmit its comments and suggestions, if applicable, to the Climate Change Office.

9. Plan Nord

The KEAC welcomed MDDEP officials including the MDDEP Minister, Mr. Pierre Arcand and Deputy Ministers Mr. Léopold Gaudreau and Mr. Jacques Dupont as well as representatives of the Ecological Heritage and Parks Branch, Mr. Patrick Beauchesne, Mr. Vincent Desormeaux, Mr. Stéphane Cossette and Mr. Alain Thibault. They were attended the meeting to present the consultation document concerning Quebec government's commitment to dedicate 50% of Plan Nord lands to environmental protection, maintaining biodiversity, promoting natural heritage and a variety of types of development that do not rely on industrial activities.

In its consultation document, the government has set several targets. By 2015, for example, the target is to create protected areas covering 12% of the Plan Nord lands and 12% of the continuous boreal forest. By 2015, Québec will begin ecological planning, that is to say, undertake a type of land planning based on knowledge of the potential and fragility of ecosystems to enable the sustainable development of the land and its natural resources. Part of this work includes an atlas of biological diversity in Northern Québec that should be completed in March 2012. Finally, by this date, Québec intends to adopt a legal framework and develop an implementation strategy.

By 2020, 5% of the territory will be set aside for conserving biodiversity, protecting the environment and for non-industrial activity. These areas will not be considered as protected but will hold a to-be-determined status, such as natural capital land reserves. These areas are exempt from industrial activities such as mining exploitation activities as well as the installation and operation of equipment, infrastructure and developments intended for the production of energy. Forest activities that can have a negative impact on ecosystems as well transportation infrastructure such as roads, railways, airports and ports are also prohibited in these areas. These lands could be used for community

development, practice of outdoor and traditional activities and the protection of the environment and biodiversity.

Furthermore, it is proposed in the consultation document that the strategy be revised in 2020 and 2030, and that, until the 50% target is reached, new versions of the strategy can revise the objectives, measures and targets, following the release of updated overviews. New knowledge on biodiversity, environmental issues and potential needed for industrial activity on the territory will be gathered in the future and it will be possible to look back on what has already been done in order to evaluate what will need to be done to achieve the conservation goals.

Finally, by 2035 the Québec government aims to have dedicated 50% of the territory to environmental protection, maintenance of biodiversity, development of natural heritage and various types of non-industrial development.

The document notes that the Plan Nord territory covers 1.2-million km² of Québec, close to 9.7% of this territory is currently protected. The Plan Nord takes into account existing laws, regulations and agreement such as the Sanuiritik Agreement. All Inuit rights and privileges will be maintained in the territory of Nunavik.

The protection targets will be achieved through public consultations and meetings with local, regional and Aboriginal authorities and by eliciting participation by those responsible for the land and its resources.

There will be a revision process under the Plan Nord to allow the government to revise the reserve status of land in the domain of the state that is sheltered from industrial activity.

One member asked whether already designated Category II lands could be considered as protected or given a special status to protect them from industrial activities.

The members also asked whether, for Nunavik, there could be a higher percentage of protected areas targeted for 2015 and 2020.

One member pointed out the importance of river and shoreline ecosystems, their impact on Inuit traditional subsistence living and the need to protect them. An example was given of how many communities share the Kovik River area to hunt and fish. Other examples of important river systems for the Inuit include the Nastapoka and Puvirntiuq Rivers. It was underlined that the ecological planning should include the use of traditional knowledge and subsistence areas. It was also noted that the protection of the caribou populations is a concern for the Inuit.

The members thanked the guests for their presentation and noted that they are preparing a position paper in response to the government's document.

10. Miscellaneous

a) Presentation to KRG Council

Adamie Kalingo, Michael Barrett and the Executive Secretary made a presentation to the KRG Council in September 2011. They presented the KEAC's mandate, efforts to undertake various regulatory analyses, and the KEAC's ongoing involvement in various environmental projects. The KEAC's current work regarding the Plan Nord was also included. COFEX-North and the KEQC made similar presentations.

The members asked, that the KEQC presentation and the presentations of the two other organizations, with the permission of those organizations, be posted on the KEAC website.

b) MRNF consultation: Establishment and operation of local forests

The *Sustainable Forest Development Act* was assented in April 2010 and established a new forest regime based on sustainable forest management and provides an introduction of a policy on local forests. This future policy will promote local governance for forest located close to municipalities and Native communities. Given that there are no commercial forestry operations in Nunavik, the members decided at this time, not to participate in the consultation.

c) Nunavik Residual Material Management Plan

The Executive Secretary provided a brief update on the residual material management plan being prepared for Nunavik. An inventory of residual materials in Nunavik communities was finalized by the KRG based on estimations and is being used as a reference document. Also, a Masters student from the Université de Sherbrooke will be undertaking research regarding this issue for part of her thesis. She will focus on gathering information regarding what other northern regions or smaller municipalities have done with regards to developing a residual management plan and use this information to generate possible ideas for Nunavik.

11. Date and place of the next meeting

The KEAC's next meeting will take place on December 7, 8 and 9, 2011, in Kuujuaq.



Nancy Dea

Interim Executive Secretary
April 17, 2012