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Comité consultatif de l'environnement Kativik  
Kativik Environmental Advisory Committee

## MINUTES OF THE 131st MEETING

(APPROVED)

**DATES:** February 23–24, 2012

**PLACE:** Environment Canada (105 McGill Street, 4<sup>th</sup> Floor), Montreal

### PRESENT:

**Kativik Regional Government (KRG) appointees:**

Michael Barrett, Chairperson  
Adamie Kalingo, Vice-Chairperson  
Charlie Arngak

**Government of Canada appointees:**

Claude Abel  
Gilles H. Tremblay  
Thessa Girard-Bourgoin

**Québec-government appointees:**

Paule Halley  
Denyse Gouin (February 23)  
Sylvie Létourneau

**Environmental Analyst:**

Nancy Dea

**Executive Secretary:**

Stéphanie Benoit

### 1. Call to order and adoption of agenda

The 131st meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9:30 a.m. on February 23, 2012, in Montreal. The Chairperson invited

the members to suggest changes to the agenda, which was then adopted unanimously. The meeting took place in accordance with the agenda shown below.

1. Call to order and adoption of agenda
2. Review of the minutes of the 129th and 130th meetings
3. Business arising from the 130th meeting and correspondence
  - a) Residential drinking water tank cleaning
  - b) Bill 14: *Act respecting the Development of Mineral Resources in Keeping with the Principles of Sustainable Development*
  - c) Review of the *Canadian Environmental Assessment Act*
  - d) Residual materials management
    - i) *Residual materials management plan*
    - ii) *Guides, posters and magnets for hazardous residual materials*
4. Budget, secretariat and members
  - a) Budget
  - b) Secretariat
  - c) Internal management
  - d) Annual report, 2011–2012
  - e) Website
5. Plan Nord
  - a) Protection of 50% of lands
  - b) Plan Nunavik
6. Mines
  - a) 2012 Kuujuaq Mining Workshop
  - b) Hopes Advance Iron Mining Project
  - c) Mineral exploration and archaeology
7. Mid-Canada Line Clean-up Project
8. *Environment Quality Act*
  - a) Strengthening the *Environment Quality Act*
  - b) Fees for obtaining authorizations
9. Working group on regulatory and administrative simplification – MDDEP
10. Environmental assessment regime in Nunavik
  - a) Revision of schedules
  - b) Working group on public participation – MDDEP
  - c) Hunting, Fishing and Trapping Coordinating Committee
11. *Nunavik Inuit Land Claims Agreement*
  - a) Nunavik Marine Region Impact Review Board
  - b) Nunavik Nickel infrastructure
12. Draft government strategy on climate-change adaptation
13. *Parc national Tursujuq*
14. *Phénix de l'environnement*
15. International Polar Year 2012
  - a) Conference
  - b) Conference partnership

16. Miscellaneous
  - a) Northern Aboriginal seminar on caribou
17. Date and place of next meeting

## **2. Review of the minutes of the 129th and 130th meetings**

The members proposed changes to the minutes of the 129th and 130th meetings. The adoption of the minutes was postponed to a conference call to be held at a later date.

## **3. Business arising from the 130th meeting and correspondence**

### *a) Residential drinking water tank cleaning*

As requested at the 130th meeting, the Environmental Analyst presented the policies of the Kativik Municipal Housing Bureau (KMHB) and other Northern organizations regarding the cleaning of residential drinking water tanks. It seems that most of the Nunavik organizations that have staff housing (the KRG, the Nunavik Regional Board of Health and Social Services, schools, etc.), carry out annual cleaning of the drinking water tanks in their dwellings. For its part, it seems that the KMHB, which operates social dwellings on behalf of the *Société d'habitation du Québec* (housing corporation, SHQ), delegates this responsibility to tenants, who do not all have the means to adequately perform the task.

A member pointed out that, in certain social housing dwellings operated by the KMHB, drinking water tanks are located in service rooms to which tenants do not have access, making it impossible for them to clean the tanks. In other cases, the configuration of the drinking water tanks makes it difficult to access them. It was therefore recognized that, in all cases, recommended cleaning procedures require specialized equipment and training. In order to ensure adequate cleaning of drinking water tanks for Nunavimmiut living in social housing and quality water, the KEAC feels that part of the funding paid to the KMHB by the SHQ must be directed to maintenance. The members agreed that these comments would be transmitted to the SHQ in a letter.

### *b) Bill 14: Act respecting the Development of Mineral Resources in Keeping with the Principles of Sustainable Development*

The Executive Secretary reported on the progress of Bill 14, regarding an *Act respecting the Development of Mineral Resources in Keeping with the Principles of Sustainable Development*. In August 2011, the KEAC transmitted a position paper on the bill to the *ministère des Ressources naturelles et de la Faune* (natural resources and wildlife), and presented it to the Québec National Assembly Committee on Agriculture, Fisheries, Energy and Natural Resources.

The members discussed the scope of the bill in Nunavik with regards to municipal consultations when exploration projects are initiated. As the clause-by-clause study of the bill by the Committee is expected to wrap up shortly, the bill and the subsequent implementation of the mining regime will continue to be monitored.

*c) Review of the Canadian Environmental Assessment Act*

The members were informed that the Standing Committee on Environment and Sustainable Development of the House of Commons undertook on December 6, 2011, its study of a draft report regarding the review of the *Canadian Environmental Assessment Act* (CEAA) as provided for in the law. The Standing Committee was summoned to the House of Commons on February 9, 2012, for the purpose of this study. The KEAC transmitted its brief to the Standing Committee in February 2011; however, the federal elections triggered the same year resulted in the hearing presentation being postponed and then cancelled by the Standing Committee. The members would have liked the consultation process to be more transparent. The members asked that the Executive Secretary transmit the Standing Committee's report to them once it is released.

*d) Residual materials management*

*i) Residual materials management plan*

On January 20, the Executive Secretary met with Véronique Gilbert, who is responsible at the KRG for drafting the residual materials management plan for Nunavik. The Executive Secretary explained the environmental and social mandate of the KEAC, its concerns, and background information over the past decade on various files monitored by the KEAC regarding residual materials management in the region.

*ii) Guides, posters and magnets for hazardous residual materials*

A KRG environmental technician continues to distribute in the Northern villages the guides and posters concerning hazardous residual materials. To date, municipal, organizational and business representatives in Kuujuarapik, Puvirnituk, Ivujivik, Salluit, Kangiqsujuaq, Kangirsuk, Kuujuaq and Kangiqsualujuaq have received the documentation.

The Executive Secretary informed the KEAC that the letter to be distributed with the magnets is currently being translated into Inuktitut and will be transmitted for printing. The distribution of the magnets to Nunavik households is expected to happen in the spring of 2012.

#### **4. Budget, secretariat and members**

##### *a) Budget*

The Canadian Environmental Assessment Agency carried out a summative evaluation of the federal contribution program for the implementation of the *James Bay and Northern Québec Agreement* (JBNQA). Under the contribution program, which is evaluated every five years, funding is allocated to several organizations, including the KEAC, to cover some of their administrative costs.

The members reviewed the expenses incurred by the KEAC from October 2011 to January 2012.

A draft version of the 2012–2013 budget is expected to be presented to the members during their next conference call.

##### *b) Secretariat*

Ms. Benoit officially returned to the position of Executive Secretary at the beginning of January. In order to facilitate the transfer of files, Ms. Dea's contract was extended to March 31, 2012.

##### *c) Internal management*

From April 1, 2012 to March 31, 2013, Ms. Létourneau will act as KEAC Chairperson. The members wished Ms. Létourneau a successful mandate and indicated their satisfaction with the timeliness of her appointment by the Provincial Administrator.

##### *d) Annual report, 2011–2012*

The members discussed the suitability of contracting a consultant to draft the 2011–2012 annual report. It was agreed that a proposed contract would be transmitted to Josée Brunelle.

##### *e) Website*

The members indicated interest in improving the structure and appearance of the KEAC website in light of its increased use, among other reasons. With a view to improving the site's user-friendliness, the Executive Secretary met with Meredith Griffiths, a KRG information officer, to discuss the communication interests and habits of Northerners. Taking into account the changes requested by the members as well, the Executive Secretary will contact selected firms to submit offers, which will be presented at the next meeting.

The members discussed the possibility of not using a third party to post documents on its website. This task could be performed by the secretariat. This suggestion will be studied with the firms that are to submit offers.

## **5. Plan Nord**

### *a) Protection of 50% of lands*

On February 5, 2012, Premier Jean Charest and the Minister of Sustainable Development, Environment and Parks, Pierre Arcand, made a commitment to set aside, by 2035, 50% of Plan Nord lands for environmental protection, safeguarding biodiversity, promoting natural heritage as well as for various types of development that do not rely on industrial activities.

The members discussed land use planning as well as areas that could be occupied by industrial activities while complying with the land uses provided for under the JBNQA as well as KRG zoning regulations and orientations. More specifically, the government goal of creating protected areas covering 20% of Plan Nord lands by 2020 was discussed. It was recalled that the KEAC transmitted to the *ministère du Développement durable, de l'Environnement et des Parcs* (sustainable development, environment and parks, MDDEP) in November 2011 a position paper including related recommendations. Although the protection target has been reached, the KEAC believes that public consultations and an accelerated knowledge-acquisition process would make it possible to identify new sensitive zones. The members concluded that upcoming amendments to the *Act respecting Natural Heritage Conservation and the Sustainable Development of the Area covered by the Northern Plan* will need to be monitored.

### *b) Plan Nunavik*

Plan Nunavik, prepared by the KRG and the Makivik Corporation, was released in January 2012. A response to the Plan Nord, Plan Nunavik describes from an Inuit perspective appropriate kinds of development over the next 25 years. The members agreed to review the document before their next meeting.

## **6. Mines**

### *a) 2012 Kuujjuaq Mining Workshop*

Two KEAC members along with the Executive Secretary took part in the 2012 Kuujjuaq Mining Workshop held from February 14 to 17. Organized by the Nunavik Mineral Exploration Fund, the workshop allowed local and regional administrators, mining-industry proponents, as well as stakeholder and

community representatives to talk and share their concerns about mining development in Nunavik. One of the members provided a summary of current and future mineral exploration activities in the region.

The members were informed about the new *Nunavik Guidebook – Mineral Exploration, Mining Development and Nunavik Region*, prepared by the Makivik Corporation. This tool is intended for mining-industry proponents and includes, among other things, a summary of the legal land regime, a list of authorizations required at the various stages of mining development, as well as reference materials regarding the management of hazardous waste. The members expressed interest in providing input into any eventual revision of the Guidebook.

#### *b) Hopes Advance Iron Mining Project*

The members reviewed the current activities of Oceanic Iron Ore Corp. in the Hopes Advance area, near the community of Aupaluk. In addition to numerous mineral exploration activities, the development project proposes the mining of iron ore deposits as well as the operation of a concentrator and pellet plant. The project is a large-scale development that will have significant impacts on Aupaluk. It will eventually be subject to the environmental and social impact assessment and review procedure provided for in Section 23 of the JBNQA.

The members discussed the different impacts of this kind of development on the natural and social environments. In addition to these impacts, the project has generated major concerns among residents of the region's Inuit communities. The Executive Secretary was asked to monitor this topic.

As well, the KEAC was informed that hazardous materials spills had occurred in the exploration zone. An MDDEP representative became aware of the incident in the summer of 2011. The KRG was also informed of the situation. Notwithstanding, it seems that no inspection was carried out. In the opinion of the members, environmental monitoring of this project must be increased.

#### *c) Mineral exploration and archaeology*

Certain mining activities could threaten archaeological sites in Nunavik. To ensure protection of Inuit cultural heritage, the members made a few suggestions. Further discussion of this topic was postponed to a subsequent meeting.

## **7. Mid-Canada Line Clean-up Project**

The Mid-Canada Line was an early alert air-defence system made up of Doppler radar devices. It extends across Canada from Labrador to British Columbia along the 55th parallel. It was constructed between 1954 and 1957. The 42 stations in

Québec were operated by the Department of National Defence (DND) from 1958 to 1965. After their closure by the DND, the sites were transferred to the Québec government in 1966.

In 1988, 2001 and 2002, in cooperation with the DND, the *ministère de l'Environnement du Québec* and Environment Canada, the KRG undertook two distinct work phases with the goal of removing the hazardous waste from these sites, including a large quantity of hydrocarbons. Among other activities, buildings were stabilized or demolished to contribute to public safety at the sites. Nonetheless, more than 16,000 barrels and metal debris, such as old pieces of machinery, remain at the sites. As well, no new building inspections have been carried out in 10 years.

Cree, Inuit and Naskapi communities are concerned about the Mid-Canada Line sites since they carry out traditional activities in these areas. Although some restoration work was carried out in the past, the communities believe strongly that rehabilitation should be completed at the sites.

The members reviewed a draft letter regarding the third phase of the Mid-Canada Line Clean-Up Project and concluded that new rehabilitation measures are required to improve public safety and environmental protection. They discussed past funding agreements by stakeholders. The draft letter will be approved via email.

## **8. *Environment Quality Act***

### *a) Strengthening the Environment Quality Act*

The measures contained in the *Act to amend the Environment Quality Act in order to Reinforce Compliance* have been in effect since November 4, 2011. With stricter provisions regarding environmental protection, the Act strengthens the penal regime, increases the administrative powers of the Minister, and institutes a system of administrative monetary penalties. A member described a new obligation for project proponents (excluding municipalities) to complete an additional form before authorization will be issued. A copy of the applicant declaration form will be transmitted to the members.

### *b) Fees for obtaining authorizations*

The KEAC revised a draft letter to Diane Jean (Deputy Minister, MDDEP) that expresses concerns and recommendations regarding the fees applicable to projects subject to the environmental and social impact assessment and review procedure covered under Chapter II of the *Environment Quality Act*.

The KEAC noted that, in southern Québec, project proponents must pay MDDEP fees for projects subject to the environmental impact assessment and review procedure under Chapter I of the Act. Notwithstanding, fees are not applicable to the proponents of projects situated north of the 55th parallel, which are covered under Chapter II of the Act.

To ensure equity, the KEAC would like similar fees to be applied for projects in the north although, in this case, the KEAC has proposed that the fees collected by the MDDEP be put towards modernizing the northern environmental and social impact assessment and review procedure, in particular access to information and improved consultations and public participation for projects subject to the procedure.

## **9. Working group on regulatory and administrative simplification – MDDEP**

The members were informed of recommendations proposed by the MDDEP working group on regulatory and administrative simplification. Among these, comments were made about the recommendation to create an environmental administrative procedures advisory committee. A member offered to monitor this file.

## **10. Environmental assessment regime in Nunavik**

### *a) Revision of schedules*

The members reviewed a letter (December 2011) from Elaine Feldman, the Federal Administrator of the JBNQA. In response to the *KEAC Position Paper on Strengthening the Environmental and Social Impact Assessment and Review Procedure in Nunavik* (2009), Ms. Feldman informed the KEAC that access to information was improved in 2009 with the creation of the Canadian Environmental Assessment Registry, to which was added a section on projects subject to the federal procedure under Section 23 of the JBNQA. Available via the Internet, the Registry gives the public access to information and documents related to environmental assessments carried out under the CEEA and the federal procedure under the JBNQA.

Regarding the KEAC's recommendations to strengthen the procedure under Section 23 of the JBNQA, Ms. Feldman indicated her interest in cooperating with the KEAC. To this end, she has transmitted a copy of the KEAC position paper to Natalie Neville (Director, Québec–Atlantic Team, Aboriginal Affairs and Northern Development Canada) for her follow-up.

A member stated that a letter, specifying the intentions of the federal party, should shortly be transmitted to the KEAC. In fact, the federal party is interested in setting up a working group with the Inuit and provincial parties, which have already agreed to revise the list of projects contained in schedules I and II (Section 23, JBNQA). It was suggested that the federal party should contact the provincial party for this purpose. The Executive Secretary will monitor this matter.

*b) Working group on public participation – MDDEP*

The KEAC is concerned about improving public participation, transparency and access to information for projects subject to the environmental and social impact assessment and review procedure. For this reason, some KEAC members have joined a new MDDEP working group mandated to analyze these aspects and propose solutions to the Provincial Administrator. A KEAC consultant and two KEAC members were also appointed to the working group. On January 19, 2012, the working group held its first meeting and a few concrete solutions were identified. The working group should again meet at the beginning of the summer of 2012. KEAC members asked that the meeting minutes of the working group be transmitted to them once approved.

*c) Hunting, Fishing and Trapping Coordinating Committee*

The members reviewed a letter from the Hunting, Fishing and Trapping Coordinating Committee concerning its request to be involved formally and systematically in the assessment of projects subject to environmental and social impact assessment and review. The members decided not to respond to the letter since it was transmitted for information purposes only.

## **11. Nunavik Inuit Land Claims Agreement**

*a) Nunavik Marine Region Impact Review Board*

The members discussed the mandate of the Nunavik Marine Region Impact Review Board (NMRIRB). The NMRIRB was created under the *Nunavik Inuit Land Claims Agreement* (NILCA), an agreement between the governments of Canada and Nunavut, as well as the Makivik Corporation concerning the Nunavik Marine Region. Signed in 2006, the NILCA came into effect on July 10, 2008. Under Article 7 of the NILCA, the NMRIRB performs preliminary reviews of development projects subject to federal environmental assessment in the Nunavik Marine Region in order to determine if a review is necessary, taking into account the scope of the potential impacts of the projects on the region. The NMRIRB must consider the eco-systemic and socio-economic impacts of projects, determine if the projects will be implemented and, if applicable, state the conditions that will apply to the implementation of the projects. The NMRIRB subsequently transmits its decision to the responsible minister.

According to the information available to the KEAC, three different federal environmental assessment procedures could apply to projects in the Nunavik Marine Region. As well, according to the project's scale, the provincial environmental assessment procedure could also apply. Given this confusion, the members asked that a presentation be organized to clarify the procedure provided for by the NMRIRB.

#### *b) Nunavik Nickel infrastructure*

The mining company Canadian Royalties must relocate its marine infrastructure since the infrastructure recently constructed has suffered major damage. It has therefore proposed a new site at Deception Bay. To obtain the necessary authorizations, the project will nonetheless be subject to at least three environmental procedures at both levels of government, specifically two at the federal level and another at the provincial level. The KEAC is concerned about overlapping assessment mechanisms in Nunavik and would like the different responsible organizations to work together. Further discussion was postponed to the next meeting.

### **12. Draft government strategy on climate-change adaptation**

The KEAC discussed the different issues raised in the public consultation document regarding the draft government strategy on climate-change adaptation. One member pointed out that adaptation to these changes will represent real challenges in Nunavik and that, for this reason, specific actions must be identified to improve the resilience of communities, infrastructure and ecosystems. Other members referred to the consequences of early ice thawing and permafrost thawing; ensuring public safety must be a priority. At the request of the members, the Executive Secretary will prepare a draft letter on this topic.

### **13. *Parc national Tursujuq***

The members noted the online campaign initiated by the Canadian Parks and Wilderness Society (CPAWS) asking Québec Premier Jean Charest to protect the drainage basin of the Nastapoka River by including it in *parc national Tursujuq*.

### **14. *Phénix de l'environnement***

The Phénix de l'environnement is an annual award organized in partnership by the MDDEP, the *ministère du Développement économique, de l'Innovation et de l'Exportation* (economic development, innovation and export trade), Éco

Entreprises Québec and the Fondation québécoise en environnement. The mission of the Phénix is to publicize and promote excellence and the know-how of organizations in Québec regarding environmental protection and sustainable development.

The KEAC<sup>1</sup> decided to submit a nomination to the Phénix and therefore studied the file of a candidate. After proposing a few modifications, the Executive Secretary was asked to transmit the nomination and photos to the appropriate authority within the prescribed period. In 2007, the KEAC nominated employees at the municipal garage in the Northern Village of Inukjuak for their project to eliminate used oil in their community. This project received an award.

## **15. International Polar Year 2012**

### *a) Conference*

The conference entitled From Knowledge to Action organized by the International Polar Year will take place from April 22–27, 2012, at Montreal. Scientists, policy makers, Northerners, industry representatives and educators are scheduled to discuss climate change impacts in polar regions as well as necessary community and ecosystem adaptations.

In Nunavik, climate change raises major issues that the KEAC is monitoring. It was therefore decided that the Executive Secretary should attend the event. The invitation to members also remains open.

### *b) Conference partnership*

The members were given a document describing possible conference sponsorships. The members decided not to participate as a sponsor or a partner.

## **16. Miscellaneous**

### *a) Northern Aboriginal seminar on caribou*

The members reviewed an invitation to the 8th Northern Aboriginal Seminar organized jointly by the *Amis du Mushuau-Nipi* and the *Laboratoire en ethnoécologie et conservation de la biodiversité* (ethno-ecology and biodiversity conservation) at the *Université de Montréal*. The KEAC will not participate in the seminar.

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<sup>1</sup> Members who might have been in a conflict of interest excused themselves from the meeting during discussion of this topic.

**17. Date and place of next meeting**

The KEAC's next meeting will take place from June 18 to 21, 2012. The place of the meeting will be determined during a conference call to be held at a later date.

A handwritten signature in black ink, appearing to read "Stéphanie Benoit". The signature is written in a cursive, flowing style.

Stéphanie Benoit  
Executive Secretary  
December 4, 2012