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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

MINUTES OF THE 132nd MEETING

(APPROVED)

DATES: June 18–21, 2012

PLACE: Municipal office, Kangirsuk

PRESENT:

Kativik Regional Government appointees:

Michael Barrett
Adamie Kalingo

Government of Canada appointees:

Gilles H. Tremblay
Thessa Girard-Bourgoin, Vice-Chairperson

Québec government appointees:

Paule Halley
Denyse Gouin
Sylvie Létourneau, Chairperson

Environmental Analyst:

Nancy Dea

Executive Secretary:

Stéphanie Benoit

ABSENT:

Charlie Arngak
Claude Abel

GUESTS:

Jean-Marc Séguin, Technical Director, NMEF
Joseph Annahatak, Vice-Chairperson, KRG
Louisa Jeannie Thomassi, Nunavik Inuit Research Advisor, KRG
Mary Nassak, KRG Councillor for the Northern Village of Kangirsuk

OBSERVERS

Christopher Chin, Assistant Director for Lands and Environment, Renewable Resources, Environment, Lands and Parks Department, KRG
Selena Whiteley, Assistant Director Trainee, Renewable Resources, Environment, Lands and Parks Department, KRG

1. Call to order and adoption of agenda

The 132nd meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9:00 a.m. on June 19, 2012, in Kangirsuk. 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 131st meeting and April 17 conference call
3. Business arising from the 131st meeting and correspondence:
 - a) Letter concerning the draft government strategy for climate change adaptation, 2013–2020
 - b) Letter concerning the Mid-Canada Line clean-up project
 - c) Phénix de l'environnement
 - d) Drinking water tank cleaning – letter
 - e) Review of the *Canadian Environmental Assessment Act*
 - f) Residual materials management
 - i) *Residual materials management plan*
 - ii) *Magnets regarding household hazardous waste*
4. Budget, secretariat and members
 - a) Internal management
 - b) Budget
 - c) Five-year action plan
 - d) Annual report, 2011–2012
5. Bill C-38 – *Act to Implement Certain Provisions of the Budget Tabled in Parliament on March 29, 2012 and Other Measures*
6. Plan Nord
 - a) Bill 65 – *Act respecting Natural Heritage Conservation and the Sustainable Development of the Area Covered by the Northern Plan*
 - b) Public land assignment program
 - c) Strengthening MDDEP activities in the territory
7. Bill 71 – *Act respecting Compensation Measures for the Carrying Out of Projects Affecting Wetlands or Bodies of Water*
8. Bill 34 – *Act to Ensure the Occupancy and Vitality of Territories*
9. Climate change

- a) Adaptation strategy 2013–2020
 - b) Action plan 2013–2020
- 10. Mineral exploration
 - a) Implementation of the JBNQA
 - b) Meeting with local stakeholders
 - c) Field trip
- 11. *Plan Nunavik*
- 12. International Scientific Symposium: Planning the Conservation of Québec's Northern Ecosystems
- 13. 2012 International Polar Year Conference
- 14. Miscellaneous
 - a) HFTCC workshop on the declining caribou population
 - b) KEAC column in *Makivik Magazine*
- 15. Date and place of the next meeting

2. Review of the minutes of the 131st meeting and April 17 conference call

The members proposed changes to the minutes of the 131st meeting. The adoption of the minutes was postponed to the next meeting. The members also proposed minor changes to the minutes of the conference call on April 17, 2012, which were then adopted.

3. Business arising from the 131st meeting and correspondence

a) Letter concerning the draft government strategy for climate change adaptation, 2013–2020

In April 2012, the KEAC transmitted a letter to Diane Jean (Deputy Minister of Sustainable Development, Environment and Parks) concerning the draft government strategy for climate change adaptation and recommendations for the future 2013–2020 climate change action plan, and it was confirmed to the Executive Secretary that the letter was received. The KEAC acknowledged the efforts of the Québec government regarding the draft strategy. Due to the significant current and forecast consequences of global warming in Northern Québec, the KEAC believes that adaptation measures for Nunavik must be identified. The KEAC hopes that, with the implementation of the strategy, the next action plan will be more oriented towards adaptation measures. Ever-growing changes in the climate are having a considerable impact on the quality of life of Inuit.

b) Letter concerning the Mid-Canada Line clean-up project

In May 2012, the KEAC transmitted a position paper to the federal and provincial administrators under the *James Bay and Northern Québec Agreement (JBNQA)* regarding the complete rehabilitation of Mid-Canada Line sites in Nunavik. The KEAC studied the documentation on past clean-up projects and concluded that new remediation measures are needed to improve public security and environmental protection. The KEAC feels that a third clean-up phase should be implemented and that the federal and provincial governments should launch discussions with the Kativik Regional Government (KRG) on a new agreement for this purpose.

c) Phénix de l'environnement

Recognized as the highest environmental honour in Québec, the Phénix de l'environnement is an annual award organized in partnership by the ministère du Développement durable, de l'Environnement et des Parcs (sustainable development, environment and parks, 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.

At the 131st meeting, the KEAC decided to support a nomination to the Phénix. For this purpose, the Executive Secretary transmitted to the appropriate officials in March 2012 a complete file on the KRG Abandoned Mineral Exploration Sites in Nunavik Clean-Up Project. On May 24 at the 15th official awards ceremony, the KRG was announced as 2012 winner in the category of Municipalities and Municipal Organizations – Environmental Achievements. This project is in line with efforts to mobilize Aboriginal communities for a sustainable environment. The problem posed by abandoned mineral exploration sites has existed for decades but clean-up only began in 2005 and the project's main objectives were achieved by 2011. After compiling the inventories of and classifying the sites, the KRG signed agreements with the MRN, the Makivik Corporation and the Fonds Restor-Action Nunavik to create a local and regional work team with the necessary knowledge and training to manage a considerable quantity of waste, including hazardous materials.

d) Drinking water tank cleaning – letter

The KEAC transmitted a letter to Ginette Fortin (President of the Société d'habitation du Québec (housing corporation, SHQ)) in March 2012 regarding the maintenance of drinking water tanks in social housing in Nunavik. The KEAC would like the SHQ to ensure quality drinking water for social housing tenants in Nunavik and proper drinking water tank cleaning. To this end, the KEAC

suggested that the funding paid to the Kativik Municipal Housing Bureau should take into account the cleaning of drinking water tanks in social housing.

As well, the members indicated that they would like to receive more information on the mandate of the Kativik Region Housing Committee, created under the *Agreement concerning the Implementation of the James Bay and Northern Québec Agreement on Housing in Nunavik*.

e) Review of the Canadian Environmental Assessment Act

In March 2012, the Executive Secretary exchanged emails with Marie-France Renaud (procedural clerk for the Standing Committee on Environment and Sustainable Development) and indicated that the KEAC had reviewed the Standing Committee's report *Statutory Review of the Canadian Environmental Assessment Act: Protecting the Environment, Managing Our Resources* (March 2012) and had been surprised to note that its participation was not taken into consideration. She pointed out that the KEAC had transmitted a position paper on this topic to the Standing Committee in February 2011 and that the Secretariat had remained in contact with various officials during the consultation.

Ms. Renaud explained that the Standing Committee had undertaken a new review of the *Canadian Environmental Assessment Act* in October 2011. When elections are called, parliamentary committees cease to exist and their studies are ended. On undertaking studies under a new legislature, parliamentary committees must adopt new motions or, as in the case of the *Canadian Environmental Assessment Act*, a new order of reference must be adopted by the House of Commons. Unless a separate and clear motion is adopted indicating the briefs received during the previous legislature were to be taken into consideration by the committee under the new legislature, documents submitted in February 2011 would not have been taken into account by the new Standing Committee as part of its review.

The KEAC would have liked for the Parliament's consultation process to be more transparent, to have been informed adequately about changes affecting the consultation process and for the KEAC position paper to have been taken into account.

f) Residual materials management

i) Residual materials management plan

The Environmental Analyst informed the members that she had spoken with the KRG individual responsible for the preparation of the residual materials management plan for Nunavik, and been updated on the progress of work as well as the planned timetable. The draft plan will be presented to the KRG Council in September 2012. The members would like to review the presentation document when it becomes available.

ii) Magnets regarding household hazardous waste

The Executive Secretary informed the members that the magnets on household hazardous waste have been distributed in eight communities, specifically Kangirsuk, Kuujjuaq, Kangiqsujuaq, Kangiqsualujjuaq, Salluit, Tasiujaq, Aupaluk and Umiujaq. Distribution will continue in the coming months in the remaining communities.

The members agreed to follow up on this project to determine if the magnet distribution is having a positive impact on residual materials management.

4. Budget, secretariat and members

a) Internal management

The members were informed that a part-time environmental analyst contract had been concluded with Nancy Dea for one year.

The current review of the KEAC's office rental contract in Kuujjuaq was also discussed.

b) Budget

The Executive Secretary transmitted the KEAC's budget estimates for 2012–2013 to the Provincial Administrator, i.e. the Deputy Minister of Sustainable Development, Environment and Parks, in mid-April. Since the subsidy has not yet been paid, the members asked that a reminder be transmitted to this effect.

The members asked that a breakdown of the costs incurred for the website update be presented at the next meeting.

c) Five-year action plan

The members discussed various actions that could be undertaken by the KEAC to meet its objectives contained in the 2009–2014 action plan. In particular, the idea of restarting talks with the ministère des Transports du Québec (transportation) regarding the creation of a working group to look at transportation infrastructure in Nunavik was discussed. It was also agreed that the Environmental Analyst should participate in the inspection tour to be organized by the MDDEP Environmental Control Centre in the summer of 2012 and confirm the existence of a list of abandoned camps in Nunavik.

d) *Annual report, 2011–2012*

The Executive Secretary provided an update on the preparation of the KEAC 2011–2012 annual report, specifically the text, the financial statements, the distribution list and the photos. It was proposed that this topic be followed up during a conference call to be held in July 2012.

5. Bill C-38 – Act to Implement Certain Provisions of the Budget Tabled in Parliament on March 29, 2012 and Other Measures

The KEAC studied Bill C-38, the federal *Act to Implement Certain Provisions of the Budget Tabled in Parliament on March 29, 2012 and Other Measures* adopted in June 2012. As Bill C-38 is set to amend 60 federal statutes several of which touch on the environment and Aboriginal peoples, the KEAC finds it unacceptable that such a bill was adopted so quickly, without consultations with the various stakeholders. The KEAC is moreover concerned about the possible application in Nunavik of three separate federal environmental procedures. The KEAC will transmit a letter to the federal government indicating, among other things, that it should have been consulted on Bill C-38 pursuant to Section 23 of the JBNQA.

Given the importance of this topic, it was decided to place it again on the agenda for the next meeting.

6. Plan Nord

a) *Bill 65 – Act respecting Natural Heritage Conservation and the Sustainable Development of the Area Covered by the Plan Nord*

In April 2012, Pierre Arcand (Minister of Sustainable Development, Environment and Parks) tabled before the National Assembly Bill 65, an *Act respecting Natural Heritage Conservation and the Sustainable Development of the Area Covered by the Plan Nord*. The purpose of the bill is in particular to implement the Québec-government commitment to protect, by 2035, 50% of Plan Nord lands, or roughly 600,000 km², to protect the environment, maintain biodiversity, enhance the natural heritage and promote various types of non-industrial activity. In November 2011, the KEAC had transmitted a position paper on this topic to Mr. Arcand.

The members discussed a draft position paper prepared on the topic and necessary modifications. More specifically, the issue is whether or not the government has the capacity to meet its protection commitments regarding ecological planning, protected areas, cultural landscapes and environmental assessments. The KEAC is of the opinion that the specific characteristics of

Nunavik must be given greater consideration. A sub-committee was formed to work on a revised version of the position paper.

As well, the KEAC has been invited to appear before the Committee on Transportation and the Environment which has a mandate to conduct consultations and hold public hearings on Bill 65. The Executive Secretary will confirm the KEAC's presence as well as the names and capacities of its representatives.

b) Public land assignment program

In April 2012, Serge Simard (Minister for Natural Resources and Wildlife) announced the implementation of a free public land assignment program for municipalities on Plan Nord lands. The aim of the program is to allow municipalities to make available new areas for the development of residential, business and industrial sectors.

The members would like to know if Inuit communities are eligible under this program and asked that a letter be transmitted on this topic to the ministère des Ressources naturelles et de la Faune (natural resources and wildlife, MRNF).

c) Strengthening MDDEP activities in the territory

The members discussed recent developments concerning the actions of the MDDEP in Nunavik. In addition to the creation of an office at Chapais connected with the regional branch for Abitibi-Témiscamingue and Nord-du-Québec, there are also plans to increase the number of staff who, with regards to the north, will work on conservation, improved environmental and biological knowledge, project analysis and authorizations, as well as environmental control interventions.

As well, the members discussed staff movement within an important branch of the MDDEP, specifically the branch responsible for the application of Section 23 of the JBNQA. They discussed in particular the participation of the concerned staff on different committees provided for under the JBNQA.

7. Bill 71 – Act respecting Compensation Measures for the Carrying Out of Projects Affecting Wetlands or Bodies of Water

The KEAC reviewed Bill 71, an *Act respecting Compensation Measures for the Carrying Out of Projects Affecting Wetlands or Bodies of Water*. In the case of an authorization application made under either section 22 or section 32 of the *Environment Quality Act* for a project affecting a wetland or body of water, the Minister of Sustainable Development, Environment and Parks may require the applicant to implement compensation measures related specifically to the rehabilitation, creation, protection or ecological enhancement of a wetland, body

of water or area of land. Adopted on May 22, 2012, the bill is also applicable in Nunavik where wetlands and bodies of water occupy a significant portion of the territory.

8. Bill 34 – Act to Ensure the Occupancy and Vitality of Territories

In April 2012, Laurent Lessard (Minister of Municipal Affairs, Regions and Land Occupancy) announced the adoption of Bill 34, an *Act to Ensure the Occupancy and Vitality of Territories*. The new act contains measures to strengthen the integration, effectiveness and consistency of government actions in particular at the local and regional levels, as well as to implement the *Strategy to Ensure the Occupancy and Vitality of Territories 2011–2016*, released in November 2011. The Strategy includes more than 160 actions, although only a few concern Nunavik.

The members would have liked to be consulted on this topic. The Environmental Analyst will prepare a draft letter to remind the ministère des Affaires municipales, des Régions et de l'Occupation du territoire (municipal affairs, regions and land occupancy) of the KEAC's mandate.

9. Climate change

a) Adaptation strategy 2013–2020

The Environmental Analyst presented to the members the *Government Strategy for Climate Change Adaptation 2013–2020*. She focused in particular on the impacts of global warming in the north on wildlife and plants, infrastructure, and hunting, fishing and trapping activities. The issue of possible adaptation measures for vulnerable communities to ensure well-being, safety and essential services was also discussed.

The members noted that several KEAC recommendations had been included in the Strategy and recognized this as a sign of the government's commitment to conserving northern biodiversity, fostering the integration of public administration concerns at the municipal level, and developing more knowledge about Nunavik.

b) Action plan 2013–2020

The KEAC recognized the Québec government for its *2013–2020 Climate Change Action Plan* which includes roughly 30 priorities that incorporate the principles of sustainable development in two specific measures: reducing greenhouse gas emissions and strengthening the resilience of society to the impacts of global warming. Several specific characteristics of the north are moreover taken into account.

Notwithstanding, the members expressed a few reserves. For example, few of the identified actions are concrete or measurable in Nunavik. As well, it is difficult to differentiate the actions planned for the north and those for the south. The members would also have liked to see a ranking of priorities and to be informed of the implementation stages under the action plan. They would also have liked to be informed of the timetable and the budget for the action plan. The KEAC intends to monitor the implementation of the action plan.

10. Mineral exploration

a) Implementation of the JBNQA

The members reviewed paragraph 7.1.7 of the JBNQA, focusing in particular on the proximity of exploration, extraction and mining activities to Category I lands and areas immediately adjacent to these. This section of the JBNQA specifically prohibits mineral exploration on Category I lands, unless community consent is obtained. The members also discussed the assessment of the impacts of these activities, which is to say whether or not they are subject to the provisions of the environmental and social protection regime under Section 23 of the JBNQA and under Chapter II of the *Environment Quality Act*. Further discussion of the topic will be continued at a future meeting.

b) Meeting with local stakeholders

The KEAC welcomed different local stakeholders concerned about mining projects in Nunavik.

Jean-Marc Séguin, Technical Director for the Nunavik Mineral Exploration Fund (NMEF), described the state of mineral exploration activities in the region. He explained in particular the process for claims. He also provided a few examples of situations where companies did not comply with Category I land rights. The KEAC expressed its concerns regarding the fact that these companies are poorly informed about Nunavik's mining regime as well as the specific regional characteristics regarding environmental protection. One member observed that, because mineral exploration activities are carried out in remote areas, they are difficult to monitor.

Joseph Annahatak, Louisa Jeannie Thomassi and Mary Nassak shared their concerns regarding mining projects on claims next to Category I lands. In some cases, mining activities are having a negative influence on harvesting in the area. They also mentioned the importance of conserving sites that are important for fishing and hunting, such as Lake Tasirjuakuluk (Robert) which is used for traditional harvesting by the Inuit of Quaqtaq, Kangirsuk and Aupaluk. In addition, it was mentioned that a public radio broadcast was organized on June 18, 2012,

to provide information on current mining activities and answer questions. Notwithstanding, the communities would like to be kept better informed of mining projects at every stage of their implementation. In this respect, the KEAC stressed the importance for the Kativik Environmental Quality Commission to hold public consultations and disseminate information on mining projects and the environmental and social assessment and review procedure under Section 23 of the JBNQA.

c) Field trip

Due to the interest of mining companies in the sector around the communities of Quaqtuaq, Kangirsuk and Aupaluk and the increase in prospecting activities, the KEAC wants to learn more about mining project development. The members conducted a field trip to visit some temporary camps and drilling sites that have been active for a few years. Concerned by the major potential impacts of the Hopes Advance Iron Mining Project by Oceanic Iron Ore Corporation on the natural and social environments, they travelled to Aupaluk, Nunavik's smallest community.

The members also visited an abandoned mineral exploration site that has been rehabilitated by the KRG. Designated PJ-1, the site required major clean-up work to remove barrels, metal and wood debris, various pieces of infrastructure, heavy equipment, fuel tanks, as well as hazardous materials such as paint, batteries, oil, fuel, fire extinguishers and transformers. One building that could be used as a shelter or hunting camp by residents of the nearby communities was left on site.

11. *Plan Nunavik*

The members reviewed and discussed *Plan Nunavik* prepared by the Makivik Corporation and the KRG. The Plan provides a general historical, political, legal and social portrait of Nunavik Inuit, before and after negotiations that led to the signing of the JBNQA. Mirroring closely the development sectors presented in the Québec government's Plan Nord, it identifies priority development in the region for the next 25 years in a manner that is respectful of Inuit culture and lands.

KEAC reaction to *Plan Nunavik* was positive as it contains relevant and up-to-date information that could be helpful to governments and project proponents in the region. One member pointed out that Nunavimmiut too should become familiar with the document's contents and asked if they had been consulted in the drafting of the priorities. The KEAC was nonetheless surprised to note that environmental protection and sustainable development are not discussed in a separate chapter, suggesting that it is not a priority. This topic will be further discussed at the next meeting and a draft letter and comments will be prepared for transmission to the concerned Inuit organizations.

12. International Scientific Symposium: Planning the Conservation of Québec's Northern Ecosystems

A member summarized some of the activities at the International Scientific Symposium: Planning the Conservation of Québec's Northern Ecosystems held in Montreal on April 26 and 27, 2012. Organized jointly by Pew Charitable Trusts, Initiative boréale canadienne, the Foundation Prince Albert II of Monaco and the MDDEP, the symposium hosted about 60 participants in order to share knowledge and discuss conservation issues related to the implementation of the government commitment to protect 50% of Plan Nord lands. Documentation on the workshops and presentations organized are available on the symposium's official website.

The KEAC plans to closely monitor the MDDEP's ecological planning exercise.

13. 2012 International Polar Year Conference

The 2012 International Polar Year Conference From Knowledge to Action was held in Montreal from April 22 to 27, 2012. Scientists, government political officials, Arctic residents, industry representatives and educators from around 60 countries discussed the impacts of climate change in polar regions and adaptations that will need to be made for communities and ecosystems.

In Nunavik, climate change poses two underlying challenges which the KEAC is already monitoring. Three KEAC members and the Executive Secretary therefore took part in the conference and attended numerous presentations on various topics including: governance; environmental politics and management; pollutants; sustainable development; health, well-being and food safety; as well as biodiversity and ecosystems. In addition, it was noted that certain needs seemed to be mentioned more often by the participants, such as means to improve collaboration and knowledge sharing between northern-oriented organizations, between different levels of government, and between scientists and politicians.

The members decided to examine this topic. With regards to the KEAC's mandate, they reviewed, among other things, different means of promoting networking in the environmental field in Nunavik. Discussions on this topic will be continued at the next meeting.

14. Miscellaneous

a) HFTCC workshop on the declining caribou population

The KEAC has been invited to the workshop Declining Caribou: Shared Concerns, Shared Solutions being organized in Montreal by the Hunting, Fishing and Trapping Coordinating Committee on September 11–13, 2012. The main goal of the workshop is to provide participants with an opportunity to share their views on the role that user groups should play to try to reduce the decline of the caribou population and contribute instead to its growth.

The KEAC is concerned by the significant decline in the number of caribou in recent years. Pursuant to the guiding principle of Section 23 of the JBNQA regarding the protection of hunting, fishing and trapping rights, the KEAC will participate at this workshop.

b) KEAC column in Makivik Magazine

The editor of *Makivik Magazine* has agreed to reinstate the “Green Corner” column. Under the direction of the Environmental Analyst, articles will be prepared to inform Nunavimmiut about priority environmental practices and interesting environmental initiatives, as was done by the KEAC in 2008 and 2009.

For the 2012 summer issue, the KEAC reviewed a draft article regarding reduced paper use. For the fall 2012 issue, it was decided that a draft version of the article to be submitted would be transmitted to the members and approved by email. It was also agreed that the topics for future articles will be selected during KEAC meetings. The Environmental Analyst will prepare a list of suggested topics for the next meeting.

15. Date and place of the next meeting

The next KEAC meeting will take place on October 5–6, 2012, in Quebec City.



Stéphanie Benoit
Executive Secretary
January 16, 2012