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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

**MINUTES OF THE 138TH MEETING OF THE KEAC
(ADOPTED)**

DATES: January 22, 23 and 24, 2014

LOCATION: KRG office building, Kuujjuaq

PRESENT:

Kativik Regional Government (KRG) appointees:

Michael Barrett, Chairperson
Betsy Palliser, Vice-Chairperson

Government of Canada appointees:

Claude Abel
Thessa Girard-Bourgoin (by conference call)
Line Choinière

Government of Québec appointees:

Paule Halley
Sylvie Létourneau
Julie Samson

Executive Secretary:

Benjamin Patenaude

Environmental Analyst:

Stéphanie Benoit (by conference call)

ABSENT:

Henry Alayco, KRG appointee

GUESTS:

Véronique Gilbert, Author, *Nunavik Residual Materials Management Plan*
Monica Nashak, Environmental Technician, KRG

1. Call to Order and Adoption of the Agenda

The 138th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 2:50 p.m. on January 22, 2014, at the KRG office building in Kuujjuaq. The chairperson opened the meeting and invited the members to propose modifications to the agenda. The 138th meeting of the KEAC took place in accordance with the agenda below:

1. Call to Order and Adoption of the Agenda

2. Adoption of the Minutes from the 136th and 137th Meetings

3. Business Arising from 137th Meeting and Correspondence

- a) Abandoned Camps
- b) Mineral Exploration on Category I and Adjacent Lands
- c) Environmental Assessment Procedures Applicable to the Cape Hopes Advance Iron Mining Project
- d) Public Consultations on Uranium Exploration and Exploitation
- e) Aluminium Can Recycling in Nunavik
- f) Mid-Canada Line Clean-Up Project
- g) Working Group on Public Participation – MDDEFP
- h) Drinking Water Tank Cleaning Project – KMHB
- i) Approval of the Nunavik Nickel Project – Marine Infrastructure at Deception Bay
- j) Draft Canadian Goals and Targets for Bio-Diversity 2011–2020

4. Budget, Secretariat and Members

- a) Budget
- b) Funding Agreement Renewal
- c) Secretariat
- d) Members
- e) KEAC Website
- f) Annual Report, 2012-2013
- g) Five-Year Action Plan, 2015–2020

5. Environmental Assessment in Nunavik

- a) Revision of Schedules 1 and 2 of Section 23 of the JBNQA
- b) Environmental Assessment Pamphlet
- c) Environmental Assessment Training Pilot Project

6. Mining Activity

- a) Adoption of Bill 70, *An Act to Amend the Mining Act*

7. Residual Materials Management

- a) Presentation on *Nunavik Residual Materials Management Plan*

8. Miscellaneous

- a) KEAC Article in *Makivik Magazine*
- b) Secrétariat au développement nordique
- c) *Fisheries Act* – Conference Call on November 8, 2013
- d) Seminar, Observatoire Hommes Milieux International au Nunavik
- e) Workshop on the Acquisition of Environmental and Social Knowledge – JBACE, Mistissini

9. Dates and Location of the Next Meetings

2. Adoption of the Minutes of the 136th and 137th Meetings

The members reviewed their comments on the minutes of the 136th and 137th meetings. The adoption of the minutes was postponed to a later date.

3. Business Arising from the 137th Meeting and Correspondence

a) Abandoned Camps

At the 137th meeting, the members requested that regional organizations be contacted to assess the current status of abandoned camps in Nunavik. Based on the responses, the KEAC will communicate by letter with the Ministère des Ressources naturelles (natural resources, MRN) to draw their attention to this file.

On December 4, 2013, the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) passed a resolution regarding 155 abandoned mobile camps in Northern Québec. The HFTCC concluded that the Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs (sustainable development, environment, wildlife and parks, MDDEFP) should undertake the following initiatives: pay for the complete restoration of 36 of these sites; void the permits of abandoned camp owners; and ensure, conditions permitting, that licence applicants dismantle their camps at the end of each hunting season. The members decided to renew their request for a presentation concerning abandoned camps to be delivered by a representative of the regional office of the MDDEFP at a future meeting.

b) Mineral Exploration on Category I and Adjacent Lands

Over the past year, the members have discussed the pertinence of drafting a letter to the deputy minister of the MDDEFP to enquire about how the department deals with mineral exploration projects on Category I and adjacent lands. At the 137th meeting of the KEAC, the subject was re-discussed and the revised draft letter was approved by the members. A final version of the letter was transmitted on January 17, 2014.

c) Environmental Assessment Procedures Applicable to the Cape Hopes Advance Iron Mining Project

On December 6, 2013, the KEAC transmitted a letter to the president of the Canadian Environmental Assessment Agency (CEAA) with regards to the non-application of the federal procedure under Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA) for the Cape Hopes Advance project in the Aupaluk region. The KEAC has still not received any response to this letter.

The members discussed issues related to federal and provincial jurisdiction over the different components of the project and coherence between the application of three environmental assessment procedures for this project. The members observed that the federal environmental assessment procedure under the JBNQA should be applied systematically to these kinds of projects (ex. to the Cape Hopes Advance project and to the Nunavik Nickel project). The members discussed the CEAA reasons for not applying the federal procedure under Section 23 of the JBNQA to the Cape Hopes Advance project. As well, the members requested that government-developed directives (guidelines) be reviewed to ensure that the social impacts of the Cape Hopes Advance project would be dealt with. Finally, the members discussed the possibility that, in the framework of the *Canadian Environmental Assessment Act* (2012), the project should be reviewed by a commission given the feared impacts on Aupaluk. These topics are to be placed on the agenda of the next meeting of the KEAC.

d) Public Consultations on Uranium Exploration and Exploitation

The members were informed that the Grand Council of the Crees (Eeyou Istchee) had entered into an agreement with the Government of Québec regarding its participation in public consultations on uranium exploration and exploitation in Québec. The announcement was made by order-in-council in the *Gazette officielle du Québec* on January 3, 2014. The KEAC is awaiting further information from the MDDEFP on the progress being made regarding Nunavik consultations.

e) Aluminium Can Recycling in Nunavik

At the 137th meeting of the KEAC, the members requested that follow-up be done with the North West Company since it has not responded to the KEAC letter regarding aluminium can recycling in Nunavik. Similar letters were transmitted to RECYC-QUÉBEC, Boissons Gazeuses Environnement (BGE), as well as different distributors in Nunavik.

On December 4, 2013, the district manager of the North West Company confirmed receipt of the KEAC letter and indicated it would be followed up early in 2014. The KEAC has still not received responses from BGE or any of the distributors to which the letters were sent. The members requested that follow-up be done with RECYC-QUÉBEC in order to move this file forward.

f) Mid-Canada Line Clean-Up Project

Following the 137th meeting of the KEAC, a draft letter addressed to the deputy minister of the MDDEFP was prepared with regards to the proposed third phase of the Mid-Canada Line Clean-Up Project. A brief on the subject prepared by the KEAC in May 2012 entitled *Work Necessary to Complete the Mid-Canada Line Clean-Up Project* will be enclosed with the letter. Copies of the documents will also be transmitted to officials with the KRG and the Department of National Defence.

g) Working Group on Public Participation – MDDEFP

On October 14, 2013, the KEAC transmitted a letter to the deputy minister of the MDDEFP regarding the current status of the working group on public participation in Nunavik. On November 4, 2013, the KEAC received a response from the deputy minister in which he explained that the MDDEFP is working to create an online public registry with documentation on the development projects subject to different environmental assessments under its jurisdiction throughout Québec. The database should be ready by the fall of 2014. The deputy minister also indicated that, if necessary, another meeting of the working group would be organized to discuss other ways to improve public participation mechanisms in Nunavik. The KEAC will respond to this letter to indicate its interest in the ongoing work of the working group.

h) Drinking Water Tank Cleaning Program – KMHB

On October 22, 2013, the KEAC transmitted a letter to the president of the board of directors of the Kativik Municipal Housing Bureau (KMHB) welcoming the creation of a cleaning program for drinking water tanks in social housing units in Nunavik. The members were informed that the KMHB had carried out a pilot project in April 2013 in Tasujuaq, Quaqtac, Kuujuaq and Puvirnituc. The program will resume in the spring of 2014 targeting the remaining Nunavik communities. The KEAC intends to monitor the delivery of the program in these communities.

i) Approval of the Nunavik Nickel Project – Marine Infrastructure at Deception Bay

On December 10, 2013, the KEAC obtained copies of the minutes from the public consultations conducted in May 2013 in Salluit and Kangisujuaq regarding the reconstruction of marine infrastructure at Deception Bay by Nunavik Nickel. Based on these meeting minutes, the members discussed the drafting of a letter to the federal administrator under Section 23 of the JBNQA regarding the conditions included in the authorization of the project as specified in the appendix to the decision letter. The members would like to

emphasize the lack of details and clarifications accompanying the conditions, which could make them difficult to implement. The members would also like to reiterate that application of environmental assessment procedures must be consistent for all similar projects.

j) Draft Canadian Goals and Targets for Bio-Diversity 2011–2020

On January 6, 2013, the KEAC received an invitation to submit comments on the new version of the *2020 Biodiversity Goals and Targets for Canada*. The document contains two important objectives regarding the use of traditional Aboriginal knowledge and the use of resources by Aboriginal peoples with respect to the study and maintenance of biodiversity. It was decided that the KEAC would not submit new comments on this version of the document.

4. Budget, Secretariat and Members

a) Budget

The KEAC budget for the period between October and December 2013 and an estimation of the surplus for the current fiscal year were presented to the members. The members discussed expected KEAC expenses over the coming months and certain aspects of the budget.

b) Funding Agreement Renewal

At the 137th meeting of the KEAC, the members were informed that, beginning in the 2014–2015 fiscal year, Aboriginal Affairs and Northern Development Canada (AANDC) will replace the CEAA as the federal government organization responsible for half of the KEAC's operating funds. The members discussed potential scenarios regarding the entities that deliver KEAC funding. A draft version of the AANDC funding agreement was tabled with the members for review. Discussion on this topic will continue at the next meeting. Since this represents a major change in the way the KEAC receives its funding, it requires review. The members decided to proceed, as in the past, by submitting to the MDDEFP a budget request for the coming year.

c) Secretariat

The members evaluated the duties to be performed and discussed the possibility of hiring a consultant on a part-time basis to take on the additional workload.

d) Members

On November 27, 2013, the KRG Council passed a resolution appointing Henry Alayco to sit on the KEAC.

e) KEAC Website

The sub-committee responsible for enhancing the KEAC website held a conference call on January 10, 2014. Two mock-ups were presented and the home page and secondary pages were reviewed. The sub-committee is continuing its work.

f) Annual Report, 2012–2013

A completed version of the 2012–2013 KEAC annual report was presented. The members provided their final comments as the report will be transmitted shortly to necessary officials.

g) Five-Year Action Plan, 2015–2020

At the 137th meeting of the KEAC, the members decided to create a sub-committee to develop the 2015–2020 action plan. The sub-committee is scheduled to meet in February 2014. An initial version of the action plan could be ready for review at the 139th meeting.

5. Environmental Assessment in Nunavik

a) Revision of Schedules 1 and 2 of Section 23 of the JBNQA

The members were informed that a meeting was held by representatives of the KRG, the Makivik Corporation and the MDDEFP to discuss the revision of schedules 1 and 2 of Section 23 of the JBNQA. A question was raised with regards to the participation of the federal government in this revision work.

b) Environmental Assessment Pamphlet

At the 137th meeting of the KEAC, the members provided comments on an environmental assessment pamphlet under development. The pamphlet should accompany a training pilot project on environmental assessment scheduled for February 2014 in Kuujuaq. Revision work will need to be completed before the pamphlet is ready for distribution.

c) Environmental Assessment Training Pilot Project

Following the signing of a funding agreement with the AANDC in January 2014, an environmental assessment training pilot project is under development and scheduled for delivery in February 2014 in Kuujuaq for roughly ten participants. The budget for the training pilot project was presented and the members discussed the offer of service received from the selected consultant. A conference call will be scheduled between the sub-committee and the consultant in order to finalize the details of the training pilot project.

6. Mining Activities

a) Adoption of Bill 70, *An Act to Amend the Mining Act*

On December 5, 2013, the Government of Québec adopted Bill 70, *An Act to Amend the Mining Act*. The members discussed certain aspects of the bill, including studies and measures for optimizing economic spinoffs for communities located close to mining development, the regulations applicable to mining claims, the deadlines for community consultations, as well as the regulations applicable to ore extraction and shipping. The members requested that an MRN representative be invited to deliver a presentation at a future KEAC meeting to explain the amendments to the *Mining Act*.

7. Residual Materials Management

a) Presentation on the *Nunavik Residual Materials Management Plan*

A presentation was delivered by one of the authors of the *Nunavik Residual Materials Management Plan*, Véronique Gilbert. The presentation first detailed the goals of the Management Plan which are to extend the use of landfill sites, to improve residual materials management, and to develop methods for reducing waste.

Ms. Gilbert next described the objectives of the Management Plan. These include the acquisition and enhancement of knowledge about residual materials at landfills, the development of methods for processing residual materials that comply with the principles of sustainable development, the development of a technical support network for the communities, as well as the maintenance of program costs at economically and socially acceptable levels.

A series of actions under each objective were presented. Ms. Gilbert concluded the presentation by informing the members that, once the Management Plan is approved by the MDDEFP, a series of pilot studies will be conducted over a five-year period to test different residual materials treatment methods tailored to regional requirements. The members decided to follow up with the MDDEFP to enquire about the status of the Management Plan approval process.

As well, the members discussed the different MDDEFP programs and regulations applicable to residual materials in Nunavik, in particular the extended responsibility of producers and the obligation to burn waste in the region. The members would like to receive an update presentation by the MDDEFP on the department's different work regarding residual materials in Nunavik.

8. Miscellaneous

a) KEAC Article in *Makivik Magazine*

The article on the KMHB's drinking water tank cleaning project for social housing units in Nunavik was submitted to *Makivik Magazine* on November 29, 2013, to be published in the winter 2014 edition. The members requested that the next article address the environmental assessment training pilot project currently being organized by the KEAC.

b) Secrétariat au développement nordique

At the 137th meeting of the KEAC, the members requested that a representative of the Secrétariat au développement nordique (northern development, SDN) be invited to deliver a presentation on the *Nord Pour Tous* project and the Partners' Table. The members were informed that, on December 17, 2013, an SDN representative confirmed his availability to deliver a presentation at the next KEAC meeting.

c) Fisheries Act – Conference Call on November 8, 2013

On November 8, 2013, the assistant deputy minister of Fisheries and Oceans Canada (FOC) held a conference call with representatives from national Aboriginal land claims groups to discuss the implementation of the new *Fisheries Act*. The assistant deputy minister informed the conference call participants of the specific amendments to the Act, new elements planned for the department's website, background research work, as well as the broader elements that guided the changes to the Act.

The comments of the Aboriginal land claims organization representatives focused on a desire to improve communications with FOC, compliance by the FOC with the principles of consultation with Aboriginal groups, effective monitoring of remote and marginal bodies of water, as well as the integration and use of the traditional knowledge of Aboriginal groups in conservation partnerships.

d) Seminar, Observatoire Hommes-Milieux International au Nunavik

The eighth meeting of the Observatoire Hommes-Milieux International au Nunavik (OHM-I) took place from November 20 to 22, 2013, at Université Laval. The OHM-I Nunavik is part of a network operated by the Centre national de la recherche scientifique (national scientific research). Focused on the study of human-environmental interactions in the context of specific socio-economic systems, OHM-Is are tools for interdisciplinary practices and science–societal relations. The OHM-I Nunavik is interested in mining development and aims to create an adaptation strategy for Nunavik communities. The members were informed about the possibility of participating on an advisory body with various regional organizations.

e) Workshop on the Acquisition of Environmental and Social Knowledge – JBACE, Mistissini

In November 2013, the KEAC received an invitation from the *James Bay Advisory Committee on the Environment* (JBACE) to participate in a workshop on knowledge acquisition and dissemination. A revised version of the invitation was received in January 2014. The members discussed possible KEAC participation once the dates and location have been confirmed.

9. Dates and Location of the Next Meetings

It was decided to organize the 139th meeting on March 13 and 14, 2014. The location remains to be confirmed. The 140th meeting will be scheduled the week of July 7, 2014, in Akulivik.



Benjamin Patenaude
Executive Secretary
July 8, 2014