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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

**MINUTES OF THE 143RD MEETING OF THE KEAC
(ADOPTED)**

DATES: March 25 and 26, 2015

LOCATION: Hôtel-Musée Premières Nations, Wendake, Québec

PRESENT:

Appointed by the Kativik Regional Government (KRG)

Michael Barrett
Joseph Annahatak

Appointed by the Government of Canada

Claude Abel, Chairperson
Line Choinière
France Roussel

Appointed by the Gouvernement du Québec

Paule Halley
Sylvie Létourneau, Vice-Chairperson
Julie Samson

Executive Secretary

Benjamin Patenaude

Environmental Analyst

Nancy Dea

ABSENT:

Betsy Palliser, KRG appointee

1. Call to order and adoption of the agenda

The 143rd meeting of the Kativik Environmental Advisory Committee (KEAC) began at 1:00 p.m. on March 25, 2015, at the Hôtel-Musée Premières Nations in Wendake. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 143rd 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 of the 140th, 141st and 142nd meetings
3. Business arising from the 142nd meeting and correspondence
 - a) *Mining Act*
 - b) Mid-Canada Line clean-up project
 - c) Feedback on the federal administrator's authorization of the Nunavik Nickel marine infrastructure project
4. Budget, secretariat and members
 - a) Budget
 - b) Secretariat
 - c) Members
 - d) 2015–2020 five-year action plan
 - e) Status of active KEAC files
 - f) 2013–2014 and 2014–2015 KEAC annual reports
5. Environmental assessment in Nunavik
 - a) Revision of schedules 1 and 2 of Section 23 of the JBNQA
 - b) Environmental assessment procedure pamphlet
 - c) Evaluation of the social impacts of development projects subject to different assessment procedures
 - d) Working group on public participation – MDDELCC
6. Mining activities
 - a) Environmental assessment procedure applicable to the Hopes Advance Iron Mining Project
 - b) Mining activities on lands adjacent to Category I lands
 - c) Quest Rare Earth Minerals project
7. Uranium industry review conducted by the BAPE and the KEAC
8. Residual materials management
 - a) *Nunavik Residual Materials Management Plan*, KRG
 - b) Extended producer responsibility pilot projects
9. Plan Nord

- a) International Symposium on Northern Development, February 25–27, 2015
- b) Parnasimautik consultations
- c) Protection of the Plan Nord territory

10. Abandoned camps

11. Miscellaneous

- a) Green Corner article – *Makivik Magazine*
- b) KEAC website

12. Dates and location of the next meetings

2. Adoption of the minutes of the 140th, 141st and 142nd meetings

The members reviewed feedback on the minutes of the 140th, 141st, and 142nd meetings. The minutes of the 140th meeting were adopted following modification. The adoption of the minutes of the 141st and 142nd meetings was postponed.

3. Business arising from the 142nd meeting and correspondence

a) *Mining Act*

On February 12, 2015, an email was transmitted to Roch Gaudreau, Director of Mineral Titles and Systems of the Ministère de l'Énergie et des Ressources naturelles (energy and natural resources, MERN), to request additional information on the new regulation and the Aboriginal consultation policy currently being developed by the MERN. The email also informed Mr. Gaudreau that the KEAC would like to be formally consulted during the feedback period following the publication of the new regulation in the *Gazette officielle du Québec*.

On February 27, 2015, an email was transmitted to the James Bay Advisory Committee on the Environment (JBACE) to exchange information on this file. The JBACE informed the KEAC that the MERN timetable had been changed and that the publication of the new regulation might occur in the summer of 2015.

The members were informed that the MERN regulation and the aboriginal consultation policy are currently being adjusted to take into account the amendments made to *Mining Act* following the recent tabling of the Québec government's budget. The members requested that follow-up be conducted regarding the scope and nature of these amendments to the *Mining Act*. It was decided to continue discussion of this topic at a future KEAC meeting.

b) Mid-Canada Line clean-up project

On February 16, 2015, a letter was transmitted to the federal administrator about the KEAC's continued concern regarding the clean-up of the Mid-Canada Line sites. The letter asked that the KEAC be kept informed of any developments regarding this file. A copy of the letter was transmitted to the KRG chairperson. The members reviewed the correspondence exchanged with federal and provincial government representatives on this topic.

The members were informed that the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (sustainable development, the environment and the fight against climate change, MDDELCC) is currently conducting characterization work at the Pointe Louis XIV site, and had transmitted a letter to the Department of National Defence regarding its intended financial contribution to the clean-up project and requesting that the KRG be included in future correspondence between the two organizations.

c) Feedback on the federal administrator's authorization of the Nunavik Nickel marine infrastructure project

Following the 142nd meeting, a draft letter addressed to the federal administrator was prepared to provide feedback on the Canadian Environmental Assessment Agency's (CEAA) certificate of authorization for the Nunavik Nickel marine infrastructure project at Deception Bay. The KEAC would like to receive clarifications regarding the administrative format of the project's certificate of authorization. The members discussed the draft letter and agreed on its contents.

4. Budget, secretariat and members

a) Budget

The members discussed a draft letter regarding KEAC budget forecasts for 2015–2016. The letter will be quickly finalized and transmitted to the MDDELCC.

The *Policy concerning Use of the KEAC Credit Card* was presented. The members discussed many elements for controlling use of the card and proposed several modifications to the document.

Finally, the KEAC expense report for the period from November 2014 to February 2015 was analysed.

b) Secretariat

The proposed renewal of the environmental analyst's contract was discussed. It was decided to renew the contract for one year with the same conditions.

c) Members

The members provided a warm welcome to France Roussel, the new federal-government appointee. She will be replacing Thessa Girard-Bourgoin temporarily.

The composition of various KEAC sub-committees was reviewed.

d) 2015–2020 five-year action plan

Following the 142nd meeting, the forecast annual budget under the 2015–2020 KEAC five-year action plan was revised and finalized. The action plan is done and will be transmitted to the concerned individuals.

e) Status of active KEAC files

Following the 142nd meeting, a table describing the status of active KEAC files was developed. It was presented.

f) 2013–2014 and 2014–2015 KEAC annual reports

The members were informed that copies of the 2013–2014 KEAC annual report have been distributed. It was decided that work on the 2014–2015 annual report should begin immediately.

5. Environmental assessment in Nunavik

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

The members were informed that the working group created by the MDDELCC to revise schedules 1 and 2 of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA) is expected to hold a meeting in the near future in order to continue discussion on the proposals to update the lists of projects automatically subject to or exempt from the environmental and social impact assessment and review procedure. The members were also informed that the KEAC should receive the working group's recommendations once they have been finalized. Comments were made regarding the limited involvement of the federal government in the revision work and discussion took place on the monitoring required for the next steps in the revision process.

b) Environmental assessment procedure pamphlet

At the 142nd meeting, the members asked that the content of the draft pamphlet's content be simplified even further. As soon as the draft is ready, it will be circulated for feedback among members of a focus group composed of representatives of regional organizations. The members stated that the pamphlet should be simplified before being submitted to the focus group. It was decided the members would continue their revision of the content of the pamphlet and submit their feedback before the next meeting.

c) Evaluation of the social impacts of development projects subject to different assessment procedures

Following the 142nd meeting, a work plan for a study involving evaluation of the social impacts of projects subject to different review procedures was developed and presented. It was expressed that a study of this nature is important since development in Nunavik is expected to increase in the future. The members discussed the objectives of the project and the possibility of hiring a consultant or student to assist the KEAC with the work. The members agreed to continue their revision of the work plan and review their feedback at a future meeting.

d) Working group on public participation – MDDELCC

In November 2014, the members of the KEAC sub-committee received an invitation from an MDDELCC representative to attend a meeting of the working group on public participation. No date has been set for the meeting; nonetheless, according to recent communications with the MDDELCC, the meeting is still expected to be held. The members were told that recent modifications to the website of the Kativik Environmental Quality Commission (KEQC) might satisfy most of the KEAC's concerns regarding public participation and access to information regarding projects in Nunavik. The members asked that the KEQC website be reviewed, prior to the next working group meeting to assess the nature and the scope of the changes to strengthen public participation and access to information.

6. Mining activities

a) Environmental assessment procedure applicable to the Hopes Advance Iron Mining Project

At the 142nd meeting, the members discussed the possibility of drafting letters to the federal and provincial administrators regarding the number of environmental assessment procedures being applied for the Hope's Advance iron mining project near Aupaluk. The letters would deal with KEAC concerns regarding the CEAA decision to not apply the federal procedure under Section 23 of the JBNQA and to not submit the project to a review panel pursuant to the *Canadian Environmental Assessment Act 2012*. The members expressed interest in meeting with CEAA representatives to discuss these issues with a view to simplifying the application of environmental assessment procedures in Nunavik and introducing ways to ensure priority use of the JBNQA procedure in the place of others.

The members are continuing to monitor the evolution of the Hope's Advance iron mining project. They were informed that the provincial directive issued for the impact study expires in September 2015. It was pointed out the community of Aupaluk, which is already very concerned about ongoing mineral exploration under this project, should be informed of the situation by the provincial administrator. The members asked questions about the project proponent's compliance with this deadline and MDDELCC requirements should the proponent decide to resubmit the project to the assessment procedure. A draft letter to the MDDELCC will be prepared regarding these issues. Finally, the members requested information on the validity period of other directives issued under other assessment procedures. A second draft letter to the CEAA will be prepared regarding this question.

b) Mining activities on lands adjacent to Category I lands

On January 17, 2014, the KEAC transmitted a letter to the Deputy Minister of the MDDELCC requesting information on how the MDDELCC processes mining activities on lands adjacent to Category I lands. The KEAC has still not received a response to its letter. The members requested that follow-up be undertaken with the Deputy Minister.

c) Quest Rare Earth Minerals project

The members were informed that Quest Rare Earth Minerals has submitted to the MDDELCC a project notice for a rare earth mineral mining project in the vicinity of Strange Lake, close to the Labrador border. The project proposes the construction a mine site in Nunavik and transportation infrastructure in Labrador. The members discussed the different environmental assessment procedures that could apply to this project.

7. Uranium industry review conducted by the BAPE and the KEAC

As part of the third phase of the uranium industry review, public consultations were conducted on December 1, 2, and 3, 2014, in the communities of Kawawachikamach, Kuujuaq and Kangiqsualujuaq and on December 15, 2014, in Montreal. The purpose was to give organizations and individuals an opportunity to table briefs and express their concerns regarding the development of a uranium industry in Nunavik.

The KEAC members who were participated in the review gave a summary description of the public consultation sessions and also set out the planned stages for the preparation of the final report in collaboration with the Bureau d'audiences publiques sur l'environnement (environmental public hearings, BAPE).

As well, the members discussed the financial report to be transmitted to Aboriginal Affairs and Northern Development Canada, which provided the funding for most of the KEAC's expenses under this mandate.

8. Residual materials management

a) *Nunavik Residual Materials Management Plan, KRG*

The members were informed that the *Nunavik Residual Materials Management Plan* was approved by the KRG Council, but that MDDELCC final approval is still pending. It was pointed out that staff training in each community will be needed to ensure the implementation of the Management Plan.

b) Extended producer responsibility pilot projects

The members were informed that extended producer responsibility pilot projects are scheduled to resume in the summer of 2015. These will include the collection of paint, fluorescent light bulbs, used batteries, vehicle fluids and oil, as well as waste electronics. The members were informed that the Electronic Products Recycling Association (ERPA) has developed an information poster with the KRG so community residents will know where to bring their waste electronics for recycling.

9. Plan Nord

a) International Symposium on Northern Development, February 25–27, 2015

The International Symposium on Northern Development was held from February 25 to 27, 2015, in Quebec City and was co-chaired by the Québec government and the Nordic Council of Ministers with Université Laval. The purpose of the symposium was to bring together representatives of Nordic countries, academia, Aboriginal communities, as well as the business and industrial sectors to exchange knowledge, experience and visions regarding the sustainable development of the north. The KEAC environmental analyst attended the symposium. She provided a description of the Symposium and the different workshops she attended (ex. conservation, energy, the environment and wildlife).

b) Parnasimautik consultations

In September 2010, Nunavik Inuit submitted *Plan Nunavik* to the Québec government in response to the development of the Plan Nord. In November 2014, a second document, the *Parnasimautik Consultation Report*, was produced further to consultations in Nunavik's 14 communities, as well as in Kawawachikamach, Chisasibi and Montreal. The Report reviews different issues related to the development of the region. One of the Report's recommendations stresses the importance of cooperation between regional organizations. The members noted that KEAC recommendations regarding *Plan Nunavik* seem to have been taken into account in the *Parnasimautik Consultation Report*, specifically regarding the need to modernize environmental assessment procedures and complete a revision of schedules 1 and 2 of Section 23 of the JBNQA.

c) Protection of the Plan Nord territory

The members were informed that the Québec premier had transmitted a letter to the International Organization for Conservation in November reiterating a proposal to protect 50% of the Plan Nord territory by 2035. This message is significant.

Regarding the creation of protected areas in Nunavik, the working group is pursuing its efforts to ensure the protection of 20% of Nunavik by 2020 through new parks and biodiversity reserves and in accordance with existing conservation legislation in Québec.

A second working group was recently created to discuss the additional 30% of territory requiring protection. This group, which is chaired by representatives of the Plan Nord Secretariat, the MDDELCC and other organizations, held a first meeting to discuss their mandate. KEAC members would like to be kept informed of the work of this group and, if possible, would like to take part in it. The members recognized the importance of this recent initiative and requested that an MDDELCC representative be invited to give a presentation on this topic at a future meeting.

10. Abandoned camps

On March 24, 2015, the KEAC executive secretary and environmental analyst held a conference call with a representative of the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks, MFFP) to obtain information about the updating of the inventory of abandoned outfitting camps in Nunavik. The MFFP representative explained that in 2000, 2003, 2004 and 2008 the MFFP had conducted inventory fieldwork of abandoned and operational outfitting camps in Northern Québec. Although the MFFP has not conducted any additional inventory work since 2008, it is taking steps to update the inventory and produce an official report.

The MFFP has also organized a working group, including representatives of the Secrétariat aux affaires autochtones (Aboriginal affairs), which will consult with the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) and the Naskapi Nation regarding this file. The members were informed that the Naskapi Nation recently entered into an economic development agreement with the Québec government and that one section of the agreement stipulates

that the Québec government and the Naskapi are to negotiate interventions regarding abandoned outfitting camps on Naskapi territory. The members discussed the importance of this file since the number of abandoned outfitting camps has probably increased since 2008 due to the decline in the caribou population. The members asked that a letter be transmitted to the MFFP indicating that the KEAC would like to be kept informed of the working group's activities.

11. Miscellaneous

a) Green Corner article – *Makivik Magazine*

It was decided that the next article to appear in the Green Corner column in *Makivik Magazine* should provide information to the residents of Kuujuaq, Salluit and Puvirnituk about electronics recycling pilot projects in their communities and the designated locations for electronics recycling.

b) KEAC website

The KEAC sub-committee held a conference call on March 24, 2015, to discuss the design work still to be done for the KEAC's new website.

12. Dates and location of the next meetings

It was proposed that the 144th meeting of the KEAC be held during the week of June 1, 2015, in Mont-Joli and the 145th meeting during the week of September 21, 2015, in Kangiqsualujuaq.



Benjamin Patenaude
Executive Secretary
September 22, 2015