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Comité consultatif de l'environnement Kativik  
Kativik Environmental Advisory Committee

## MINUTES OF THE 163<sup>RD</sup> MEETING OF THE KEAC (ADOPTED)

**DATE:** March 26, 2020

**LOCATION:** By conference call

### **PRESENT:**

#### **Appointed by the Kativik Regional Government (KRG)**

Michael Barrett, Chairperson

-Vacant-

#### **Appointed by the Government of Canada**

Alexandre-Guy Côté

Megan Williams

Mélanie LaFlèche

#### **Appointed by the Québec Government**

Sylvie Létourneau

Julie Samson

Paule Halley

#### **Executive Secretary**

Benjamin Patenaude

#### **Environmental Analyst**

Nancy Dea

#### **Policy Analyst**

Annie Lamalice

### **ABSENT:**

Mary Pilurtoot, member appointed by the KRG

### **GUESTS:**

Gilles Côté, Director General, Secrétariat international francophone pour l'évaluation environnementale

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

The 163<sup>rd</sup> meeting of the Kativik Environmental Advisory Committee (KEAC) began at 8:45 a.m. on March 26, 2020. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 163<sup>rd</sup> meeting took place in accordance with the agenda appearing in appendix.

## **2. Adoption of the minutes of the 160<sup>th</sup> and 161<sup>st</sup> meetings**

The members reviewed feedback on the minutes of the 160<sup>th</sup> and 161<sup>st</sup> meetings. Both were adopted following modifications.

## **3. Administration**

### a) Budget

The members were informed that the funding application for the 2020–2021 operating budget was sent to the provincial administrator of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA) on February 11, 2020. The expense report for the period November 2019 to February 2020 was also reviewed.

### **Action item**

- **Prepare a budget projection for 2020–2025.**

### b) Secretariat

The meeting discussed a draft procedure for KEAC staff and members concerning file assignments. Work sessions conducted between the KEAC's quarterly meetings were also discussed; the first such session was conducted in January.

### c) Members

The members were informed that Julie Samson, a Québec government appointee, will soon be retiring and will resign from her KEAC position at the same time. The members thanked Ms. Samson for her service to the KEAC. They also welcomed Mélanie LaFlèche as the federal government appointee replacing Jean-Yves Savaria. Finally, they inquired about the KRG process to appoint a new member to replace Laina Grey.

### d) Active files since the 162<sup>nd</sup> meeting

The members reviewed a table showing the status of KEAC files since the last meeting.

e) Website

An overview of the content and recommendations for improving the KEAC website were presented. Furthermore, the members discussed the service provided by the firm presently responsible for hosting and developing the KEAC website.

**Action items**

- **Explore alternative service providers or revise the service contract with the present hosting and development firm.**
- **During the review of meeting minutes, post the corresponding meeting agendas on the KEAC website.**

f) Action plan, 2020–2025

The KEAC 2020–2025 action plan was adopted following modifications and will be posted on the KEAC website.

**4. Environmental assessment in Nunavik**

a) *Federal Impact Assessment Act*

The policy analyst provided a summary of discussions at a meeting held on March 11, 2020, in Montreal between representatives of the Impact Assessment Agency of Canada and regional stakeholders concerning the recently adopted *Impact Assessment Act* and its application in Nunavik. A subcommittee was created to review different possible scenarios for implementing the *Impact Assessment Act* in Nunavik and to actively monitor developments.

**Action item**

- **The subcommittee will meet to discuss follow-up to the March meeting.**

## b) Social impacts

Gilles Côté, the Director General of the Secrétariat international francophone pour l'évaluation environnementale (international francophone environmental assessment secretariat) gave a presentation on the second phase of the study on the handling of social impacts under environmental assessment procedures applicable in Nunavik. Mr. Côté first provided an overview of the work completed to date, the methodology and the scope of the project. He explained that the second phase will focus on cumulative impacts on the human, social and biophysical settings of authorized projects and how environmental assessment procedures take social impacts into account. Mr. Côté described problems encountered obtaining access to the necessary reference materials for the study and explained plans to overcome these problems.

### **Action items**

- **Follow up with the provincial and federal governments concerning access to the reference materials required to complete the study.**
- **Finalize the work plan for the second phase of the study.**

## **5. Federal and provincial environmental protection legislation**

### a) Modernization of the Québec environmental authorization regime

The members were informed that a meeting was held in Montreal on February 18, 2020, to present the results of co-creation round table meetings and the regulations proposed by the Ministère de l'Environnement et de la Lutte contre les changements climatiques (the environment and the fight against climate change, MELCC) to implement the *Environment Quality Act*. Twenty-eight regulations have been submitted for consultation until May 19, 2020, including importantly the draft regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, which will regulate activities with moderate, low or negligible environmental impacts.

### **Action item**

- **Schedule a subcommittee conference call to discuss KEAC feedback on the draft regulations.**

## **6. Mining activities**

### a) Consultation on the Québec government's reflection on the development of critical and strategic minerals

On February 7, 2020, a letter was sent to the Aboriginal affairs branch of the Ministère de l'Énergie et des Ressources naturelles (energy and natural resources, MERN) with KEAC feedback on the Québec government's reflection on the development of critical and strategic minerals. In addition to recalling the importance of the protection regime and environmental and social impact assessment and review procedures established under the JBNQA, the KEAC recommended: to conduct a strategic environmental assessment as part of the government's reflection on the development of critical and strategic minerals in

Québec and Nunavik; to consider both economic spinoffs and the environmental and social impacts of developing critical and strategic mineral projects in Nunavik; to incorporate into planning for mineral exploration and mining projects, including at the rehabilitation phase, local and regional infrastructure and resources in order to promote a circular economy at the regional level; to introduce improved measures for environmental monitoring; and to consider making financial guarantees for site restoration a condition of project authorizations.

b) Asbestos Hill mine site

On February 18, 2020, a letter was sent to the commission of the Bureau d'audiences publiques sur l'environnement (environment public hearings, BAPE) responsible for the review of the site conditions and management of asbestos and asbestos mine tailings in Québec concerning the inclusion of the Asbestos Hill mine site in the consultation. The letter provided an overview of the history of the site, summarized concerns with regards to its present state and requested that the former Asbestos Hill mine be included in the exercise. The possibility of holding a consultation for Nunavik was also raised.

A response was received on March 3, 2020, from Joseph Zayed, president of the BAPE commission. Mr. Zayed recalled the BAPE's previous correspondence with the KRG and the KEAC concerning the Asbestos Hill mine site. He acknowledged the KEAC request to hold and co-chair a consultation for Nunavik, but explained that this is not possible under the current mandate. He concluded by stating that the BAPE commission remains open to discussing the matter further with the KEAC and regional representatives.

**Action item**

- **Confirm with the BAPE that the KEAC letter dated February 18, 2020, represents an official brief for the consultation.**

c) Abandoned mineral exploration camps

On March 10, 2020, the KEAC sent a letter to Jonathan Julien, Minister of the MERN, concerning the present state of abandoned mineral exploration sites in Nunavik. The letter mentions that, although many sites have been restored since 2007, additional sites continue to be identified in the region, despite the legal obligation of mineral exploration companies pursuant to section 216 of the *Mining Act*. The KEAC also stated its position that mineral exploration activities and restoration guarantees should be incorporated into the authorization process. Finally, the KEAC asked how the MERN intends to ensure that mineral exploration companies comply with the Act and about the MERN's strategies for communicating with regional bodies.

**7. Hazardous and residuals materials management**

a) Nunavik Residual Materials Management Working Group

The environmental analyst presented a summary of the most recent meeting of the Nunavik Residual Materials Management Working Group which was held on February 27, 2020, by videoconference. The topics addressed included extended producer responsibility, the proposed eco-centre project for Kuujuaq,

the implementation of the new deposit refund program for beer and soft drink containers, funding programs contained in the 2019–2024 action plan under the *Québec Residual Materials Management Policy*, and the ineligibility of regional bodies for federal funding programs.

#### **Action item**

- **Send a letter to the provincial administrator of Section 23 of the JBNQA regarding regional concerns with the topics discussed at the Working Group meeting.**

#### b) First Nations Waste Management Initiative

The members discussed the preparation of a draft letter concerning the exclusion of Québec Inuit from federal environmental funding programs.

#### **Action item**

- **Once adopted, a copy of the letter should also be sent to the Makivik Corporation.**

#### c) First Nations Waste Management Regional Committee

The environmental analyst presented a summary of the meeting of the First Nations Waste Management Regional Committee which was held on February 5 and 6, 2020, at Lac-Delage. The topics addressed included the creation of the national advisory committee to implement and evaluate the initiative, the updating of current waste management knowledge in First Nations communities in Québec, regulatory gaps on reserve lands, and the preparation of a guide on basic waste management standards in First Nations communities in Québec.

#### d) Mid-Canada radar line

On February 28, 2020, the KEAC sent a letter to Marc Croteau, the provincial administrator of Section 23 of the JBNQA, concerning a request for information on the third phase of the Mid-Canada radar line clean-up project. The letter provided an overview of the previous phases of the project and recalled that characterization studies had been performed recently at these sites. The members expressed their concerns regarding the lack of communication between the firm contracted by the MELCC to perform the studies and the concerned organizations and communities. They also requested that access to the field report results be improved and that a meeting be organized with MELCC representatives to discuss the matter further.

#### e) *Québec Residual Materials Management Policy*, 2019–2024 action plan

The members were informed of the Québec government's announcement regarding programs and initiatives contained in the 2019–2024 action plan under the *Québec Residual Materials Management Policy*.

## 8. Climate change

### a) Government consultations on the 2020–2030 plan on electrification and climate change

The executive secretary presented a summary of the Québec government's consultation on the 2020–2030 plan for electrification and climate change which was held on February 11, 2020, in Kuujuaq. The purpose of the consultation was to bring together Québec government officials and regional organizations to announce the implementation of the plan and obtain feedback on different regional concerns related to climate change, green energy and infrastructure.

### b) *Bill 44, An Act mainly to Ensure Effective Governance in the Fight Against Climate Change and Promoting Electrification*

The policy analyst presented an update on the development and adoption of *Bill 44, An Act mainly to Ensure Effective Governance in the Fight Against Climate Change and Promoting Electrification*.

## 9. Parks and Protected Areas

### a) *Bill 46, An Act to amend the Natural Heritage Conservation Act and Other Provisions*

The policy analyst presented a summary of an information meeting on *Bill 46, An Act to amend the Natural Heritage Conservation Act and Other Provisions* which was held on March 5, 2020, by teleconference. In brief, the purpose of Bill 46 is to make the *Natural Heritage Conservation Act* more flexible and effective, introduce two new types of protection status (namely, protected area with sustainable use and marine reserve), and create the legislative foundation for the protection of 30% of the Plan Nord territory. The members were informed that Bill 46 will be reviewed by parliamentary committee in the fall of 2020.

## 10. Dates and locations of the next meetings

It was decided that the 164<sup>th</sup> meeting will be held on June 10, 11 and 12, 2020, in Quebec City and the 165<sup>th</sup> meeting from September 28 to October 2, 2020, in a Nunavik community.



Benjamin Patenaude  
Executive Secretary  
September 29, 2020

## **AGENDA OF THE 163<sup>RD</sup> MEETING OF THE KEAC**

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

### **2. Adoption of the minutes of the 160<sup>th</sup> and 161<sup>st</sup> meetings**

### **3. Administration**

- a) Budget
- b) Secretariat
- c) Members
- d) Active files since the 162<sup>nd</sup> meeting
- e) Website
- f) Action plan, 2020–2025

### **4. Environmental assessment in Nunavik**

- a) Federal *Impact Assessment Act*
- b) Social impacts

### **5. Federal and provincial environmental protection legislation**

- a) Modernization of the Québec environmental authorization regime

### **6. Mining activities**

- a) Consultation on the Québec government's reflection on the development of critical and strategic minerals
- b) Asbestos Hill mine site
- c) Abandoned mineral exploration camps

### **7. Hazardous and residual materials management**

- a) Nunavik Residual Materials Management Working Group
- b) First Nations Waste Management Initiative
- c) First Nations Waste Management Regional Committee
- d) Mid-Canada radar line
- e) *Québec Residual Materials Management Policy, 2019–2014 action plan*

### **8. Climate change**

- a) Government consultations on the 2020–2030 plan on electrification and climate change
- b) *Bill 44, An Act mainly to Ensure Effective Governance in the Fight Against Climate Change and Promoting Electrification*

### **9. Parks and Protected Areas**

- a) *Bill 46, An Act to amend the Natural Heritage Conservation Act and Other Provisions*

### **10. Dates and locations of the next meetings**