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Comité consultatif de l'environnement Kativik  
Kativik Environmental Advisory Committee

## MINUTES OF THE 164<sup>TH</sup> MEETING OF THE KEAC (ADOPTED)

**DATES:** June 10 and 11, 2020

**LOCATION:** By teleconference

**PRESENT:**

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

Michael Barrett, Chairperson

Mary Pilurtoot

Tunu Napartuk

**Appointed by the Government of Canada**

Alexandre-Guy Côté

Megan Williams

Mélanie Lafèche

**Appointed by the Government of Québec**

Sylvie Létourneau

Paule Halley

— Vacant —

**Executive Secretary**

Benjamin Patenaude

**Environmental Analyst**

Nancy Dea

**Policy Analyst**

Annie Lamalice

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

The 164<sup>th</sup> meeting of the Kativik Environmental Advisory Committee (KEAC) began at 1 p.m. on June 10, 2020. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 164<sup>th</sup> meeting took place in accordance with the agenda appearing in appendix.

## 2. Adoption of the minutes of the 162<sup>nd</sup> and 163<sup>rd</sup> meetings

The members reviewed feedback on the minutes of the 162<sup>nd</sup> meeting and adopted them following modifications. The adoption of the minutes of the 163<sup>rd</sup> meeting was postponed to the next meeting.

## 3. Administration

### a) Budget

On May 25, 2020, the KEAC received a letter from the provincial and federal administrators of Section 23 of *the James Bay and Northern Québec Agreement* (JBNQA) concerning the approval of its operating budget for 2020–2021. Further to previous discussions with the provincial administrator, a partial instalment of the operating budget was received on June 8, 2020. The members recognized the provincial administrator for his efforts to ensure that KEAC activities can be maintained this year without being hindered by administrative delays.

The members reviewed the expense report for March to April 2020 and were informed that a draft five-year budget forecast is under review by the administrative subcommittee.

### Action item

- **Revise and send the five-year budget forecast to the members for review.**

### b) Secretariat

The members discussed a report from the administrative subcommittee as well as the development of a series of guidelines for members and staff.

### c) Members

The members welcomed Tunu Napartuk as a KRG appointee replacing Laina Grey.

### d) Active files since the 163<sup>rd</sup> meeting

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

### e) Archives

The proposal recently received for the archiving of KEAC files was presented to the members. An official tender and cost estimate should be available for review shortly.

f) Website

The members selected a firm to update and host the KEAC website. A model for improving the structure of the site's contents was discussed.

**Action item**

- **Prepare and present revised content for the website update at the next meeting.**

g) Annual report, 2019–2020

The members reviewed the most recent version of the 2019–2020 annual report. They were also informed that the annual report must be received by the Québec National Assembly no later than June 30 of each year in accordance with the KEAC's legal obligation under the *Environment Quality Act*. It was decided that steps would be taken to ensure this deadline is met in future years.

**Action item**

- **Contact the Québec government to request an extension of the deadline for transmitting the 2019–2020 annual report.**

h) Request from the Makivik Corporation

On April 30, 2020, the KEAC received a letter from Adamie Delisle-Alaku, the Vice-President of the Department of Environment, Wildlife and Research of the Makivik Corporation, concerning a request for permanent observer status for Makivik at KEAC and Kativik Environmental Quality Commission (KEQC) meetings. In his letter, Mr. Delisle-Alaku explained that Makivik already participates as an observer at the meetings of planning and environmental review bodies created under the *Nunavik Inuit Land Claims Agreement*. He emphasized that observer status at KEAC and KEQC meetings would allow Makivik to ensure that there is compliance with the provisions of the JBNQA and that the rights and interests of Nunavik Inuit are properly respected and represented.

The members discussed the Makivik request and, in order to gain a better understanding of the organization's intentions, proposed that a Makivik representative be invited to a future meeting for this purpose.

**Action items**

- **Send an invitation letter to the Makivik Corporation to meet with KEAC members at a future meeting and copy the provincial administrator.**
- **If the invitation is accepted, prepare a presentation on the KEAC.**

i) Letter from the provincial administrator

The members were informed of a letter sent on June 8, 2020, by the provincial administrator to the deputy ministers of the Ministère des Transports (transportation), the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks), and the Ministère de l'Énergie et Ressources naturelles (energy and natural resources, MERN) concerning their obligation to consult the KEAC on matters affecting the environmental and social protection regime applicable in Nunavik. This letter stems from the points raised during the discussion held with the provincial administrator at the KEAC's 162<sup>nd</sup> meeting. The members recognized the

provincial administrator for his effort to enhance communication between the KEAC and the Québec government.

#### **Action item**

- **Send an acknowledgment of receipt to the provincial administrator.**

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

##### a) Social impacts

The policy analyst presented an update on the second phase of the study on the consideration given to social impacts under the assessment procedures applicable in Nunavik, which will include a literature review. She also explained changes to the timeline and the work plan.

#### **Action items**

- **Follow up on the access to information requests submitted to the provincial and federal governments.**
- **Cooperate with the Secrétariat international francophone pour l'évaluation environnementale (international francophone environmental assessment secretariat) to carry out the study.**

##### b) Environmental review bodies in Nunavik

The members were informed of recent personnel changes within the Environmental and Social Impact Review Panel (COFEX-North), the KEQC and the Nunavik Marine Region Impact Review Board. The members stressed the need to enhance communication with these bodies.

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

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

The policy analyst presented an overview of the work of the co-creation round table to finalize preparation of the draft regulations stemming from the adoption of the *Act to Amend the Environment Quality Act to Modernize the Environmental Authorization Scheme and to Amend Other Legislative Provisions, in Particular to Reform the Governance of the Green Fund*. In February 2020, the Ministère de l'Environnement et de la Lutte contre les changements climatiques (the environment and the fight against climate change) initiated consultations on these draft regulations. On May 19, 2020, as part of these consultations, the KEAC submitted a brief on the draft regulation respecting the *regulatory scheme applying to activities on the basis of their environmental impact* (REAFIE) and the draft regulation respecting activities in wetlands, bodies of water and sensitive areas (RAMHHS). The KEAC brief focused on the implementation of the REAFIE and RAMHHS in Nunavik, concerns regarding the primacy of the review procedures applicable in the region, proponent obligations to describe anticipated impacts on both the natural and social environments, the assessment of projects on Category 2 lands, the management of hazardous materials and biomedical waste, and the need to enhance certain enforcement provisions in the region.

## b) Federal *Impact Assessment Act*

The policy analyst presented a summary of a meeting held on May 13, 2020, with the subcommittee responsible for studying the implementation of the federal *Impact Assessment Act* in Nunavik. The members were informed that the subcommittee would undertake analysis of scenarios in order to identify the best options to ensure coordination between the Impact Assessment Agency of Canada and review panels under the Act with the other review and authorization procedures applicable in Nunavik. The Makivik Corporation and the Naskapi Nation of Kawawachikamach have been invited to participate in this exercise. The Impact Assessment Agency of Canada was contacted on June 1, 2020, to inform it of the KEAC's actions.

## 6. Mining activities

### a) Consultation on the Québec Plan for the Development of Critical and Strategic Minerals

The members were informed that the MERN intends to initiate a second phase of consultations on the Québec Plan for the Development of Critical and Strategic Minerals and that the KEAC will be contacted to this effect.

### b) Asbestos Hill mine site

The members were informed that the KEAC letter dated February 18, 2020, recommending the inclusion of the Asbestos Hill mine site in the review of site conditions and the management of asbestos and asbestos mine tailings currently being conducted by the Bureau d'audiences publiques sur l'environnement (environmental public hearings committee) will be considered an official brief by the commission responsible for this file.

The members were also informed that site characterization work at the Asbestos Hill mine site has been completed and the documentation produced is currently under review by the MERN.

### c) Abandoned mineral exploration camps

On May 11, 2020, the KEAC received a response from Nathalie Camden, the Assistant Deputy Minister of Mines with the MERN, to its letter concerning the present status of abandoned mineral exploration sites in Nunavik. Ms. Camden opened with an acknowledgement of the KEAC's contribution to this file and its concerns with the surge of newly identified sites in the region. She explained that, although the present abandoned mineral exploration site rehabilitation agreement will expire in 2022, regional needs will be re-evaluated and the agreement will be revised accordingly. Ms. Camden next addressed the members' concerns regarding proponent compliance with Section 216 of the *Mining Act* and the conditions applicable to claim holders. Ms. Camden concluded with an update on the MERN's *Aboriginal Community Consultation Policy specific to the Mining Sector* as well as KEAC feedback on the *Mining Act* submitted in October 2019. The members recognized the important steps taken by the MERN and the need for continued monitoring of this file.

## 7. Residual and hazardous materials management

### a) Overview of residual materials management in Nunavik

The environmental analyst presented a draft document concerning the present state of residual materials management in Nunavik. The document, co-authored by the KEAC and the KRG, was requested by the Nunavik Residual Materials Management Working Group to provide the federal and provincial administrators of Section 23 of the JBNQA with an overview of current residual materials management initiatives in Nunavik following the implementation of the *Nunavik Residual Materials Management Plan (2015–2020)*.

### b) First Nations Waste Management Initiative

On April 17, 2020, the KEAC sent a letter to the Honourable Marc Miller, Minister of Indigenous Services, and the Honourable Dan Vandal, Minister of Northern Affairs, concerning the exclusion of Québec Inuit from federal environmental funding programs for Indigenous and northern communities. The letter opens with an overview of the KEAC's previous correspondence on this topic and an explanation of the ineligibility problem faced by Nunavik communities under federal government funding programs. The letter mentions that the region's remoteness, associated high shipping costs and limited Québec-government resources make it difficult to implement many essential residual materials management initiatives. The letter requests in conclusion that the federal government re-evaluate eligibility criteria for these programs so as to include Nunavik communities.

The members were informed that a response should be received shortly.

### **Action item**

- **Once adopted, send a copy of the portrait of waste management in Nunavik to the recipients of the above-cited letter as well as Crown-Indigenous Relations and Northern Affairs Canada.**

### c) Federal Northern Contaminated Sites Program

The environmental analyst presented an overview of the follow-up carried out with Environment and Climate Change Canada following discussions at the KEAC's 162<sup>nd</sup> meeting regarding contaminated sites on federal lands in Nunavik. A review of current rehabilitation activities on Akapatok Island and at Killiniq was also presented to the members.

### d) Draft guide for heating oil tanks

The members were informed that a draft guide for heating oil tanks in Nunavik should be available for the next meeting.

## 8. Climate change

- a) *Bill 44, An Act mainly to Ensure Effective Governance of the Fight Against Climate Change and to Promote Electrification*

The policy analyst presented an overview of *Bill 44, An Act mainly to Ensure Effective Governance of the Fight Against Climate Change and to Promote Electrification*. The members were informed that Bill 44 is nearing the end of parliamentary review and that the text concerning greenhouse gas emissions was recently amended.

## 9. Parks and protected areas

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

The policy analyst presented an overview of *Bill 46, An Act to amend the Natural Heritage Conservation Act and Other Provisions*. Bill 46 is intended to help the Québec government to achieve protected area creation objectives. Its three main objectives are to simplify the process by which protected areas are created, expand the range of tools for environmental protection, and improve public participation in the creation and management of protected areas.

The members were informed that Bill 46 will create a legal foundation for mechanisms to protect 30% of the Plan Nord territory. The parliamentary committee responsible for studying Bill 46 is scheduled to begin its work towards the end of the summer of 2020.

### **Action item**

- **Prepare KEAC feedback on Bill 46 for participation in the consultations.**

## 10. Miscellaneous

- a) Green Corner – *Taqralik*

It was decided that the next article for the Green Corner column in *Taqralik* would consist of a series of questions and answers on environmental issues between KEAC members and Nunavik residents.

- b) Drinking water quality in Nunavik

It was decided that an overview of drinking water quality in Nunavik communities will be presented at the next meeting.

### **Action item**

- **Obtain weekly drinking water quality reports from the KRG spanning the last two years and prepare a synthesis.**

## 11. Dates and location of the next meeting

The 165<sup>th</sup> meeting will be held during the week of September 28, 2020, with its location to be determined at a later date.



Benjamin Patenaude  
Executive Secretary  
December 2, 2020



## **Agenda of the 164<sup>th</sup> Meeting**

- 1. Call to order and adoption of the agenda**
- 2. Adoption of the minutes of the 162<sup>nd</sup> and 163<sup>rd</sup> meetings**
- 3. Administration**
  - a) Budget
  - b) Secretariat
  - c) Members
  - d) Active files since the 163<sup>rd</sup> meeting
  - e) Archives
  - f) Website
  - g) Annual report, 2019–2020
  - h) Request from the Makivik Corporation
  - i) Letter from the provincial administrator
- 4. Environmental assessment in Nunavik**
  - a) Social impacts
  - b) Environmental review bodies in Nunavik
- 5. Federal and provincial environmental protection legislation**
  - a) Modernization of the Québec environmental authorization regime
  - b) Federal *Impact Assessment Act*
- 6. Mining activities**
  - a) Consultation on the Québec Plan for the Development of Critical and Strategic Minerals
  - b) Asbestos Hill mine site
  - c) Abandoned mineral exploration camps
- 7. Residual and hazardous materials management**
  - a) Overview of residual materials management in Nunavik
  - b) First Nations Waste Management Initiative
  - c) Federal Northern Contaminated Sites Program
  - d) Draft guide for heating oil tanks
- 8. Climate change**
  - a) Bill 44, An Act mainly to Ensure Effective Governance of the Fight Against Climate Change and to Promote Electrification
- 9. Parks and protected areas**
  - a) Bill 46, An Act to amend the Natural Heritage Conservation Act and Other Provisions
- 10. Miscellaneous**
  - a) Green Corner – *Taqralik*
  - b) Drinking water quality in Nunavik

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