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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

MINUTES OF THE 167TH MEETING OF THE KEAC (ADOPTED)

DATES: March 17 and 18, 2021

LOCATION: By videoconference

PRESENT:

Appointed by the Kativik Regional Government (KRG)

Michael Barrett

Tunu Napartuk (December 17 only)

Appointed by the Government of Canada

Alexandre-Guy Côté

Mélanie Laflèche

Appointed by the Government of Québec

Vanessa Chalifour

Paule Halley, Chairperson

André-Anne Gagnon

Executive Secretary

Benjamin Patenaude

Environmental Analyst

Nancy Dea

Policy Analyst

Annie Lamalice

ABSENT:

Mary Pilurtoot, Vice-Chairperson, KRG appointee

Caroline Girard, Government of Canada appointee

GUESTS:

Mélanie Gaucher, Policy Analyst, Canada Water Agency creation project, Environment and Climate Change Canada (ECCC)

Timothy Gull, Senior Advisor, Public and Indigenous Affairs and Ministerial Services Branch, ECCC

Sonia Gagné, President and Chief Executive Officer, RECYC-QUÉBEC

Francis Vermette, Director of Operations, RECYC-QUÉBEC

Véronique Gilbert, Assistant Director of Environment and Land, Renewable Resources, Environment, Lands and Parks Department, KRG

OBSERVERS:

Lindsay Richardson, Project Coordinator (Environment and Community Consultation), Atmacinta Inc.

Gordon Dominique, Advisor, Naskapi Nation of Kawawachikamach

Laurie Beaupré, Environmental Coordinator, Department of Environment, Wildlife and Research, Makivik Corporation

1. Call to order and adoption of the agenda

The 167th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9 a.m. on March 17, 2021. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 167th meeting took place in accordance with the agenda appearing in appendix.

2. Adoption of the minutes of the 166th meeting

The members reviewed feedback on the minutes of the 166th meeting. The adoption of the minutes was postponed to the next meeting.

3. Administration

a) Budget

The members discussed the possibility of setting up a direct-deposit system for staff payroll. It was decided that this matter would be examined further by the administrative subcommittee. The expense report for November 2020 to February 2021 was also discussed.

b) Secretariat

The members discussed the purchase of software licences for secretariat staff and modification of the environmental analyst's working hours for the consultation organized by the Bureau d'audiences publiques sur l'environnement (environmental public hearings committee, BAPE).

c) Members

The members welcomed André-Anne Gagnon who has been appointed by the Québec government to replace Sylvie Létourneau. Furthermore, the members thanked Paule Halley for her work during her term as chairperson in 2020–2021. The chairpersonship for 2021–2022 was also discussed.

d) Active files since the 166th meeting

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

e) Website

The policy analyst presented an update on development of the new KEAC website. Electronic storage and sharing of KEAC documents was also discussed.

f) Annual report, 2020–2021

The members were updated on the progress of final revision work on the 2020–2021 annual report. They discussed the timeline for their feedback and production of the financial statement for the current fiscal year by the accountant.

g) Five-year action plan, 2020–2025

i. Promotional items

The environmental analyst presented different promotional item options to improve the visibility of the KEAC as identified under deliverable no.19 in the *2020–2025 Action Plan*.

ii. Communication plan

The environmental analyst presented a draft communication plan for the KEAC to prioritize collaboration with its external partners, strengthen its network of contacts, enhance its visibility and increase its influence as provided for in the *2020–2025 Action Plan*. The communication plan also aims to facilitate greater participation from both communities and regional organizations during regular quarterly meetings.

Action item

- Revise the plan and submit it to the communications subcommittee.

h) Request from the Makivik Corporation

On January 18, 2021, the KEAC sent a letter to Adamie Delisle-Alaku, Vice-President of the Department of Environment, Wildlife and Research for Makivik, to follow up on the discussion held with Makivik representatives at the 166th meeting and to respond to the Makivik request to have a permanent observer present at KEAC regular quarterly meetings. In its letter, the KEAC recognizes its previous discussions with Makivik representatives and explains that it is unable to accept a permanent observer from Makivik at its meetings. The KEAC underscores that the KEAC and Makivik are involved in certain joint files and that it will continue to encourage cooperation and sharing. The KEAC concludes its letter by inviting Makivik representatives to attend the presentations planned for its 167th meeting. The invitation was accepted and a Makivik representative will attend the presentations.

4. Environmental assessment in Nunavik

a) Social impacts

The policy analyst presented an update on the progress of the study on the consideration given to social impacts under the environmental assessment procedures applicable in Nunavik. The members were informed that the study should be complete by early fall 2021.

Action item

- Invite the consultant to deliver a presentation at the 168th meeting.

b) Meeting to discuss cumulative impacts

The policy analyst presented summary of the interview conducted with researchers of Université Laval to obtain KEAC views on cumulative impacts in the context of environmental assessment procedures and the authorization regime. Particular attention was focused on the description and analysis of cumulative impacts, as well as on KEAC views concerning the consideration given to cumulative impacts under environmental assessment procedures and on ways environmental assessment procedures could be improved.

5. Federal and provincial environmental protection legislation

a) Modernization of the Québec environmental authorization regime

On February 15, 2021, the KEAC sent a letter to Ian Courtemanche, Director of the Regulatory and Legislative Strategy Office of the Ministère de l'Environnement et de la Lutte contre les changements climatiques (the environment and the fight against climate change, MELCC), with its feedback on the new declarations of compliance forms stemming from the adoption of the *Regulation respecting the Regulatory Scheme applying to Activities on the basis of their Environmental Impact* (REAFIE). The letter proposes changes to the sections of the REAFIE referring to the construction of forestry roads and the operation of sand pits and quarries, as these activities are subject to the environmental assessment procedure established under Schedule 1 of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA). The letter next addresses the language of consultation documents, the inclusion of wetlands and bodies of water, permafrost degradation in the georeferenced plan as well as the distinct administrative characteristics of Nunavik. The letter concludes with proposed changes in the wording of certain parts of the new declarations of compliance forms.

b) *Federal Impact Assessment Act*

The policy analyst presented an overview of the most recent meetings of the working group analyzing the implementation of the federal *Impact Assessment Act* in Nunavik. A comparative table of the different assessment and authorization procedures applicable in Nunavik has been developed to help the working group identify the similarities and differences between the procedures. This exercise is essential to identify potential challenges associated with implementing the Act in Nunavik. The next meeting of the working group is scheduled for March 25, 2021. The members applauded the progress that has been made to date.

6. Northern Action Plan 2020–2023, SPN

The environmental analyst presented an overview of the *Northern Action Plan 2020–2023* prepared by the Société du Plan Nord (SPN). The Plan targets the sustainable development of northern Québec over the next three years through 49 concrete actions defined in accordance with needs expressed by regional representatives. It consists of four key directions: optimized access to the northern territory; a robust, diversified economic fabric; an attractive, dynamic living environment; and a northern environment to be preserved.

Action item

-Invite the SPN to deliver a presentation on the *Northern Action Plan 2020–2023* at the next meeting.

7. *Blue Economy Strategy, Fisheries and Oceans Canada*

The members were informed that Fisheries and Oceans Canada recently launched the *Blue Economy Strategy* which aims to balance the economic development of Canada's oceans and their protection. One of the projects currently under review under the Strategy seeks to improve the Internet service in eastern Arctic communities and involves laying fibre optic cable on the ocean floor along Nunavik's western coastline.

Action item

- Review the engagement paper and present a summary at the next meeting.

8. *Climate change*

a) *2030 Plan for a Green Economy*, Québec government

The policy analyst provided an update on the status of the Québec government's *2030 Plan for a Green Economy*.

Action item

- Invite Québec-government representatives to deliver a presentation at the 168th meeting.

9. *Residual and hazardous materials management*

a) Modernization of Québec deposit and selective collection systems

The environmental analyst presented an overview of the two most recent meetings of the working groups for the modernization of deposit and selective collection systems which were held on December 17, 2020, and January 25, 2021, respectively.

b) Consultation on the status and management of final waste, BAPE

The members were informed that, on January 18, 2021, the KEAC received a letter from the BAPE announcing that it had received a mandate from the Minister of the MELCC to conduct an enquiry and public hearings on the status and management of final waste. More specifically, the Minister has asked the BAPE: to prepare an up-to-date overview of final waste management, to assess disposal capacity for the next 20 years including the number and distribution of required installations; to analyze existing disposal and processing methods as well as innovative technologies and mechanisms; and to identify stakeholders, their roles and their concerns with regard to final waste management. The mandate also includes the assessment of measures, solutions and requirements to enhance the management of final waste taking into account regional contexts, as well as the identification of conditions conducive to achieving social acceptance for the options analyzed based on best practices.

As this consultation will also include Nunavik, the BAPE has requested that the KEAC, in accordance with its mandate under Section 23 of the JBNQA, lead the consultations for the region. Following a series of meetings

with the BAPE commission, the KEAC agreed to co-chair the Nunavik consultations. A draft administrative agreement for this purpose has been prepared.

c) *Nunavik Residual Materials Management Plan*

The environmental analyst provided an update regarding the KRG request for collaboration on the development of measure no.16 under the *Nunavik Residual Materials Management Plan* concerning a ban on single-use plastic shopping bags in Nunavik.

Action item

- Collaborate with the KRG to develop steps to implement measure no.16.

d) Nunavik Residual Materials Working Group

The environmental analyst presented an overview of the Working Group's activities and its latest meeting which was held virtually on February 25, 2021.

e) Federal Northern Contaminated Sites Program

The environmental analyst presented an overview of an information session delivered to the Naskapi Nation of Kawawachikamach on the federal government's Northern Contaminated Sites Program. The KEAC attended the meeting as an observer.

f) Mid-Canada Line radar sites clean-up project, MELCC

On March 11, 2021, the executive secretary and environmental analyst met with representatives of the MELCC Regional Analysis and Expertise Branch – Abitibi–Témiscamingue and Nord-du-Québec to follow up on the status of the Mid-Canada Line radar sites clean-up project as well as the KEAC request for a presentation. The MELCC representatives explained that, at present, a presentation is not possible. They explained they had met with representatives of the Makivik Corporation, the Cree Nation Government and the Naskapi Nation of Kawawachikamach to begin the development of a consultation strategy. The MELCC representatives also provided an overview of the status of the sites and an update on negotiations with the federal government regarding a funding agreement. The KEAC remains interested in receiving a presentation on the topic and more information concerning regional involvement in the third phase of the clean-up project.

Action item

- Invite MELCC representatives to deliver a presentation at the 168th meeting.

g) Federal commitment concerning plastics pollution and plastic waste

On December 9, 2020, the KEAC sent a letter to the director of the Plastics and Marine Litter Division of Environment and Climate Change Canada (ECCC) with its feedback on the federal government's commitment concerning plastics pollution and plastic waste. The letter opens with a description of residual materials management in the region, plastic waste processing and the difficulties regarding access to funding for residual materials management initiatives. Given provincial residual materials initiatives and their emphasis on extended producer responsibility, the letter recommended that the federal government should

work with the Québec government, the KRG and the KEAC when developing plastic waste management policy for Nunavik.

The environmental analyst then presented an overview of an information session delivered to Indigenous groups on the federal government's commitment concerning plastics pollution and plastic waste which was held on January 8, 2021.

h) Meeting with RECYC-QUÉBEC

The members met with Sonia Gagné, President and Chief Executive Officer of RECYC-QUÉBEC. She was accompanied by Francis Vermette, Director of Operations at RECYC-QUÉBEC. Véronique Gilbert, Assistant Director of Environment and Land of the KRG Renewable Resources, Environment, Lands and Parks Department was also in attendance. The discussion focused first on the Nunavik Residual Materials Management Working Group. It was pointed out that, although members are drawn from various government departments and agencies, the Working Group's composition was not always representative. At RECYC-QUÉBEC, who is the senior resource for residual materials management projects across Québec including Nunavik? A point person for the region is important for following files and maintaining contact with regional organizations. KEAC members also suggested that it was critical for Nunavik community representatives to participate on the working group to provide a better understanding of the issues.

The meeting then focused on the *Nunavik Residual Materials Management Plan 2021–2027*. Inadequate financial and human resources to implement the projects under the Management Plan was discussed. It was explained that the SPN had recently received funding from the Québec government for residual materials management in northern regions and that RECYC-QUÉBEC would be responsible for its administration. The allocation of these funds for various residual materials management initiatives in Nunavik was discussed.

The other items discussed were the modernization of Québec's deposit and selective collection systems and shortcomings associated with the collection and recycling of aluminium beverage cans as well as the extended producer responsibility program in Nunavik. The RECYC-QUÉBEC representatives explained that there are two potential avenues for rectifying these problems. The first involves a legislative approach and the second involves streamlining community-based collection systems. With regards to aluminium beverage can collection and recycling, it was indicated that additional attention, assistance and resources are required to help regional distributors and consumers comply with the new regulation. Furthermore, it was suggested that RECYC-QUÉBEC should appoint a representative to serve as a point person for technical assistance for the region for the implementation of the two modernized systems.

Next, the challenge of managing organic waste in Nunavik was reviewed. The meeting concluded with discussion about access to and the availability of information and reference materials in English on the RECYC-QUÉBEC website.

To conclude, the members thanked the RECYC-QUÉBEC representatives for their contribution to the KEAC's work.

i) Québec First Nations Waste Management Committee

The environmental analyst presented an overview of the latest meeting of the First Nations Waste Management Committee which was held on February 16, 2021. Highlights included renewal of the First

Nations Waste Management Initiative and the development of a best management practices guide. A presentation on the modernization of Québec's deposit and selective collection systems was also delivered.

10. Parks and protected areas

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

The members were informed that *Bill 46, An Act to amend the Natural Heritage Conservation Act and Other Provisions* was adopted in February 2021, and is scheduled to come into force on March 19, 2021. On February 11, 2021, a meeting was held with MELCC representatives to discuss certain KEAC concerns, including the application of Bill 46 in Nunavik, the protection of 30% of the Plan Nord territory, the issue of Indigenous-community initiated protected areas, possible leeway provided in the Bill to authorize certain activities in protected areas, and transitional statutory measures for protected areas. The members expressed again their appreciation to the MELCC for this meeting.

11. Miscellaneous

a) MFFP wildlife policy

On January 29, 2021, the KEAC sent a letter to Élise Paquette, Acting Associate Deputy Minister for Wildlife and Parks with the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks, MFFP), with its feedback on the future Québec wildlife policy. The letter opened with an overview of the environmental and social protection regime established under Section 23 of the JBNQA as well as certain provisions under Section 24. Next, it provided a description of the declining caribou population in Nunavik and recommended that regional organizations should be consulted on this matter. The letter then dealt with the MFFP's intention to foster interest in hunting, fishing and trapping across the province. However, an increase in these activities must take into account the treaty rights of the region's Indigenous residents and may contribute to the increasing number of abandoned outfitting camps in the region. In conclusion, the letter indicated that the policy should take into account the Nunavik context, but acknowledged the general nature of the policy consultation document and the limited scope of feedback.

b) Green Corner – Taqralik

The members were updated on upcoming Green Corner articles to be published in *Taqralik*.

c) Presentation on the new Canada Water Agency

Timothy Gull, Senior Advisor with the Public and Indigenous Affairs and Ministerial Services Branch of the ECCC, gave a presentation on the creation of the Canada Water Agency. He was accompanied by Mélissande Gaucher, Policy Analyst with the Canada Water Agency creation project at ECCC. The presentation opened with an overview of the new agency's mandate, purpose and general objectives. Mr. Gull then provided a description of the legal framework applicable to fresh water management as well as the factors and challenges associated with water quality across Canada. The presentation also provided a description of the health of aquatic ecosystems and how it is impacted by climate change and industrial activities. Mr. Gull next described the purpose, approach and steps taken to create the Canada Water Agency. He explained that the government intends to engage Indigenous communities by allowing them to

identify their own priorities in order to achieve a general engagement. The presentation concluded with a description of the next steps in the creation of the Canada Water Agency.

Following the presentation, a discussion regarding characteristics of the legal framework and community participation took place.

Action item

-Review the discussion paper *Toward the Creation of a Canada Water Agency* and present a summary at a future meeting.

d) Arctic Change 2020 conference, ArcticNet

The policy analyst presented an overview of the Arctic Change 2020 conference hosted virtually by ArcticNet from December 7 to 10, 2020. The main theme of the conference was the challenges faced by Nunavik communities due to permafrost thawing. Presentations were delivered by northern organizations and researchers on permafrost mapping, geotechnical characterization and numerical modelling of climate change impacts for the purpose of land use planning.

12. Dates and location of the next meeting

It was decided that the 168th meeting of the KEAC will be held by videoconference on June 16 and 17, 2021.



Benjamin Patenaude
Executive Secretary
September 29, 2021

Agenda of the 167th Meeting

- 1. Call to order and adoption of the agenda**
- 2. Adoption of the minutes of the 166th meeting**
- 3. Administration**
 - a. Budget
 - b. Secretariat
 - c. Members
 - d. Active files since the 166th meeting
 - e. Website
 - f. Annual report, 2020–2021
 - g. Five-year action plan, 2020–2025
 - i. Promotional items
 - ii. Communication plan
 - h. Request from the Makivik Corporation
- 4. Environmental assessment in Nunavik**
 - a. Social impacts
 - b. Meeting to discuss cumulative impacts
- 5. Federal and provincial environmental protection legislation**
 - a. Modernization of the Quebec environmental authorization regime
 - b. Federal *Impact Assessment Act*
- 6. *Northern Action Plan 2020–2023, SPN***
- 7. *Blue Economy Strategy, Fisheries and Oceans Canada***
- 8. Climate change**
 - a. *2030 Plan for a Green Economy*, Québec government
- 9. Residual and hazardous materials management**
 - a. Modernization of Québec deposit and selective collection systems
 - b. Consultation on the status and management of final waste, BAPE
 - c. *Nunavik Residual Materials Management Plan*
 - d. Nunavik Residual Materials Management Working Group
 - e. Federal Northern Contaminated Sites Program
 - f. Mid-Canada Line radar sites clean-up, MELCC
 - g. Federal commitment concerning plastics pollution and plastic waste
 - h. Meeting with RECYC-QUÉBEC

- i. Québec First Nations Waste Management Committee

10. Parks and protected areas

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

11. Miscellaneous

- a. MFFP wildlife policy
- b. Green Corner –*Taqralik*
- c. Presentation on the new Canada Water Agency
- d. Arctic Change 2020 conference, ArcticNet

12. Dates and location of the next meeting