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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

MINUTES OF THE 169TH MEETING OF THE KEAC (ADOPTED)

DATES: September 29 and 30, 2021

LOCATION: By videoconference

PRESENT:

Appointed by the Kativik Regional Government (KRG)

Michael Barrett, Vice-Chairperson

Tunu Napartuk, Chairperson

Lucy Kumarluk (September 29)

Appointed by the Government of Canada

Alexandre-Guy Côté

Caroline Girard (September 29)

Appointed by the Government of Québec

Vanessa Chalifour

Paule Halley

André-Anne Gagnon

Executive Secretary

Benjamin Patenaude

Environmental Analyst

Nancy Dea

Policy Analyst

Annie Lamalice

GUESTS:

Gilles Côté, President, Secrétariat international francophone pour l'évaluation environnementale (SIFÉE)

Sara Marmen, Protected Areas Branch, Ministère de l'Environnement et de la Lutte contre les changements climatiques (the environment and the fight against climate change, MELCC)

Isabelle Auger, Société du Plan Nord

Daniel Gendron, Regional Analysis and Expertise Branch for Abitibi-Témiscamingue and Nord-du-Québec, MELCC

Michel Chaussé, Regional Analysis and Expertise Branch for Abitibi-Témiscamingue and Nord-du-Québec, MELCC

Nicholas Poirier, Regional Analysis and Expertise Branch for Abitibi–Témiscamingue and Nord-du-Québec, MELCC

Eve Desroches-Maheux, Aboriginal Affairs Branch, MELCC

Jean-Marc Séguin, Mining Coordinator, Makivik Corporation

Guy Dufour, Environmental Superintendent, Glencore (Raglan Mine)

Amélie Rouleau, Governance, Stakeholder and Community Engagement, Glencore (Raglan Mine)

Alexandra Roio, Mine Site Restoration Branch, Ministère de l'Énergie et des Ressources naturelles (energy and natural resources, MERN)

Philippe Carrier-Leclerc, Coordinator –for Abandoned Mine Sites, MERN

OBSERVERS:

Lindsay Richardson, Project Coordinator, Environment and Community Consultation, Atmacinta Inc. (representative of the Naskapi Nation of Kawawachikamach)

1. Call to order and adoption of the agenda

The 169th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9 a.m. on September 29, 2021. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 169th meeting took place in accordance with the agenda appearing in appendix.

2. Adoption of the minutes of the 167th and 168th meetings and the conference call on April 14, 2021

The members reviewed their feedback on the minutes of the 167th and 168th meetings as well as of the conference call held on April 14, 2021. All were adopted.

3. Administration

a) Budget

The expense report for June to August 2021 was presented and the members were informed that the funding application for 2022–2023 will be prepared shortly.

b) Secretariat

The members were informed that policy analyst Annie Lamalice had recently submitted her resignation. The members recognized Ms. Lamalice's services over the past two years and wished her well at her new position with the federal government. They then discussed next steps to fill the Secretariat position. The members were also informed that work on the KEAC archives had resumed.

c) Members

The members welcomed Lucy Kumarluk, who was recently appointed by the KRG to the KEAC, and were informed that the federal government is seeking a replacement for Mélanie Laflèche. The members also discussed the chairpersonship for 2022–2023 and the possibility of organizing interpretation services at KEAC regular quarterly meetings.

d) Active files since the 168th meeting

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

e) Website

The members were given an update on the development of the Inuktitut version of the KEAC website.

f) Annual report, 2020–2021

The members were informed that the trilingual version of the 2020–2021 annual report was distributed on August 30, 2021.

g) Meeting with the provincial and federal administrators

The members discussed the possibility of a meeting with the federal and provincial administrators of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA) at the 170th meeting. After identifying a list of items that could be addressed at the meeting, it was decided that the administrators would be formally contacted.

Action item

- **Draft letters to the federal and provincial administrators inviting them to attend the 170th meeting.**

h) Five-year action plan, 2020–2025

i. Communication plan

Following a discussion regarding translation needs, the KEAC Communication Plan will be updated and distributed to the members.

ii. Promotional items

The environmental analyst presented a brochure and proposed promotional items to increase awareness of the KEAC and its role in Nunavik. It was decided that pens and coffee mugs imprinted with the KEAC logo would best suit this purpose.

Action item

- **Contact the firm selected to produce the promotional items chosen by the members.**
- **Finalize the text for the brochure and have it translated into French and Inuktitut.**

4. Environmental assessment in Nunavik

a) Review of the report for the study on the consideration given to social impacts

The members met with SIFÉE president Gilles Côté to discuss their feedback on the final report for the study on the consideration given to social impacts under the environmental assessment procedures applicable in

Nunavik. Mr. Côté first provided an overview of the study's objectives and key themes. The members' focus during the ensuing discussion concerned: the development of scenarios and criteria to better identify possible social impacts of projects on communities; the implementation of strategic environmental assessments in order to cover the environmental and social impacts of development projects; the importance of understanding the concerns of the region's residents along with regional stakeholders, defining criteria for assessing social and cumulative impacts, and enhancing the quality and accessibility of information necessary to identify social impacts; etc...

Following the meeting with Mr. Côté, the members discussed next steps. It was suggested that key federal, provincial and regional organizations involved in environmental assessment could provide feedback on the report and that an abridged version be made available to regional and local organizations.

Action item

- **Organize a meeting of the subcommittee to identify the next steps to be taken with regards to the project.**

5. Federal and provincial environmental protection legislation

a) *Federal Impact Assessment Act*

The policy analyst presented a summary of the activities of the working group analysing the implementation of the *Impact Assessment Act* in Nunavik, including a recent series of meetings with regional review boards.

b) Engagement workshop: major project impacts monitoring

The executive secretary presented a summary of the Conference Board of Canada's engagement workshop on major project impacts monitoring in Québec, which was organized on September 16, 2021. The workshop covered best practices for promoting community involvement in the socio-economic and environmental impact monitoring of major development projects. It included two round table discussions on sustainable monitoring and on community engagement. Participant feedback will contribute to the creation of a guide on community engagement and long-term monitoring of major projects under the impact assessment procedure.

The next Conference Board workshop in this series designed to promote cooperation between project proponents and communities affected by federal-government impact assessment procedures is scheduled for October 12, 2021.

Action item

- **Confirm KEAC participation at the October 12 workshop.**

6. Land use planning and occupancy

a) Québec strategy for urban and regional planning – MAMH

The members were informed that the Ministère des Affaires municipales et de l'Habitation (municipal affairs and housing, MAMH) is currently holding consultations on its Québec strategy for urban and regional planning. The strategy is intended to create sustainable living environments that promote public health and well-being. Its implementation could lead in particular to the renewal of the legislative framework relating to

urban and land use planning, including the *Act respecting Land Use Planning and Development*. The members were disappointed that the KEAC had not been consulted directly. It was nonetheless decided that the KEAC would prepare feedback.

Action item

- **Send a letter to the MAMH containing KEAC feedback on the Québec strategy for urban and regional planning.**

7. Mining activity

a) Raglan Mine Closure Plan Subcommittee

The members received a presentation from the Raglan Mine Closure Plan Subcommittee. The presentation started with an overview of certain provisions contained in the impact and benefit agreement signed between the Makivik Corporation and the Raglan Mine. It was explained that, although a closure plan was not included in the initial agreement, in 2018 the Raglan Mine Closure Plan Subcommittee was formed to address this issue. Specifically, the Subcommittee has a mandate to establish a governance structure to oversee the implementation of the impact and benefit agreement, ensure the participation of Inuit in the closure plan, foster expertise in the communities affected by the project, as well as act as a liaison and ensure communication with communities and regional organizations concerning the closure project. To date, the Subcommittee has begun developing a closure and restoration program intended for community residents and is set to contract an engineering firm to produce a plan for this purpose. In conclusion, the members were informed that, although the Asbestos Hill mine site is not covered under the Subcommittee's mandate, it had facilitated discussions with the MERN and regional organizations on this topic.

b) Remediation of the Asbestos Hill mine site

The KEAC and Raglan Mine Closure Plan Subcommittee received a presentation from representatives of the MERN regarding the remediation of the Asbestos Hill mine site. The presentation began with an overview of the Québec government's recently adopted system for assessing environmental risks. This system will be used to prioritize and develop precise objectives at abandoned mine sites based on characterization studies, to classify sites based on the level of risk posed to the environment, and to contribute to the development of remediation plans. It was explained that the Asbestos Hill mine site is one site the MERN is planning to restore. The presentation continued with a description of the characterization studies already conducted at the site and next steps involving analysis of characterization study results and the creation of a list of remediation priorities.

The members were informed that the MERN and the Makivik Corporation are collaborating on this file and that a committee is in the process of being set by the government, regional organizations and concerned communities to ensure solid communication between the parties and a transparent process.

8. Residual and hazardous materials management

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

The members were informed that the KEAC's revised version of the chapter concerning Nunavik in the consultation report of the Bureau d'audiences publiques sur l'environnement (environmental public hearings

committee, BAPE) on the status and management of final waste was sent to the BAPE on September 10, 2021, and that a new version of the chapter had recently been received by the KEAC for final review and adoption.

b) Hazardous spill response guide

The members were informed that the *Hazardous Materials Spill Response Guide for Nunavik Northern Villages and Regional Organizations*, produced by the KEAC in 2016, had been revised with the KRG and the MELCC regional branch. It is now ready for publication.

Action item

- **Proceed with the reprint and distribution of the guide.**

c) *Soil Protection and Contaminated Sites Rehabilitation Policy 2022–2026* action plan

On July 28, 2021, the KEAC sent a letter to Marie-Andrée Vézina of the Industrial Waste Reduction Branch and the Contaminated Sites Branch of the MELCC concerning the 2022–2026 action plan under the *Soil Protection and Contaminated Sites Rehabilitation Policy*. In its letter, the KEAC expressed disappointment that it had not been contacted directly by the MELCC about the action plan and had learned about it only from the KRG in June 2021 when that organization transmitted its own feedback. The KEAC letter also stated the KEAC's support for the positions set out by the KRG and stressed that the action plan must take into account the reality of spill and contaminated soil treatment in Nunavik. In conclusion, the KEAC letter repeated the KRG recommendations and indicated the KEAC's intention to monitor this matter and asked to be kept informed by the MELCC of developments when necessary and as appropriate.

The members were also informed that the KEAC will participate in a meeting scheduled for November 24, 2021, with the MELCC to discuss the action plan and its associated legislation.

d) Discussion on the Mid-Canada Line radar sites clean-up project with the MELCC

The members met with Daniel Gendron of the MELCC Regional Analysis and Expertise Branch for Abitibi–Témiscamingue and Nord-du-Québec to discuss the Mid-Canada Line radar sites clean-up project. He was accompanied by Michel Chaussé, Nicholas Poirier and Eve Desroches-Maheux of the MELCC. Mr. Gendron provided an overview of the past characterization work conducted at the Mid-Canada Line sites. He explained that the sites were classified according to their level of contamination and the quantity of residual materials found at the sites. Of the 43 Mid-Canada Line sites in Québec, seven have low levels of contamination and were withdrawn from the funding agreement with the federal government. The remediation of these sites will be performed by the Québec government and will serve as the basis for a work plan to remediate the remaining 36 sites. Mr. Gendron next provided a description of the consultation and basic research initiatives carried out by the MELCC with Indigenous organizations. Finally, Mr. Gendron listed the MELCC's consultation partners and project activities for the coming year.

Following the presentation, discussion focused on the project timeline, MELCC work objectives, and the funding agreement with the federal government.

e) *Regulation respecting the Traceability of Excavated Contaminated Soils*

The policy analyst presented an overview of the *Regulation respecting the Traceability of Excavated Contaminated Soils* which will come into force in November 2021 as well as the KRG's briefing note on the Regulation which was prepared in July 2021.

9. Conservation and biodiversity

a) Presentation regarding pre-consultations on the mechanism for creating northern conservation areas in the Plan Nord territory

Sara Marmen of the MELCC Protected Areas Branch delivered a presentation on the mechanism for creating northern conservation areas in the Plan Nord territory. She was accompanied by Isabelle Auger of the Société du Plan Nord. Ms. Marmen first provided an overview of the Québec government's mandate regarding the creation of Northern Conservation Areas (NCA), the work structure for their creation, and the work completed to date. She explained that the regulatory parameters for creating NCAs are more flexible than those for creating protected areas and that partner organizations involved in the work structure are presently developing a mechanism for the creation of NCAs. The current pre-consultation is not an official consultation; rather, it is one step towards the development of a creation mechanism. The three processes proposed for the mechanism (i.e. designation, development project compatibility assessment, and NCA modification) were presented and the steps involved in each process were explained. Ms. Marmen concluded her presentation with a description of the status and timeline of the pre-consultation.

Following the presentation, discussion focused on the legal parameters applicable to the creation of NCAs and concerns regarding their modification, the MELCC list of partners, and the pre-consultation timeline.

Action item

- **Obtain pre-consultation documentation and enquire about KRG involvement in this file.**

b) *Draft Regulation to Amend Mainly the Regulation respecting Compensation for Adverse Effects on Wetlands and Bodies of Water and Other Regulatory Provisions*

On August 5, 2021, the KEAC contacted the MELCC in order to provide its feedback on the *Draft Regulation to Amend Mainly the Regulation respecting Compensation for Adverse Effects on Wetlands and Bodies of Water and Other Regulatory Provisions*. It was decided that the KEAC would not participate in this exercise as the draft regulation does not apply in Nunavik; however, the members expressed interest in receiving a presentation at a future meeting.

Action item

- **Invite MELCC representatives to deliver a presentation at the 170th meeting.**

c) MFFP policy on relations with Aboriginal nations and communities

On June 18, 2021, the KEAC sent a letter to the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks, MFFP) with its feedback on the proposed policy on relations with Aboriginal nations and communities. The letter reviewed MFFP goals under the policy. Even though it is unclear how the policy applies in Nunavik, the members support the MFFP approach to community consultations. The letter also

described the KEAC position on forestry, community relations, land use, parks and protected areas, as well as wildlife conservation and management in Nunavik. In conclusion, the letter recognized MFFP efforts to improve its relations with and commitment to Aboriginal peoples and communities.

10. Miscellaneous

- a) Green Corner – *Taqralik*

The members discussed possible subjects for the next Green Corner article in *Taqralik*.

- b) Draft consultation policy on sustainable forest development and forest management, MFFP

Following an invitation from the MFFP to submit feedback on the MFFP draft consultation policy for sustainable forest development and forest management, the KEAC sent a letter in May 2017. In July 2021, the MFFP sent copies of the consultation policy and consultation report to the KEAC. Both documents were presented briefly to the members.

11. Dates and location of the next meeting

It was decided that the 170th meeting of the KEAC would be held virtually on December 14 and 15, 2021.



Benjamin Patenaude
Executive Secretary
December 15, 2021

Agenda of the 169th Meeting

- 1. Call to order and adoption of the agenda**
- 2. Adoption of minutes of the 167th and 168th meetings and the conference call on April 14, 2021**
- 3. Administration**
 - a. Budget
 - b. Secretariat
 - c. Members
 - d. Active files since the 168th meeting
 - e. Website
 - f. Annual report, 2020–2021
 - g. Meeting with the provincial and federal administrators
 - h. Five-year action plan, 2020–2025
 - i. Communication plan
 - ii. Promotional items
- 4. Environmental assessment in Nunavik**
 - a. Review of the report for the study on the consideration given to social impacts
- 5. Federal and provincial environmental protection legislation**
 - a. Federal *Impact Assessment Act*
 - b. Engagement workshop: major project impacts monitoring
- 6. Land use planning and occupancy**
 - a. Québec strategy for urban and regional planning – MAMH
- 7. Mining activity**
 - a. Raglan Mine Closure Plan Subcommittee
 - b. Remediation of the Asbestos Hill mine site
- 8. Residual and hazardous materials management**
 - a. Consultation on the status and management of final waste, BAPE
 - b. Hazardous spill response guide
 - c. *Soil Protection and Contaminated Sites Rehabilitation Policy – 2022–2026* action plan
 - d. Discussion on the Mid-Canada Line radar sites clean-up project with the MELCC
 - e. *Regulation respecting the Traceability of Excavated Contaminated Soils*
- 9. Conservation and biodiversity**
 - a. Presentation regarding pre-consultations on the mechanism for creating northern conservation areas in the Plan Nord territory

- b. Draft Regulation to Amend Mainly the Regulation respecting Compensation for Adverse Effects on Wetlands and Bodies of Water and Other Regulatory Provisions
- c. MFFP policy on relations with Aboriginal nations and communities

10. Miscellaneous

- a. Green Corner – *Taqralik*
- b. Draft consultation policy on sustainable forest development and forest management, MFFP

11. Dates and location of the next meeting