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Comité consultatif de l'environnement Kativik  
Kativik Environmental Advisory Committee

## MINUTES OF THE 176<sup>TH</sup> MEETING OF THE KEAC (ADOPTED)

**DATES:** May 30 and 31, 2023

**LOCATION:** Monastère des Augustines, Quebec City

### **PRESENT:**

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

Michael Barrett, vice-chairperson

-Vacant-

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

Marie-Noëlle Fournier

Marc-Antoine Giroux

Tina Graveline

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

Vanessa Chalifour

André-Anne Gagnon

Paule Halley

#### **Executive Secretary**

Benjamin Patenaude

#### **Environmental Analyst**

Nancy Dea

#### **Environmental Legislation Analyst**

Christine Lambert

### **ABSENT:**

Raymond Mickpegak, chairperson, KRG appointee

### **GUESTS:**

Daniel Gendron, Case Manager, Environmental Liabilities Branch, MELCCFP

Michel Chaussé, Case Manager, Environmental Liabilities Branch, MELCCFP

Julie Simone Hébert, Director, Programs and Territorial Relations Department, SPN

Myriam Blais, Director, Infrastructure Project Department, SPN

Marie-Josée Lizotte, Provincial Administrator of Section 23 of the JBNQA

Terry Hubbard, Federal Administrator of Section 23 of the JBNQA  
Geneviève Bélanger, Acting Associate Director, IAAC

**OBSERVERS:**

Billy Shecanapish, Environment Officer, NNK

Lindsay Richardson, Project Coordinator, Atmacinta Inc.

Megan Williams, Treaty Negotiator, Crown-Indigenous Relations and Northern Affairs Canada

Phillipe Leblanc-Rochette, Environmental Coordinator, Makivvik Corporation

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

The 176<sup>th</sup> meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9 a.m. on May 30, 2023, at the Monastère des Augustines in Quebec City. The vice-chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 176<sup>th</sup> meeting took place in accordance with the agenda appearing in appendix.

**2. Adoption of the minutes of the 175<sup>th</sup> meeting and the videoconference on March 15, 2023**

The members reviewed the minutes of the 175<sup>th</sup> meeting and of the videoconference on March 15, 2023. Both minutes were adopted pending modifications.

**3. Administration**

a) Budget

The members were informed that the funding for the operating budget for the 2023–2024 financial year was received on May 15, 2023. The members expressed appreciation for the prompt processing of the KEAC's funding as well as approval by the governments of Québec and Canada of the requested increase. The expense report for December 2022 to April 2023 was reviewed.

b) Secretariat

i. Human resources

The members reviewed and discussed the performance assessments of the secretariat's staff.

ii. Request from the KRG

The members were informed that the KEAC had recently received a request from the KRG to provide assistance with certain environmental files. A meeting between a KRG representative and the administrative subcommittee will be set up to obtain additional information.

iii. Adoption of the Human Resources Management and Remuneration Policy

The members adopted by resolution the final version of the Human Resources Management and Remuneration Policy for the secretariat staff. All the members were in favour; none were opposed.

#### iv. Archives

The members were given an update on the status of the archives project.

#### c) Members

The members welcomed Tina Graveline and Marc-Antoine Giroux as federal government appointees replacing Caroline Girard and Alexandre-Guy Côté respectively. The members thanked Ms. Girard and Mr. Côté for their service to the KEAC and were informed that the KRG may name a new member at its upcoming sitting to replace Tunu Napartuk.

#### d) Active files since the 175<sup>th</sup> meeting, correspondence, and housekeeping

The members reviewed the table showing the status of KEAC files since the last meeting as well as the correspondence tracking chart to determine which items would be made public on the KEAC website.

#### e) Website

The members were informed that the most recent revisions to the KEAC website have been made. They were also updated on the development of the secure portal for members as well as on statistics regarding site usage and visits during the last three months.

#### f) Annual report, 2022–2023

The members adopted the bilingual version of the 2022–2023 annual report which will be submitted to the National Assembly.

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

#### a) Update from the social impacts subcommittee

The environmental legislation analyst gave an overview of the most recent meeting of the social impacts subcommittee. The subcommittee plans to inform the study participants that the report is now published. The subcommittee would like to invite the provincial and federal governments to the KEAC's December 2023 meeting, or its next meeting in southern Québec, to discuss the main issues identified. The discussion will make clear if the governments are aware of these issues and explore potential solutions.

#### b) Consideration of cumulative impacts under assessment processes

The environmental legislation analyst summarized recent work focused on the consideration given to cumulative impacts under assessment processes. Several factors may limit the consideration of cumulative impacts. Although more and more often included in impact studies, the project-by-project approach means that cumulative impacts are still not adequately covered. One important element is the region-specific nature of cumulative impacts. The Indigenous Centre for Cumulative Effects holds annual conferences to address different elements related to cumulative impacts. KEAC participation at future conferences as well as a possible collaboration with the James Bay Advisory Committee on the Environment which recently completed work on cumulative impacts was also discussed.

- c) Modification of the certificate of authorization for phase 2 of the Nunavik Nickel project by Canadian Royalties

The members discussed the response received by the KEAC from the provincial administrator of Section 23 of the *James Bay and Northern Quebec Agreement* (JBNQA) to its letter dated March 3, 2023, concerning modification of Canadian Royalties' certificate of authorization for phase 2 of the Nunavik Nickel project. According to the provincial administrator, because phase 2 of the Nunavik Nickel project involves expansion of existing infrastructure in the same sector and does not alter the ore processing rate, it is considered a modification to the initial project. The Kativik Environmental Quality Commission (KEQC) will be responsible for rendering a decision on the acceptability of this request for modification in the coming months.

The members are of the opinion that an expansion on this scale requires new authorization pursuant to Schedule 1 of Section 23 of the JBNQA. The members expressed concern that this decision may set a precedent for future projects. They feel that project documentation should be made public prior to any authorization and that public consultations should be conducted as was the case for phases 2 and 3 of the Glencore Raglan Mine project. It was decided that a meeting with representatives of the Environmental Assessment Branch of the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs (environment, the fight against climate change, wildlife, and parks, MELCCFP) should be organized to review environmental authorization procedures and mechanisms for modifying certificates of authorization. A letter will also be drafted to the KEQC directly to express KEAC concerns.

#### **Action items**

- **Contact the MELCCFP Environmental Assessment Branch to request a meeting.**
- **Draft a letter to the KEQC chairperson.**

- d) Working group on the implementation of the *Impact Assessment Act* in Nunavik, update

The environmental analyst summarized the most recent activities of the working group on the implementation of the *Impact Assessment Act*. A series of meetings were organized for representatives of the Impact Assessment Agency of Canada (IAAC) and regional stakeholders to discuss the development of an action plan based on the recommendations contained in the working group's 2020 report. Following discussions, the recommendations were adjusted as follows: improved communications with stakeholders; public awareness building regarding the various assessment processes applicable in Nunavik; ensuring that the operational guidelines of review boards are easily available to both project proponents and the public; development of a best practices guide for project proponents; improving involvement of the Naskapi Nation of Kawawachikamach (NNK) when applicable; revision of schedules 1 and 2 of Section 23 of the JBNQA; planning of an independent study on the results of monitoring and follow-up conditions under relevant past and ongoing project authorizations; clarification of permit requirements and permit types; holding annual meetings with regional stakeholders; and development of a mechanism/tool to compile community concerns expressed during impact assessment consultations.

The working group's draft action plan includes activities such as developing guidelines for future agreement negotiations between IAAC and review boards; ensuring access to the guides and guidelines of Nunavik review boards, organizing a Nunavik impact assessment harmonization seminar; and development of guiding principles to improve the practices of project proponents. The working group will organize additional meetings through the summer to finalize the action plan, including input from the KEAC subcommittee.

## 5. Residual and hazardous materials management

### a) Federal Contaminated Sites Action Plan

The environmental analyst presented an overview of an engagement session organized by the Centre for Indigenous Environmental Resources on Environment and Climate Change Canada's (ECCC) contaminated sites action plan. The purpose of the meeting was to obtain feedback on the Action Plan from different Indigenous groups. In a letter dated May 5, 2023, the KEAC provided feedback, emphasizing the indirect way in which the KEAC and the KRG were consulted, the inclusion of additional sites in Nunavik based on changes to ECCC classification criteria, the development of a regional training program, and improved communications with the federal government.

### b) *Regulation respecting the Development, Implementation and Financial Support of a Deposit-Refund System for Certain Containers*, MELCCFP

The environmental analyst provided a summary of a meeting held with the Association québécoise de récupération des contenants de boissons (drink container recovery, AQRCB) and KRG representatives on April 28, 2023. The purpose of the meeting was to facilitate the development of a regional collection program under the MELCCFP's *Regulation respecting the Development, Implementation and Financial Support of a Deposit-Refund System for Certain Containers*.

### c) Proposed regulatory framework for reducing Canada's landfill methane emissions

The environmental analyst presented an overview of a series of consultations on the proposed regulatory framework for reducing Canada's landfill methane emissions. The regulatory framework does not apply to Nunavik communities where landfill accumulation rates are under 100,000 tons of residual materials per year.

### d) *Regulation respecting the Recovery and Reclamation of Products by Enterprises*

The environmental analyst reported on a meeting with the Health Products Stewardship Association and the KRG regarding the development of a Nunavik-specific program to collect pharmaceutical products under the *Regulation respecting the Recovery and Reclamation of Products by Enterprises*. As per the Regulation, a collection program must be implemented by June 2024.

### e) Amendment of the *Regulation respecting Hazardous Materials*, MELCCFP

The environmental analyst summarized a meeting held on May 29, 2023, concerning possible amendments to the *Regulation respecting Hazardous Materials*. The members were informed that the meeting represents preliminary discussions between the MELCCFP and the KRG to obtain feedback on the reality of hazardous materials management and disposal in Nunavik. An official consultation will be launched once the amendments have been published.

## **6. Update on the Mid-Canada Radar Line clean-up project**

Daniel Gendron of the MELCCFP Environmental Liabilities Branch delivered a presentation on the most recent developments regarding the Mid-Canada Radar Line clean-up project. He was accompanied by Michel Chaussé of the MELCCFP. The presentation opened with an update on the pilot project to remediate seven of the Mid-Canada Radar Line sites. The pilot project is intended to guide future remediation work on the remaining 35 sites. Mr. Gendron explained that the seven sites have been delegated to Cree, Inuit and Naskapi parties based on the location of the sites in their respective areas of interest. Several working sessions have been held by the MELCCFP and the three parties to discuss funding agreements, site visits, training needs and clean-up strategies.

Regarding the remaining 35 sites, the Québec and federal governments have completed negotiations, and a final agreement should be signed in the fall of 2023.

## **7. Mining activity**

- a) Implementation of the authorization system for impact-causing mineral exploration activities, MRNF

The members were informed that the Ministère des Ressources naturelles et des Forêts (natural resources and wildlife, MRNF) is reviewing feedback received during consultations on the authorization system for impact-causing mineral exploration activities. Regulatory amendments should be presented in the summer or fall of 2023.

- b) Consultation on the harmonious development of mining activities, MRNF

In February 2023, the MRNF launched a consultation to receive stakeholder concerns and gather constructive and innovative proposals to promote the harmonious development of mining activity, based on enhanced reconciliation of land uses and greater social acceptability. On April 14, 2023, the environmental analyst attended a virtual meeting with MRNF, KRG, and Makivvik representatives, as well as other Indigenous organizations. In its feedback provided on May 26, 2023, the KEAC expressed concerns regarding how the consultation was carried out and the time allowed for participant input. The KEAC expressed its intention to participate in future consultations on this topic and recommended that a region-specific approach be adopted for the consultations.

- c) Asbestos Hill mine site

The environmental analyst described a meeting held on March 13, 2023, with MRNF and MELCCFP representatives to discuss the 2022–2025 action plan for asbestos mines and asbestos tailings in Québec as well as plans for the restoration of the Asbestos Hill mine site. Furthermore, the Observatoire national de l'amiante is developing a network of contacts in Nunavik to document regional concerns and the effects of asbestos on human health and the natural environment in northern regions.

d) Nunavik Mining Workshop, 2023

The executive secretary presented an overview of the 2023 Nunavik Mining Workshop, which was held on March 21–23, 2023, in Salluit. The purpose of the workshop is to facilitate and promote communication between Nunavik Inuit and their organizations, on the one hand, and the mining industry and governments, on the other hand, on matters relating to mineral exploration and mining. Participants had an opportunity to learn about the state of mining activities, research, and development initiatives in the region and to address their concerns to mining industry and government representatives.

## 8. Water management

a) Update from the drinking water management subcommittee

The environmental legislation analyst reported on the most recent activities of the drinking water management subcommittee. She pointed out that the topic of drinking water management has been widely addressed for northern communities and, consequently, that a good deal of information is already available and issues are well identified. On the other hand, governance has been less well studied and the subcommittee would like to focus on it.

## 9. Presentation on achievements under the *Northern Action Plan 2020–2023* and future orientations, SPN

The members met with representatives of the Société du Plan Nord (SPN) to discuss the achievements under the 2020–2023 Action Plan and future orientations. Myriam Blais, Director of the SPN Infrastructure Projects Department, presented the organization's infrastructure projects and initiatives in Nunavik. She began her presentation with an overview of telecommunication developments and an update on the Tamaani Internet fibre optic project including its different phases, SPN financial contributions and the project timeline. She then provided information on SPN building construction projects, including the new Isuarsivik Regional Recovery Centre, a hydroponic greenhouse pilot project and a waste-to-energy incinerator project in Kuujuaq.

Next, Julie Simone Hébert, Director of the SPN Programs and Territorial Relations Department, delivered a presentation on socio-economic development programs in Nunavik under the 2020–2023 Action Plan. She reviewed the results of the Action Plan's economic development projects and financial tools, which were based on the principles of sustainable development and the fight against climate change. In 2023, the SPN developed a questionnaire for proponents to ensure their projects align with these principles. Ms. Hébert next provided an overview of Action Plan accomplishments including spill response and residual materials management training programs, drinking water quality monitoring, and veterinary services. She also mentioned that the SPN had contributed to the clean-up of 49 landfill and contaminated sites in the 14 communities of Nunavik.

Ms. Hébert then addressed development of the 2023–2028 Action Plan and possible projects covering matters such as workforce development, housing, education and training, land access, sustainable communities and business development, improved community services, renewable energy development, as well as land and critical habitat conservation and restoration.

Following the presentation, the KEAC and SPN discussed drinking water management and research, the importance of consultations with the KEAC on the new Action Plan, road infrastructure development, and financial support for residual materials management programs.

## **10. Date and location of the 179<sup>th</sup> meeting**

It was decided that the 179<sup>th</sup> meeting would be held from February 26 to 29, 2024, in Kuujuaq.

## **11. Miscellaneous**

### a) Green Corner article – *Taqralik*

It was decided that the next Green Corner article in *Taqralik* would cover the Innavik hydroelectric project in Inukjuak.

## **12. Meeting with the provincial administrator**

The members met with the provincial administrator of Section 23 of the JBNQA, Marie-Josée Lizotte. As Ms. Lizotte was recently appointed, the meeting opened with a presentation on the KEAC's role and mandate. This was followed by a presentation by the working group on the implementation of the *Impact Assessment Act*, which comprised an overview of its analysis of the harmonization tools available under the Act, and of work regarding the multiple impact assessment processes applicable in Nunavik. Ms. Lizotte recognized the problems generated by multiple processes. The meeting continued with discussion on residual materials management. Specifically, KEAC concerns about timelines and financial support for the implementation of collection programs in Nunavik under regulations concerning the selective collection of certain residual materials, the deposit-refund system for certain containers, and the recovery and reclamation of products by enterprises. The members also requested an update on the implementation of the recommendations made by the Bureau d'audiences publiques sur l'environnement (environmental public hearings, BAPE) in its report on the status and management of final waste. Ms. Lizotte explained that the MELCCFP is currently developing a strategy to implement the BAPE's recommendations, and that strategy should be finalized by the fall of 2023.

The meeting continued with discussion on mining activities and the MRNF authorization system for impact-causing mineral exploration activities as well as consultations on the harmonious development of mining activities in Nunavik. Regarding the consultations in particular, the members expressed concerns about how they were organized.

Finally, the members expressed appreciation for the efficient processing of funding for the KEAC's 2023–2024 operating budget.

## **13. Meeting with the federal administrator**

The members met with the federal administrator of Section 23 of the JBNQA, Terry Hubbard. He was accompanied by Geneviève Bélanger, Acting Associate Director of the IAAC. The meeting reviewed the different pieces of federal environmental legislation studied by the KEAC in 2022–2023 and discussed the multiple impact assessment processes applicable in Nunavik. Mr. Hubbard explained that Nunavik is not the only region facing this issue and that the federal government intends to continue efforts to ensure a one-project-one-process approach. Next, the working group on the implementation of the *Impact Assessment Act* delivered a presentation. Mr. Hubbard recognized the working group's work and explained that the IAAC is open to exploring options to best accommodate current assessment processes and to fill any gaps that may



exist. Finally, the members expressed their appreciation for the efficient processing of the KEAC's 2023–2024 operating budget.



Benjamin Patenaude  
Executive Secretary  
September 20, 2023

## **Appendix: Agenda of the 176<sup>th</sup> meeting**

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

### **2. Adoption of the minutes of the 175<sup>th</sup> meeting and the videoconference on March 15, 2023**

### **3. Administration**

- a) Budget
- b) Secretariat
  - i. Human resources
  - ii. Request from the KRG
  - iii. Adoption of the Human Resources Management and Remuneration Policy
  - iv. Archives
- c) Members
- d) Active files since the 175<sup>th</sup> meeting, correspondence, and housekeeping
- e) Website
- f) Annual report, 2022–2023

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

- a) Update from the social impacts subcommittee
- b) Consideration of cumulative impacts under assessment processes
- c) Modification of the certificate of authorization for phase 2 of the Nunavik Nickel project by Canadian Royalties
- d) Working group on the implementation of the *Impact Assessment Act* in Nunavik, update

### **5. Residual and hazardous materials management**

- a) Federal Contaminated Sites Action Plan
- b) *Regulation respecting the Development, Implementation and Financial Support of a Deposit-Refund System for Certain Containers*, MELCCFP
- c) Proposed regulatory framework for reducing Canada's landfill methane emissions
- d) *Regulation respecting the Recovery and Reclamation of Products by Enterprises*
- e) Amendment of the *Regulation respecting Hazardous Materials*, MELCCFP

### **6. Update on the Mid-Canada Radar Line clean-up project**

### **7. Mining activity**

- a) Implementation of the authorization system for impact-causing mineral exploration activities, MRNF
- b) Consultation on the harmonious development of mining activities, MRNF
- c) Asbestos Hill mine site
- d) Nunavik Mining Workshop, 2023

**8. Water management**

- a) Update from the drinking water management subcommittee

**9. Presentation on achievements under the *Northern Action Plan 2020–2023* and future orientations, SPN**

**10. Date and location of the 179<sup>th</sup> meeting**

**11. Miscellaneous**

- a) Green Corner article – *Taqralik*

**12. Meeting with the provincial administrator**

**13. Meeting with the federal administrator**