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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

Kuujuaq, July 5, 2025

Ian Morissette
Deputy Minister of Mines
Ministère des Ressources naturelles et des Forêts (MRNF)
5700, 4^e Av. West, office D 327
Quebec City, Québec G1H 6R1

Subject: Comments on the proposed modifications to the *Mining Regulation*

Mr. Morissette,

On June 5, 2025, the Kativik Environmental Advisory Committee (KEAC) attended an information session regarding proposed modifications to the *Mining Regulation*. The objective of these proposed changes is to set conditions related to applying for and holding an exclusive exploration right (EER) and enforce key measures from Bill 63 (An Act to Amend the Mining Act and other provisions).

During the information session, three key changes to the regulation were presented. As such, the KEAC is providing comments below on each of these propositions.

Awareness Training for Exclusive Mineral Rights Holders and Exploration Companies

The addition of article 18.1 in the Mining Act states that “any person who complies with the conditions prescribed by regulation may apply for the granting of a mining right and may hold such a right.” The conditions for compliance will be listed in the revised *Mining Regulation* and could include the completion of an awareness program regarding the legal and regulatory requirements for mining rights as well as relations with municipalities, local communities, First Nations and Inuit.

Several questions during the information session revolved around the type of awareness training EER holders and exploration companies would receive. From the answers provided by the MRNF representatives, the KEAC understands that ultimately the awareness campaign will be in the form of information provided when a mineral right is requested, for example the Native Community Consultation Policy Specific to the Mining Sector and Guide du promoteur pour une autorisation de travaux d'exploration à impacts.

Although the Consultation Policy prepared by the MRNF in 2019 states that it does not replace treaties between the Gouvernement du Québec, the Government of Canada, Inuit and Naskapi, including the James Bay and Northern Québec Agreement (JBNQA), it lacks sufficient detail on the specific actions that the MRNF will undertake to meet its objectives in accordance with existing institutions, governance regimes, and environmental and social impact assessment and review procedures in Nunavik. This document should clearly present the roles and intended actions for both the MRNF and EER holders regarding consultations with Inuit and Naskapi communities. As such the KEAC recommends a revised consultation policy be developed, in collaboration with First Nations and Inuit communities, so that documents delivered as part of awareness training provide tools and background information to effectively engage with Indigenous communities and ensure the communities themselves are kept adequately informed according to their expectations.

Furthermore, a revised consultation policy should note that in Nunavik, proponents need to obtain a certificate of conformity from the Kativik Regional Government (KRG) before conducting field work in the region. Additionally, a link between the upcoming KRG's sustainable development by-law and the *Mining Regulation* is essential to avoid doubling the administrative burden on project proponents. The by-law's objectives are to better control the occupation of the territory (for example, construction, infrastructure, storage of materials, etc.) by outfitting, recreation, and mining exploration activities, among others. Through this new by-law, a consultative process with the concerned stakeholders would be carried out and help to overcome the current issues with consultation in the mining sector.

Transmission of Annual Work Plan

In its brief regarding Bill 63, the KEAC welcomed the amendments to Article 65 in which the Minister must inform local communities within 60 days of an EER being registered, as this declaration will improve community awareness of the exploration activities undertaken in the region. However, the reference to the ministry publishing a notice to that effect on the department's website has been removed from the article. The KEAC believes that for this information to truly be public and easy to access, it should be provided on a government website, like GESTIM. In fact, as previously recommended, the KEAC recommends that all the information concerning mining projects should be publicly available and regrouped in a registry on the MRNF's website.

In referring to article 65.1 in which “the holder of an exclusive exploration right shall transmit to the representatives of every local municipality located in the region of the land subject to the right and, as the case may be, every Indigenous nation or community concerned, at least 30 days before exploration work begins and, subsequently, each year that the work continues, an annual work planning, presented using the form supplied by the Minister,” the KEAC also notes the obligation to hold an information session has been replaced with an “upon request” option. This missed opportunity for an information session held in the region and informing impacted communities of all planned activities on the EER could have led to less confusion and anxiety regarding mining activities located close to northern communities or sensitive areas.

Furthermore, the KEAC would like to better understand the criteria regarding the information to be provided in the annual work plan required under article 65.1. This is very important to ensure a sustainable coexistence of the different land uses and as such, input from the communities and land users must, therefore, be adequately understood by both the EER holder and the MRNF. Once again, the KEAC recommends the MRNF consult with Nunavik representatives directly, rather than relying solely on information provided by the proponents, to set appropriate conditions and requirements in authorizations issued to EER holders, such as monitoring measures, avoiding or scheduling activities in sensitive areas or community outreach and awareness.

Activities performed on an Exclusive Exploration Right

Article 72 of the Mining Act refers to the EER holder’s right to undertake “works whose nature and minimum costs are determined by regulation” and that the regulation “may also prescribe the amounts spent that are accepted in the minimum cost of the work as well as the period for which they are accepted.”

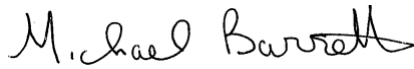
From the June 5 information session, it is understood that these costs may include consultation with First Nations and Inuit communities. In previous years, the KEAC has noted the focus is often on the impact on enterprises operating in the mining sector and the additional costs associated with compiling the information necessary for an authorization. However, the additional costs to Inuit, Naskapi and Cree communities and local municipalities in terms of their own administrative burdens are rarely addressed. Previously, our committee has recommended the MRNF create an initiative to promote the involvement of Indigenous communities in the management and sustainable development of mineral exploration/exploitation activities, like that of the “Programme de participation autochtone” for forestry management and consultations.

Similarly, the KEAC has also formerly recommended the MRNF consider negotiating increased funding for the Nunavik Mineral Exploration Fund (NMEF) to support communities in exchanges with proponents and in raising awareness of impact-causing exploration work and projects set to be authorized under the *Mining Regulation*. Considering their mandate is to increase or maintain the

number of Inuit jobs in the mining sector; increase the knowledge of mineral exploration and development in Inuit communities; increase or maintain entrepreneurial engagement in the mineral resources field within Inuit communities; and to strengthen or maintain communications between the Inuit communities and mineral exploration companies, the NMEF may also be well placed to assist in the development of a revised consultation policy specific for the Nunavik region.

The KEAC will continue to monitor the MRNF's continued collaboration with Nunavik communities and regional stakeholders to ensure conservation and protection of Nunavik's natural resources while respecting the rights of the Inuit, Naskapi and Cree peoples.

Regards,



Michael Barret
Chairperson, KEAC

cc. Ms. Hilda Snowball, President, KRG