



## **Mandate of the KEAC**

The Kativik Environmental Advisory Committee (KEAC) was established under Chapter 23 of the *James Bay and Northern Quebec Agreement* (JBNQA). The KEAC is an advisory body to the governments responsible for protecting the environment and social environment in Nunavik. To this end, it is the preferred and official forum for the governments of Canada and Quebec, the Kativik Regional Government (KRG), and the northern villages.

Under section 23.5.26 of the JBNQA, the KEAC “shall study existing or potential laws and regulations relating to the environment and the social environment that have an impact on development [...] that could directly affect the rights of Indigenous peoples established in accordance with Chapter 24 and this chapter, and shall propose any necessary amendments to the responsible governments, if applicable.” While Bill 11 is presented as primarily aimed at reducing the administrative burden, several of the proposed amendments may have an impact on the environmental and social protection regime in Nunavik, notably by amending laws and regulations on which the KEAC was recently consulted.

## **General Comments**

Bill 11 amends 62 laws and 13 regulations, many of which have been the subject of public consultations in recent months. The omnibus approach of the proposed bill and the title referring to the administrative nature of the proposed amendments make it difficult for the KEAC to analyze the proposals. While the Mining Act and the Mining Regulation have been the subject of several recent meetings, recommendations, and consultations, the committee was not directly informed that Bill 11 would propose amendments to them. The committee believes that this approach lacks transparency and encourages the Government of Quebec to improve its communications regarding legislative amendments to Indigenous communities and to the KEAC.

## **Provisions Concerning the Mining Sector**

The KEAC has been consulted several times in recent months on proposed amendments to the Mining Act and the Mining Regulations. Many of the amendments made to these regulatory texts in the past year have made it possible to better monitor mining activities in the Nunavik region, which is essential, considering the current issues surrounding abandoned mining exploration camps and the consultation process for obtaining an authorization now required for impact-

causing activities, among other things. In its letter from October 17, 2023, the KEAC was in favour of introducing authorizations for impact causing exploration work and the conditions surrounding the issuance of these authorizations. The conditions surrounding the duration of permits, the obligation to provide an activity report, and the duration of permit renewals were considered desirable to ensure the ensuing cleanup of exploration sites once activities were completed. These conditions facilitated the monitoring of the various exploration sites and allowed for rapid intervention if the sites appeared to be abandoned, thus ensuring that developers were held accountable for their equipment and infrastructure on these sites. The KEAC is therefore concerned about sections 56 and 57 of Bill 11, which extend the validity periods of permits for impactful exploration work (Section 56) from two to three years, and remove the obligation to submit an annual work report to the Minister (Section 57). The KEAC wishes to emphasize that field monitoring by permitting bodies such as the MRNF and MELCCFP in Nunavik is currently at reduced capacity, leading to significant instances of abandoned infrastructure and equipment, as reported by the KRG and local land users. By increasing the duration of the permit and removing the obligation to report on the type and location of the activities carried out, the KEAC is concerned that monitoring and, therefore, any necessary site restoration will become even more difficult. However, the KEAC supports the deletion of the second paragraph, which removes the possibility of renewing the permit for impact exploration work.

### **Conclusion**

The KEAC wishes to emphasize that the context in Nunavik is unique and that changes aimed at reducing the administrative burden should not result in a reduction in the ability to detect non-compliance. The issues related to the abandonment of camps, infrastructure, and equipment on the territory are significant, and new sites are discovered annually by the KRG and land users. The committee views the removal of the possibility of renewing authorizations positively but believes that annual reports remain necessary to adequately monitor mining exploration activities in Nunavik and that these annual reports should be shared with KRG and the communities most impacted by the activities.