



**MINUTES OF THE 155TH MEETING OF THE KEAC
(ADOPTED)**

DATES: March 14, 15 and 16, and April 13, 2018

LOCATION: Municipal office of the Naskapi Nation of Kawawachikamach and the Auberge Guest House in Schefferville (March 14, 15 and 16), and by conference call (April 13)

PRESENT:

Appointed by the Kativik Regional Government (KRG)

Michael Barrett, Chairperson, up to March 31
Mary Pilurttut
Laina Grey, Vice-Chairperson (March 14, 15 and 16)

Appointed by the Government of Canada

Alexandre-Guy Côté, beginning on April 1
Jean-Yves Savaria
Catherine Lapeyrie

Appointed by the Gouvernement du Québec

Paule Halley
Sylvie Létourneau
Julie Samson (April 13)

Executive Secretary

Benjamin Patenaude

Environmental Analyst

Nancy Dea

ABSENT:

Julie Samson, Gouvernement du Québec appointee (March 14, 15 and 16)
Laina Grey, KRG appointee (April 13)

OBSERVERS (March 14 and 15):

Lindsay Richardson, Consultant, Naskapi Nation of Kawawachikamach (NNK)
George Guanish, Councillor, NNK

GUESTS (March 14 and 15):

Annie Déziel, Senior Policy Advisor, Canadian Environmental Assessment Agency (CEAA)
Noah Swappie, Chief, NNK
Jimmy James Einish, Councillor, NNK
George Guanish, Councillor, NNK
Caroline Brillant, Legal Counsel, NNK
Anissa Chekir, Legal Counsel, NNK

1. Call to order and adoption of the agenda

The 155th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 3 p.m. on March 14, 2018, at the municipal office of the NNK. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 155th meeting took place in accordance with the agenda below:

- 1. Call to order and adoption of the agenda**
- 2. Adoption of the minutes of the 153rd and 154th meetings and the conference call on August 9, 2017***
- 3. Administration**
 - a) Budget
 - b) Secretariat
 - c) Members
 - d) KEAC priorities
 - e) Annual report, 2017–2018
 - f) Follow-up on the NNK request from the Naskapi Nation of Kawawachikamach*
- 4. Meeting with the Naskapi Nation of Kawawachikamach**
- 5. Environmental assessment in Nunavik**
 - a) Social impacts
 - b) Revision of the schedules in Section 23 of the JBNQA
 - c) New federal impact assessment procedure and related regulations
- 6. Regulations under the *Environment Quality Act****
- 7. *Bill 161, An Act to amend the Act respecting the Conservation and Development of Wildlife***

8. Act respecting the Conservation of Wetlands and Bodies of Water

9. Mining activities

- a) Aboriginal community consultation policy specific to the mining sector, MERN
- b) Aboriginal community consultation policy, MERN
- c) Hopes Advance iron mining project, Oceanic Iron Ore Corporation
- d) Asbestos Hill mine site, update*
- e) Information tools for mining development in Nunavik
- f) Meeting with representatives of the Tata Steel Minerals mine
- g) Abandoned mineral exploration site rehabilitation project in Nunavik*

10. Residual materials management

- a) Techniques for the management of residual materials in the north, Université du Québec à Chicoutimi
- b) Aluminium can collection and recycling
- c) Single-use plastic bags*
- d) Federal funding for residual materials management in Nunavik
- e) Mid-Canada line radar stations
- f) First Nations of Québec Waste Management Symposium*
- g) Nunavik residual materials working group*

11. Fisheries Act

12. Land use planning and occupancy

- a) Abandoned outfitting camps
- b) Sustainable mobility plan for the Nord-du-Québec region
- c) Plan Nord

13. Miscellaneous

- a) Green Corner Article, *Makivik Magazine*
- b) Phénix de l'environnement
- c) Hudson Bay environmental consortium
- d) Management of the Duplanter Spillway, Hydro-Québec

14. Dates and locations of the next meetings

* Items discussed during the conference call on April 13, 2018.

2. Adoption of the minutes of the 153rd and 154th meetings and the conference call on August 9, 2017

The minutes of the conference call on August 9, 2018, were adopted following modifications. The adoption of the minutes of the 153rd and 154th meetings was postponed to a later date.

3. Administration

a) Budget

The members reviewed the expense report for the period from November 2017 to January 2018. It was decided that the accounting firm that manages the KEAC's accounts would be contacted to obtain a description of the services they provide in order to better understand the related costs.

As well, the members were informed that the KEAC request for an increase in its annual operating budget was sent to the federal and provincial administrators on January 15, 2018. An update on the review of the request was also provided.

b) Secretariat

At the last meeting, the members discussed the possibility of developing a secure online filing system for confidential KEAC documents. The options proposed by the specialized firm were discussed and the members asked the Executive Secretary to proceed with the implementation of the system.

The members were also updated on the progress made by the administrative subcommittee concerning KEAC employee evaluations.

c) Members

The members were informed that Alexandre-Guy Côté, a Government of Canada appointee, will be the chairperson for 2018–2019.

d) KEAC priorities

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

e) Annual report, 2017–2018

A preliminary draft of the 2017–2018 annual report was presented. The members discussed modifications to the format and content. The order in which the members will review the text was also established.

f) Follow-up on the NNK request from the Naskapi Nation of Kawawachikamach

During a conference call on March 7, 2018, the members were informed that the NNK had filed an application for judicial review and declaratory judgement with the Superior Court against the KRG, the KEAC and the Kativik Environmental Quality Commission (KEQC), as well as the attorney generals of

Québec and Canada. It was decided that a letter be addressed to the federal and provincial administrators to request their advice on this matter. This letter was sent on March 26. A copy to the letter was also sent to the KRG director general. It was also requested that the law firm which issued the application be contacted as the KEAC had not yet officially received the legal document.

4. Meeting with the Naskapi Nation of Kawawachikamach

The members met with the NNK chief Noah Swappie and the councillors Jimmy James Einish and George Guanish. NNK legal counsellors Caroline Brillant and Anissa Checkir as well as the consultant Lindsay Richardson were also present. Two observers appointed by the NNK were also in attendance.

The KEAC opened the meeting with a description of its mandate and sectors of activity as well as its role and instances when the KEAC has sought the participation and contribution of the NNK. The NNK representatives also delivered a presentation that covered the environmental issues of importance to the NNK and they reiterated their request for increased Naskapi involvement in KEAC activities.

5. Environmental assessment in Nunavik

a) Social impacts

The social impacts subcommittee had held a meeting and updated the members on the progress of their work. It was decided that the subcommittee would meet again before the next KEAC meeting to examine possible next steps in this exercise.

b) Revision of the schedules in Section 23 of the JBNQA

The members were informed that the working group responsible for the revision of the schedules of Section 23 “Environment and Future Development North of the 55th Parallel” of the JBNQA is ready to resume its work, but is still waiting for the KRG and the Makivik Corporation to provide feedback on mineral exploration. The possibility of direct involvement in the revision was discussed and it was decided the KEAC should monitor progress on this file.

c) New federal impact assessment procedure and related regulations

Annie Déziel, a CEAA senior policy advisor, delivered a presentation on the new federal impact assessment procedure and the regulations attendant to *Canadian Environmental Assessment Act (2012)*.

The members discussed different elements of the new impact assessment procedure and their possible effects in Nunavik. It was decided that a brief highlighting members’ concerns would be prepared.

6. Regulations under the *Environment Quality Act*

On February 9, 2018, the KEAC received a letter from Mireille Paul, director of the Northern and Mining Projects Environmental Assessment and Strategic Environmental Assessment Branch of the Ministère du Développement durable, de l’Environnement et de la Lutte contre les changements climatiques (sustainable development, the environment and the fight against climate change, MDDELCC) concerning the development of

a new environmental assessment registry. Ms. Paul explained that the registry was developed following the adoption of *Bill 102, An Act to amend the Environment Quality Act to Modernize the Environmental Authorization Scheme and to amend Other Legislative Provisions, in Particular to Reform the Governance of the Green Fund*. It will be available on the MDDELCC website as of March 23 and, by December 2018, will include a separate section for projects subject to authorization under the JBNQA. It was decided that, once available, the section of the registry dealing with projects subject to authorization under the JBNQA will be examined.

Furthermore, the members were informed that the draft regulations under the *Environment Quality Act* were published in the *Gazette officielle du Quebec* on February 14 and that an information session was held on February 23. The environmental analyst attended the information session. The members discussed the draft regulations, specifically the draft regulation concerning activities eligible for declarations of compliance and activities exempt from ministerial authorizations that will be applicable in Nunavik. A draft letter containing KEAC feedback on the new regulations was prepared and presented to the subcommittee.

7. Bill 161, An Act to amend the Act respecting the Conservation and Development of Wildlife

A summary of *Bill 161, An Act to amend the Act respecting the Conservation and Development of Wildlife* was presented to the members. It was decided not to prepare a brief.

8. Act respecting the Conservation of Wetlands and Bodies of Water

On February 19, 2018, the KEAC sent a letter to the deputy minister of the MDDELCC concerning the *Act respecting the Conservation of Wetlands and Bodies of Water*. In its letter, the KEAC expressed its concerns regarding the applicability of the Act in Nunavik. It was also indicated that the KRG should be consulted on matters relating to the conservation of wetlands and bodies of water in Nunavik.

9. Mining activities

a) Aboriginal community consultation policy specific to the mining sector, MERN

On February 8, 2018, a letter was sent to Roch Gaudreau, director of the Mining Activity Development and Monitoring Branch of the Ministère de l'Énergie et des Ressources naturelles (energy and natural resources, MERN) concerning KEAC feedback on the *Aboriginal Community Consultation Policy specific to the Mining Sector*. In its letter, the KEAC stated that the policy should take into account the consultation process under the JBNQA and stressed the importance of consultations with regional bodies and improved access to information for Nunavik residents.

b) Aboriginal community consultation policy, MERN

The MERN Aboriginal community consultation policy was described to the members. It was indicated that the consultation policy is not clear regarding its application in Nunavik. It was decided that a letter highlighting the members' concerns would be sent.

c) Hopes Advance iron mining project, Oceanic Iron Ore Corporation

On February 26, 2018, a letter was sent to Steven Dean, the chairman and chief executive officer of Oceanic Iron Ore Corporation concerning the Hopes Advance iron mining project near Aupaluk. In the letter, the KEAC expressed its concerns regarding the lack of clarity concerning the evolution of the project, the expiry of the environmental study directive, and the distress caused among community residents. In a response received on March 5, Mr. Dean explained that the mining company's current financial situation and the market value of iron have impeded the project's progress. Notwithstanding, it is possible that the mining company may begin the project on a smaller scale in the coming years. Mr. Dean concluded by welcoming open dialogue with the KEAC, the community of Aupaluk and the Québec government.

It was decided that letter would be sent to the community of Aupaluk explaining the current status of the Hopes Advance iron mining project with a copy of Mr. Dean's letter in attachment.

d) Asbestos Hill mine site, update

In January 2018, the KEAC secretariat received a copy of an agreement signed in 1995 between Asbestos Corporation Ltd., the MERN and the Société minière Raglan concerning the ownership of the Asbestos Hill mine site and its restoration after closure. It was noted that, due to confidentiality laws, it is difficult to obtain information on the roles and responsibilities of the agreement's signatories. Notwithstanding, the members were informed that the Québec government is currently developing an action plan for asbestos mine sites in the province. If the government decides to move forward with the action plan, the Asbestos Hill mine site could be prioritized. The action plan should be ready in the spring of 2018.

e) Information tools for mining development in Nunavik

The information tools used by the Nunavik Mineral Exploration Fund to keep residents informed regarding mining projects in the region were described to the members.

f) Meeting with representatives of the Tata Steel Minerals mine

The members were given a tour of the facilities operated by Tata Steel Minerals and then presentations were delivered by mining company representatives on the occupational health and safety measures as well as environmental standards and practices in place.

g) Abandoned mineral exploration site rehabilitation project in Nunavik

A summary of the abandoned mineral exploration site rehabilitation project in Nunavik and a description of the work planned for the upcoming years was presented to the members.

10. Residual materials management

a) Techniques for the management of residual materials in the north, Université du Québec à Chicoutimi

On March 7, 2018, the KEAC sent a letter to the deputy minister of the MDDELCC concerning the current status of the initiatives for residual materials management in Nunavik described in the *Nunavik Residual Materials Management Plan* and in the recent study conducted by the Université du Québec à Chicoutimi.

b) Aluminium can collection and recycling

Two options for a public awareness poster to encourage Nunavik residents to recycle their aluminium cans were presented to the members. As well, draft letters addressed to the Northwest Company, the Federation of Cooperatives of Northern Québec and regional bodies regarding their participation in aluminium can recycling initiatives were also presented. It was decided that copies of the poster and letters will also be sent to schools in the region.

c) Single-use plastic bags

Two draft letters concerning the ban on single-use plastic bags in the community of Kuujuaq were presented. The first was addressed to Kuujuaq retailers recognizing and encouraging their compliance with the municipal bylaw in force and the second was addressed to mayors of the other northern villages encouraging them to adopt bylaws like the one in Kuujuaq.

d) Federal funding for residual materials management in Nunavik

A draft letter concerning the exclusion of Nunavik communities from federal funding programs relating to residual materials management was presented. The members were informed that the federal government is currently developing a strategic framework for the Arctic, including Nunavik.

e) Mid-Canada line radar stations

The members were updated on the characterization studies conducted in 2017 at former Mid-Canada line radar stations.

f) First Nations of Québec Waste Management Symposium

The environmental analyst provided a summary of the First Nations of Québec Waste Management Symposium held on January 22 and 23, 2018, in Quebec City.

g) Nunavik residual materials working group

The members were informed that the Québec government has invited the KEAC to participate at the next meeting of the Nunavik residual materials management working group.

11. Fisheries Act

In 2016, the Minister of Fisheries and Oceans and the Canadian Coast Guard mandated the House of Commons Standing Committee on Fisheries and Oceans to review the changes made to the *Fisheries Act* in 2012 with a view to restoring the safeguards that had been removed. Following an initial comment period, the Standing Committee issued its report in February 2017 and on February 6, 2018, the Government of Canada tabled *Bill C-68, An Act to amend the Fisheries Act and Other Acts in Consequence*. Jean-Yves Savaria of the fisheries protection program and a KEAC member delivered a presentation on Bill C-68 which includes provisions to modernize the *Fisheries Act* and promote reconciliation with Indigenous peoples, as well as provisions regarding the protection of fish and fish habitats, fisheries management, biodiversity protection, the treatment of marine mammals in captivity, the creation of a fisheries management order power and enforcement of these measures.

12. Land use planning and occupancy

a) Abandoned outfitting camps

The members were informed that the Québec government has allocated funds to the Québec Outfitters Federation as well as Inuit and Naskapi for the dismantling of abandoned mobile outfitting camps in northern Québec.

b) Sustainable mobility plan for the Nord-du-Québec region

On January 22, 2018, the KEAC sent a letter to the deputy minister of the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (transport, sustainable mobility and transport electrification, MTMDET) concerning the inclusion of Nunavik in the sustainable mobility plan. A response from Evangeline Lévesque, director general of the MTMDET, was received on February 28. In her letter, Ms. Lévesque explained that the sustainable mobility plan will include both the Nord-du-Québec region and Nunavik, and that all projects will be subject to review by the KEQC. Furthermore, the MTMDET intends to consult the northern villages and the KRG on all transportation infrastructure projects in Nunavik and invited the KEAC to provide feedback. It was decided a response would be sent to the MTMDET.

Unfortunately, the MTMDET consultation period was much too short to permit the KEAC to perform its work adequately. As this has been a recurrent problem experienced with federal- and provincial-government departments for a few years, it was decided to send a letter to the Secrétariat aux affaires autochtones (Aboriginal affairs) and the Department of Crown-Indigenous Relations and Northern Affairs to voice the KEAC's concerns regarding this problem.

c) Plan Nord

A draft letter addressed to the president and chief executive officer of the Société du Plan Nord was presented.

13. Miscellaneous

a) Green Corner Article, *Makivik Magazine*

The most recent article for the Green Corner in *Makivik Magazine* addresses the issues related to single-use plastic bags in Nunavik and recognizes the efforts of certain residents that volunteer their time to cleaning up litter in their communities.

b) Phénix de l'environnement

The members were informed that, due to a lack of financial resources, the Phénix de l'environnement award will no longer be awarded by the Québec government.

c) Hudson Bay environmental consortium

The environmental analyst presented a summary of the meeting of the Hudson Bay environmental consortium held from February 27 to March 1, 2018, in Montreal. The meeting focused on environmental management, sustainable development, as well as inter-jurisdictional coordination between communities and other stakeholders in the greater Hudson Bay region.

d) Management of the Duplanter Spillway, Hydro-Québec

The members were informed of Hydro-Québec's plan to open the Duplanter Spillway since water levels are too high in the hydroelectric reservoirs. During a meeting organized by Hydro-Québec representatives in Kuujuaq on April 11, 2018, residents expressed their concerns. It was decided that Hydro-Québec would be contacted to schedule a meeting in order to discuss the matter further.

14. Dates and locations of the next meetings

It was decided that the 156th meeting would be held on June 14 and 15, 2018, in Quebec City and the 157th meeting would be held during the week of September 17 in a national park in Nunavik.



Benjamin Patenaude
Executive Secretary
September 18, 2018