

February 27, 2012

Diane Jean
Deputy Minister
Ministère du Développement durable,
de l'Environnement et des Parcs
Édifce Marie-Guyart, 30th Floor
674 René-Lévesque Blvd. East
Quebec City QC G1R 5V7

SUBJECT: Fees applicable for projects subject to the environmental and social assessment and review procedure provided for in Chapter II of the *Environment Quality Act*

Dear Madam:

The Kativik Environmental Advisory Committee (KEAC) has noted that, in southern Québec, project proponents are required to pay fees for projects subject to the environmental and social impact assessment and review procedure provided for in Chapter I of the *Environment Quality Act*. These fees may reach as high as \$100,000 depending on the size of the project in question. Notwithstanding, such fees are not applicable for projects subject to the environmental and social impact assessment and review procedure applicable in the James Bay region and Nunavik, specifically the procedure provided for in Chapter II of the Act. Consequently, the proponents of projects north of the 55th parallel that are subject to Chapter II of the Act have no fees to pay.

For the sake of equity between northern and southern Québec, the KEAC feels that the proponents of projects subject to the procedure provided for in Chapter II of the *Environment Quality Act* should be charged fees in order to obtain authorizations. The principle of “polluter pays” contained in the *Sustainable Development Act* moreover supports this recommendation.

The KEAC is of the opinion that fees should be paid for all projects subject to the environmental and social impact assessment and review procedure, including gray-zone projects for which proponents must request an attestation of exemption and projects for which modifications are requested to certificates of authorization. Although these two types of requests are less demanding, a certain amount of work on the part of northern committees is required and the projects could have adverse environmental impacts. The KEAC is, nonetheless, also of the opinion that these fees should be waived for park and protected-area projects, which are automatically subject to the environmental and social impact assessment and review procedure. Since parks and protected areas are

conservation projects, their impacts on the environment are positive; the principle of “polluter pays” does not apply. Given the unique regime north of the 55th parallel, the KEAC is also of the opinion that fees for public services or non-profit community projects, for which the proponent is either a Nunavik municipality or Landholding Corporation, be waived.

The KEAC strongly believes that the fees collected in this manner should be directed towards improving the northern environmental and social impact assessment and review procedure, in particular the procedure for Nunavik. The Kativik Environmental Quality Commission (KEQC) is responsible for reviewing the projects subject to the procedure and for organizing public information sessions and hearings, when necessary. In the past, given the amount and scope of its work, the KEQC has always lacked adequate financial resources, making it difficult for the organization to accomplish its duties.

In the context of the *Plan Nord*, under which numerous new projects are expected to be carried out, as well as in the context of the work begun by the working group of the *ministère du Développement durable, de l'Environnement et des Parcs* (sustainable development, environment and parks, MDDEP) on improved public information and participation, the KEQC needs additional funding from the MDDEP to be able to fully perform its mandate, ensure the stability of its secretariat (through the creation of a full-time position), and eventually follow up on recommendations to be proposed by the MDDEP working group.

Sincerely,

Michael Barrett
Chairperson

c.c. Peter Jacobs, Chairperson, KEQC
Marc Jetten, Secretary, James Bay Advisory Committee on the Environment