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Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

**MINUTES FROM THE 145TH MEETING OF THE KEAC
(APPROVED)**

DATES: September 22, 23 and 24, 2015

LOCATION: Northern Village of Kangiqsualujjuaq, Municipal Office

PRESENT:

Appointed by the Kativik Regional Government (KRG)

Michael Barrett, Chairperson
Betsy Palliser, Vice-Chairperson

Appointed by the Government of Canada

Claude Abel
Thessa Girard-Bourgoin (by conference call on September 22, 23 and 24)

Appointed by the Gouvernement du Québec

Paule Halley
Sylvie Létourneau (by conference call on September 22, 23 and 24)
Julie Samson

Executive Secretary

Benjamin Patenaude

Environmental Analyst

Nancy Dea

ABSENT:

Joseph Annahatak, Appointed by the KRG
Line Choinière, Appointed by the Government of Canada

GUESTS:

Najat Bhiry, Director, Centre d'études nordiques
Christine Barnard, Science Coordinator, Centre d'études nordiques

1. Call to order and adoption of the agenda

The 145th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9:15 a.m. on September 22, 2015, at the municipal office of the Northern Village of Kangiqsualujjuaq. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 145th meeting took place in accordance with the agenda below:

1. Call to order and adoption of the agenda

2. Adoption of minutes of the 143rd and 144th meetings

3. Business arising from the 144th meeting and correspondence

- a) Abandoned outfitting camps
- b) Mid-Canada line clean-up project
- c) Mining activities on lands adjacent to Category I lands
- d) Feedback on the federal administrator's authorization of the Nunavik Nickel marine infrastructure project
- e) KEQC secretariat

4. Budget, secretariat and members

- a) Budget
- b) Members
- c) Status of active KEAC files
- d) KEAC annual report, 2014–2015
- e) KEAC website

5. Environmental assessment in Nunavik

- a) Revision of schedules 1 and 2 of Section 23 of the JBNQA
- b) Environmental and social impact assessment procedures guide
- c) Social impact assessment of development projects subject to various procedures
- d) Modernization of the *Environment Quality Act*
- e) Working group on public participation – MDDELCC

6. Mining activity

- a) Environmental assessment procedures applicable to the Hopes Advance iron mining project
- b) Rare earth minerals project – Quest
- c) Feedback on the draft *Regulation to modify the Regulation on Mineral Substances other than Petroleum, Natural Gas and Brine*
- d) Status of the Asbestos Hill mine site

7. Work by the BAPE and the KEAC on uranium industry issues

8. Parks and protected areas

9. Research in Nunavik

10. Residual materials management

- a) Community inspections – MDDELCC
- b) Extended producer responsibility pilot projects

11. Green Corner article – *Makivik Magazine*

12. Dates and location of the next meeting

2. Adoption of the minutes of the 143rd and 144th meetings

The members provided feedback on the minutes from the 143rd and 144th meetings. The minutes of the 143rd meeting were adopted following some minor modifications. The adoption of the minutes of the 144th meeting was postponed to a later date.

3. Business arising from the 144th meeting and correspondence

- a) Abandoned outfitting camps

On June 23, 2015, the KEAC received a letter from Martin Gingras on behalf of Jacob Martin-Malus, director general for the northwest sector of the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks, MFFP), in response to its letter dated May 8, 2015, regarding consultation of the KEAC by the MFFP working group on abandoned outfitting camps. In his letter, Mr. Gingras explained that the mandate of the working group is to identify tentative solutions for the rehabilitation of mobile camps, some of which have been abandoned. The MFFP is currently coordinating different actions with the Quebec Outfitters Federation, the Ministère de l'Énergie et des Ressources naturelles (energy and natural resources, MERN), and the Hunting, Fishing and Trapping Coordinating Committee (HFTCC). Mr. Gingras indicated that the working group has met on a few occasions but that progress has been slowed due to budget availabilities. The working group plans to update the current status of mobile camps in Northern Québec and to develop a set of solutions for the rehabilitation of abandoned outfitting camps. Mr. Gingras concluded by stating that the working group intends to consult the KEAC at the appropriate time. The members expressed the importance of making progress on this file and requested that a letter be drafted to the MFFP deputy minister to invite a working group representative to deliver a presentation at a future KEAC meeting. Copies of the letter should be sent to the provincial administrator of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA) and to the HFTCC chairperson.

The members were also informed that the Québec government and the Naskapi Nation intend to initiate discussions regarding mobile camps in Naskapi territory.

- b) Mid-Canada line clean-up project

Following the 144th meeting, a representative of the regional office 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) was contacted regarding the status of the Mid-Canada line clean-up project. The members were informed that the characterization of the Pointe Louis XIV site on Cree territory is currently being carried out and should be completed by the end of 2015. With assistance from Cree communities, the MDDELCC is also conducting an archaeological survey in the area. As soon as the results of the characterization work are available, the MDDELCC is prepared to send a copy of the report to the KEAC. Furthermore, with regards to the rehabilitation of the remaining Mid-Canada line sites, the regional office of the MDDELCC has prepared a letter addressed to the Department of National Defence (DND) to enquire about the DND's capacity to contribute resources for the rehabilitation work. It was decided that this topic would be put on the agenda for the 146th meeting.

c) Mining activities on lands adjacent to Category I lands

The members were informed that a legal opinion was produced recently by the MDDELCC legal department regarding mining activities on lands adjacent to Category I lands. Notwithstanding, the KEAC has never received any response to its letter dated January 7, 2014, regarding the MDDELCC position on this matter. It was decided that Mireille Paul, director of environmental assessment for northern projects with the MDDELCC, would be contacted by email.

d) Feedback on the federal administrator's authorization of the Nunavik Nickel marine infrastructure project

On June 10, 2015, the KEAC received a letter from Ron Hallman, federal administrator of Section 23 of the JBNQA, in response to its letter dated April 21, 2015, regarding the administrative documents used by the Canadian Environmental Assessment Agency (CEAA) for the approval of the Nunavik Nickel marine infrastructure project at Deception Bay. In his letter, Mr. Hallman acknowledges the KEAC's concern with improving quality and access to information in accordance with the environmental and social impact assessment procedure under Section 23 of the JBNQA. Mr. Hallman concluded by stating that to ensure Nunavik Inuit participation, the CEAA is open to discussions with the KEAC. It was decided a letter would be drafted to inform Mr. Hallman that the KEAC intends to form a sub-committee to recommend improvements to the CEAA administrative documents and to request a meeting with CEAA representatives to discuss the matter further.

e) KEQC secretariat

On July 31, 2015, the KEAC transmitted a letter addressed to Marie-Josée Lizotte, director of the Environmental and Strategic Assessment Branch of the MDDELCC, regarding the importance of maintaining the office of the secretariat of the Kativik Environmental Quality Commission (KEQC) in Nunavik. A copy of the letter was also transmitted to the KEQC chairperson. The members were informed that the KRG transmitted a similar letter to Ms. Lizotte on July 29, 2015. On August 8, 2015, the MDDELCC provided an acknowledgement of receipt indicating that the KEAC letter had been transferred to Mireille Paul of the MDDELCC.

4. Budget, secretariat and members

a) Budget

The members were informed that the KEAC funding application for the 2015–2016 fiscal year was approved on August 8, 2015. Notwithstanding, the funding has not been received. The members noted that the current delay in payment underscores the importance of maintaining an adequate surplus. As well, the expense report for the period from May to August 2015 was presented. The members continued to revise the content of the KEAC credit card policy and to study the possibility of obtaining accounting software to facilitate KEAC financial management.

b) Members

The members welcomed the return of Thessa Girard-Bourgoin to the KEAC as an appointee of the Government of Canada.

c) Status of active KEAC files

Following up on the 144th meeting of the KEAC, an updated table describing the status of active KEAC files was presented. It was decided that the date should be indicated on future tables to facilitate the tracking files.

d) KEAC annual report, 2014–2015

The members continued to revise the 2014–2015 annual report. Additional modifications were proposed and it was decided that, once the Inuktitut version has been verified, the report can be printed.

e) KEAC website

The members were informed that the final mock-up of the KEAC website should be ready shortly. It was decided that, once the mock-up is available, a conference call should be organized to review it.

5. Environmental assessment in Nunavik

a) Revision of schedules 1 and 2 of Section 23 of the JBNQA

The members were informed that the Québec-Inuit working group is continuing its revision of schedules 1 and 2 of Section 23 of the JBNQA and that their next meeting is scheduled before the end of 2015. The members enquired about the involvement of the federal government in the revision of the schedules. The members also enquired about possible effects of the modernization of the environmental authorization regime under the *Environment Quality Act* on the schedule revision work.

b) Environmental and social impact assessment procedures guide

The members continued to revise the content of the guide on environmental and social impact assessment procedures applicable in Nunavik, including the flowcharts for the different procedures. It was decided that a conference call should be organized to adopt the text for the guide so that it can be translated into English and Inuktitut before the next meeting.

c) Social impact assessment of development projects subject to various procedures

A representative of the Environmental and Strategic Assessment Branch of the MDDELCC was contacted regarding interest in briefing the KEAC on social impact assessment of development projects subject to environmental assessment procedures. The briefing would contribute to the preparation of a work plan for a study on social impact assessment of development projects subject to environmental assessment procedures. The members requested that an invitation be transmitted as soon as the dates of the 146th meeting have been confirmed.

d) Modernization of the *Environment Quality Act*

On June 11, 2015, the Minister of the MDDELCC tabled in the National Assembly the Green Paper regarding the modernization of the environmental authorization regime under the *Environment Quality Act*. As part of parliamentary hearings on the Green Paper conducted by the Committee on Transportation and the Environment, the KEAC presented its observations in a brief submitted on September 4, 2015. The KEAC expressed concern that the Green Paper explicitly stipulates that the proposed revision of the *Environment Quality Act* does not apply to Chapter II of the Act, i.e. the territory covered under the JBNQA. The KEAC pointed out that the northern environmental regime under Section 23 of the JBNQA should also be modernized and benefit from the same improvements contemplated under the Green Paper for Chapter I of the Act (ex. strategic environmental assessment). It moreover underscored that some of the amendments proposed in the Green Paper will be applicable in Nunavik, including sections 22, 31 and 48 of the Act). For example, the Green Paper proposes to change authorizations required pursuant to section 22 of the Act to take into account risks. The KEAC would like to understand how this amendment, which will also apply in Nunavik, will be implemented without effecting changes to the environmental assessment procedure applicable in Nunavik. Finally, during the parliamentary hearings the Minister of the MDDELCC expressed a willingness to modernize the northern regime in collaboration with the responsible organizations. The members of the KEAC

expressed interest in taking advantage of this opportunity and decided to communicate to the Minister the KEAC's willingness to begin dialogue with a view to strengthening the environmental and social impact assessment and review procedure applicable in Nunavik.

e) Working group on public participation – MDDELCC

The members were informed that the MDDELCC working group on public participation met on June 15, 2015. During the meeting, it was announced that a new KEQC website, which would make available documentation on projects subject to environmental assessment, was being developed and should be ready by the fall of 2015. The members of the KEAC sub-committee indicated that the public registry should be bilingual to improve accessibility for Nunavik residents. They presented the KEQC website and provided feedback. The members also discussed the public consultations organized jointly by the KEAC with the Bureau d'audiences publiques sur l'environnement (environmental public hearings, BAPE) to review uranium industry issues that tested new methods for promoting public participation. The working group's next meeting should take place before 2016.

6. Mining activity

a) Environmental assessment procedures applicable to the Hopes Advance iron mining project

The members provided feedback on a draft letter addressed to the provincial administrator of Section 23 of the JBNQA regarding the environmental assessment procedures applicable to the Hopes Advance iron mining project. They agreed that the KEAC must insist on the need to reduce in the future the number of procedures applied and, to this end, to study the possibility of using the substitution and equivalence mechanism provided for in the Canadian *Environmental Assessment Act*. It was decided that the letter would be transmitted following a few minor adjustments, and that copies would be transmitted to the KEQC chairperson and the federal administrator of Section 23 of the JBNQA. Finally, as indicated at previous meetings, the members intend to address a letter to the federal administrator of Section 23 of the JBNQA on the same topic.

b) Rare earth minerals project – Quest

The members of the KEAC were informed that the rare earth mining project was presented by the project proponent, Quest, to the Makivik Corporation. The Makivik Corporation has submitted a request to the KEQC for an extension to the deadline to provide feedback on the directive regarding Quest's proposed project near Lake Brisson under the provincial environmental assessment procedure. The members expressed their concerns and reviewed the issues raised by the proposed project, in particular the processing of tailings.

c) Feedback on the draft *Regulation to modify the Regulation on Mineral Substances other than Petroleum, Natural Gas and Brine*

A letter was transmitted on June 20, 2015, to Line Drouin, deputy minister of the MERN, regarding the comments and observations of KEAC members on the draft *Regulation to modify the Regulation on Mineral Substances other than Petroleum, Natural Gas and Brine*.

d) Status of the Asbestos Hill mine site

The members discussed current conditions at the Asbestos Hill mine site which again seem to be generating concerns among Inuit communities. On June 23, 2015, a representative of the regional office of the MDDELCC was contacted by the KEAC environmental analyst for more information on current conditions at the site. The MDDELCC representative indicated that Glencore had carried out some rehabilitation work at the site in the 1990s, including the removal of hazardous waste, and prepared an activity report. The regional office of the MDDELCC conducted inspections of the site in 2008 and 2014. Following the 2014 inspection, the MDDELCC transmitted a letter to the

owner of the site, Asbestos Corporation Ltd., requesting that action be taken regarding the exposed tailings at the site. Asbestos Corporation Ltd. maintains that, according to the pH level of nearby water bodies, the tailings and other residual materials at the site pose no threat to the surrounding environment. The test results were not provided to support the claim. The members asked that a request for information be transmitted to the MDDELCC to obtain a copy of the Glencore activity report as well as correspondence between the MDDELCC and Asbestos Corporation Ltd. regarding this matter.

7. Work by the BAPE and the KEAC on uranium industry issues

In July 2015, the MDDELCC released the investigation and public hearings report by the BAPE on uranium industry issues in Québec. Chapter 13 of the report, which has been translated into Inuktitut, Cree and English, covers Northern Québec and was co-written with the KEAC and James Bay Advisory Committee on the Environment. The members were informed that the font used in the Inuktitut version is illegible. A letter will be transmitted to the BAPE regarding this situation and to request corrective action.

As well, the members provided their final feedback on the review prepared by the KEAC further to its participation in the BAPE investigation into uranium industry issues. The document will be finalized and transmitted to the BAPE and the MDDELCC.

8. Parks and protected areas

Through the activities of the working group on protected area planning in Nunavik, which produced the Kovik River protection project, the MDDELCC prepared a draft conservation plan for the future proposed Kovik River aquatic reserve. The KRG, the Makivik Corporation and community representatives have provided their feedback on the draft conservation plan. One of the concerns raised by the Inuit parties concerns the possibility of setting up commercial fishing in the proposed aquatic reserve, further to the harvesting right of JBNQA beneficiaries. In light of the conservation objectives of the proposed aquatic reserve, regarding specifically the anadromous arctic char, the MDDELCC has expressed some reservations regarding this issue. Discussions are ongoing.

During the summers of 2014 and 2015, the KRG, the Avataq Cultural Institute and the MDDELCC carried out fieldwork in the sector. The data acquired could be used to inform decisions regarding the management of the future protected area. The Québec–Nunavut boundary could complicate the designation of permanent protected status for the aquatic reserve. The boundary issue, however, does not affect the granting of proposed protected area status.

The members were informed that additional field work was also performed by the KRG, the MFFP and the MDDELCC in the area around the Cape Wolstenholme national park reserve near Ivujivik and that the park working group had recently held its first meeting. It was noted that the final version of the status report for the Baie-aux-Feuilles park project should be ready shortly, and that the order-in-council for the regulation creating Parc national Ulittaniujalik was published in the *Gazette officielle du Québec* on September 2, 2015. The regulation will be enacted by the government following the 45-day consultation period.

9. Research in Nunavik

Najat Bhiry, director of the Centre d'études nordiques (northern studies, CÉN) and Christine Barnard, CÉN science coordinator, delivered a presentation on their organization and the project to establish a centre for northern research and knowledge-sharing innovation in Kangiqsualujuaq.

Ms. Bhiry began the presentation with a description of the CÉN and its research axes, including the structure and function of northern continental environments, the evolution of northern environments in the context of planetary change, as well as environmental risk assessment and change adaptation strategies. She continued with a description of the CÉN research facilities, the nature of the work carried out at these facilities, and CÉN partnerships.

Ms. Bhiry concluded the presentation with a summary of the project to establish a centre for northern research and knowledge-sharing innovation in Kangiqsualujjuaq. She described the guiding principles of such a centre with its research objective to carry out innovative scientific research in partnership with Inuit communities. She also introduced the research themes, the members of the research team and the expected results.

10. Residual materials management

a) Community inspections – MDDELCC

The members were informed that, in October 2015, the MDDELCC will conduct inspections in some Nunavik communities with focus on borrow pits and quarry sites. The members discussed the possibility of having either the KEAC environmental analyst or executive secretary participate in the inspections. It was decided that the cost of participation be evaluated before a decision is made.

b) Extended producer responsibility pilot projects

In July 2015, an agreement was signed between the KRG and the five organizations responsible for the processing and recycling of products covered under the *Regulation respecting the Recovery and Reclamation of Products by Enterprises*. The aim of the agreement is to initiate a pilot project in Kuujuarapik, Salluit and Kuujjuaq for the collection of residual materials covered under the Regulation. The pilot project is scheduled to start in late September or early October 2015. With the costs assumed by the five organizations, a specialized technician will train community representatives on how to collect and prepare these materials for shipping. A KRG representative is scheduled to accompany the technician. A poster and pamphlet have been prepared by the KRG and a call-in period on regional FM radio airwaves is scheduled to inform community residents about the pilot project. The members welcomed the active participation of Nunavik residents in the project.

11. Green Corner Article – *Makivik Magazine*

It was decided that the next article for the Green Corner column in *Makivik Magazine* would introduce the new KEAC website.

12. Dates and location of the next meeting

It was decided that the 146th meeting of the KEAC would take place on December 3 and 4, 2015, in Quebec City and that the dates for the 147th meeting would be confirmed at a later date.



Benjamin Patenaude
Executive Secretary
April 19, 2016