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Comité consultatif de l'environnement Kativik  
Kativik Environmental Advisory Committee

**MINUTES OF THE 149TH MEETING OF THE KEAC  
(ADOPTED)**

**DATES:** October 12 and 13, 2016

**LOCATION:** Tuvaaluk Landholding Corporation, Quaqtaq

**PRESENT:**

**Appointed by the Kativik Regional Government (KRG):**

Michael Barret  
Laina Emma Grey

**Appointed by the Government of Canada:**

Alexandre-Guy Côté (temporary replacement of Claude Abel)  
Jean-Yves Savaria, Vice-Chairperson

**Appointed by the Gouvernement du Québec:**

Paule Halley  
Sylvie Létourneau  
Julie Samson, Chairperson

**Executive Secretary:**

Benjamin Patenaude

**Environmental Analyst:**

Stephanie Benoit

**ABSENT:**

Anthony Ittoshat, appointed by the KRG  
Vacant, appointment by the Government of Canada

**GUESTS:**

Marie-Christine Tremblay, Associate Regional Director General, Environment and Climate Change Canada (by conference call on October 13)

## **1. Call to order and adoption of the agenda**

The 149th meeting of the Kativik Environmental Advisory Committee (KEAC) began at 9 a.m. on October 12, 2016, at the offices of the Tuvaaluk Landholding Corporation in Quaqtaq. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 149th 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 146th, 147th and 148th meetings**

### **3. Business arising from the 148th meeting and correspondence**

- a) Mid-Canada Line clean-up project
- b) Abandoned outfitting camps
- c) Status of the Asbestos Hill Mine site
- d) Hopes Advance iron mining project

### **4. Budget, secretariat and members**

- a) Budget
- b) Secretariat
- c) Members
- d) KEAC priorities
- e) KEAC annual report, 2015–2016
- f) KEAC website

### **5. Environmental assessment in Nunavik**

- a) KEQC secretariat
- b) Environmental assessment procedures guide
- c) Social impacts
- d) Fee structure under the *Environment Quality Act*
- e) Revision of the environmental assessment and authorisation regime – consultations on 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
- f) Review of the federal environmental assessment and authorization procedure under the *Canadian Environmental Assessment Act (2012)*
- g) Environmental assessment procedures applicable in the Moinier region

### **6. Mining activity**

- a) Aboriginal community consultation policy, MERN
- b) Quest Rare Minerals mine project

### **7. Residual materials management**

- a) Spill response and contaminated site remediation information campaign
- b) Contaminated site, request for assistance from the Northern Village of Kuujjuaq
- c) Extended producer responsibility pilot projects

## **8. Water management**

- a) Québec water strategy
- b) Bill 32, *An Act to Amend the Act respecting Compensation Measures for the Carrying out of Projects Affecting Wetlands or Bodies of Water*

## **9. Review of amendments to the *Fisheries Act***

## **10. Climate change**

- a) Canada's approach to the fight against climate change: Pan-Canadian Framework on Clean Growth and Climate Change
- b) Federal government workshop on climate change – October 26–28, 2016, in Kuujuaq

## **11. Miscellaneous**

- a) Green Corner article – *Makivik Magazine*
- b) Meeting with the Mayor of Quaqtaq

## **12. Dates and location of the next meetings**

### **2. Adoption of the minutes of the 146th, 147th and 148th meetings**

The members discussed their feedback on the minutes of the 146th, 147th and 148th meetings. The minutes of the 146th meeting were adopted. The adoption of the minutes of the 147th and 148th meetings was postponed to a later date.

### **3. Business arising from the 148th meeting and correspondence**

- a) Mid-Canada Line clean-up project

On August 17, 2016, Daniel Gendron 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 to enquire about developments regarding the Mid-Canada Line clean-up project. Mr. Gendron summarized recent discussions at a meeting held with representatives of the Department of National Defence (DND). The DND indicated at that time a willingness to enter into a memorandum of understanding with the Québec government to carry out a third phase of the clean-up project, following the submission of an official work plan. Mr. Gendron also explained that the DND agreed to support further characterization studies to follow up on the work performed at Pointe Louis XIV in September 2015. The characterization studies are scheduled for the fall of 2016.

- b) Abandoned outfitting camps

On September 13, 2016, the office of the Minister of the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks, MFFP) was contacted by the executive secretary to follow up on the KEAC letter dated April 25, 2016, concerning the members' concerns regarding the current state of abandoned outfitting camps in Nunavik. A response was received on October 4 from Daniel Richard, associate deputy minister of the MFFP for regional operations. Mr. Richard explained that the MFFP is currently developing a series of sustainable actions for the treatment and management of active and abandoned outfitting camps in Northern Québec. The MFFP also

intends to update its inventory of abandoned camps and assured the KEAC that it will be consulted once the file has progressed adequately.

c) Status of the Asbestos Hill mine site

On September 13, 2016, the KEAC received a response from H el ene Iraca of the regional office of the MDDELCC to its letter dated May 13, 2016, concerning the current state of the Asbestos Hill mine site. Ms. Iraca provided follow-up on her department's processing of the file and presented the results of a site inspection performed by the MDDELCC in July 2016. The inspectors in particular noted that erosion is continually exposing the residual materials and tailings buried at the site, and that this represents a threat to the surrounding environment. Based on these findings, the MDDELCC addressed a notice of non-conformity to the property owner, Asbestos Corporation Ltd. Ms. Iraca concluded her letter by explaining that the MDDELCC is currently collaborating with the Minist ere de l' nergie et des Ressources naturelles (energy and natural resources, MERN) to identify a methodology to resolve the current situation and to assess the responsibilities of concerned parties. The members recognized the efforts of the MDDELCC on this file.

d) Hopes Advance iron mining project

On July 11, 2016, the KEAC received a response from Christyne Tremblay, deputy minister of the MDDELCC, to its letter dated February 25, 2016, concerning the environmental assessment procedures applicable to the Hopes Advance iron mining project. Ms. Tremblay first addressed the issue of substituting one procedure for another for the review of the Hopes Advance project. She explained that, due to their differences, it would be difficult to substitute the provincial procedure under Section 23 of the *James Bay and Northern Qu bec Agreement* (JBNQA) for the procedure under the *Canadian Environmental Assessment Act* (2012). She did state, however, that the review bodies should coordinate their assessments of the project. The MDDELCC is currently waiting for a response from the project proponent regarding its intention to continue the project or not, and emphasized that the MDDELCC is aware of the potential consequences on the community of Aupaluk.

The members were informed that the project proponent appears to be planning to submit its impact study in September 2017. At that time, the Kativik Environmental Quality Commission (KEQC) could modify and update the directive for the environmental and social impact study for the Hopes Advance project.

#### **4. Budget, secretariat and members**

a) Budget

The members continued their review of the administration and processing of the annual funding applications of the KEAC. It was expressed that administrative delays are a recurrent problem and, in recent years, have put the KEAC in a precarious financial situation. Furthermore, as annual funding for the KEAC has not changed since the signing of the funding agreement with the Qu bec government in 2005, it should be increased to permit the KEAC to meet the financial obligations of its operations and to maintain a sufficient surplus to meet contingencies. The members also continued to discuss possible changes to the administration of the federal portion of KEAC annual funding. It was decided that a letter would be transmitted to the provincial and federal administrators regarding these concerns and to encourage communication directly between the two parties.

The KEAC expense report for May to August 2016 was presented.

b) Secretariat

The members discussed the need to develop an administrative process for the evaluation of KEAC personnel. The members also discussed the possible hiring of an archivist to restructure and update the organization of KEAC files at its secretariat in Kuujuaq.

c) Members

The members welcomed Laina Grey to the KEAC as the new KRG appointee replacing Betsy Palliser. They congratulated Julie Samson on her official appointment as KEAC chairperson for 2016–2017 and thanked Michael Barrett for his term as chairperson during the previous year. The members also discussed the appointment of a new member by the Government of Canada to fill the vacancy left by the departure of Thessa Girard-Bourgoin.

d) KEAC priorities

The members discussed a new method for organizing the KEAC's workload and monitoring file progress.

e) KEAC annual report, 2015–2016

The members continued their revision of the 2015–2016 annual report.

f) KEAC Website

The members were informed of delays related to the launching of the new KEAC website. It was decided that efforts should be made to have the website ready before the end of December 2016.

## **5. Environmental assessment in Nunavik**

a) KEQC secretariat

The members were informed of a recent meeting between the provincial administrator and representatives of the KEQC concerning the return of the KEQC secretariat to Nunavik. In July 2015, the KEQC secretariat was temporarily relocated south to the Quebec City office of the MDDELCC. The members recognized the initiative of both parties to return the KEQC secretariat to the region that the organization is mandated to serve.

b) Environmental assessment procedures guide

The members discussed recent modifications made to the environmental assessment procedures guide and the creation of a focus group including external partners to conduct a review.

c) Social impacts

At the last KEAC meeting, a sub-committee was set up to develop a work proposal for the study of social impacts. The members continued to discuss the differences between the assessment procedures applicable in Nunavik for the examination of social impacts. It was expressed that the study could focus on mining projects since some are currently planned close to communities. It was decided that the sub-committee should continue to develop its work proposal.

d) Fee structure under the *Environment Quality Act*

On July 7, 2016, the KEAC received a letter from Yves Rochon, director at the MDDELCC, announcing that a draft ministerial order had been published in the *Gazette officielle du Québec* on April 6, 2016, in order to revise the fee structure under chapters I and II of the *Environment Quality Act*. In the letter, Mr. Rochon specified that the recommendations contained in the KEAC letter dated February 27, 2012, helped to create the new fee structure. The draft ministerial order proposes fee categories payable by project proponents to submit project proposals, review impact studies, as well as conduct public consultations, review grey zone projects, amend certificates of authorization and facilitate community infrastructure and wildlife protection projects. The members noted that their recommendations were only partly taken into account by the MDDELCC, since park and protected area projects are subject to fees that can reach \$42,000 for an authorization under Chapter II of the *Environmental Quality Act*.

e) Revision of the environmental assessment and authorization regime – consultations on 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*

The members discussed their comments on the draft brief prepared for the parliamentary committee of the National Assembly on 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*.

f) Review of the federal environmental assessment and authorization procedure under the *Canadian Environmental Assessment Act (2012)*

The members were informed that the federal government is currently undertaking a review of its environmental and regulatory procedures including in particular the environmental assessment process under the *Canadian Environmental Assessment Act (2012)*. An expert panel has been mandated to conduct the review. Members of the public and organizations will be invited to present their recommendations either in person or in writing. In February 2011, the KEAC presented to the Standing Committee on Environment and Sustainable Development a position paper on the review of the *Canadian Environmental Assessment Act*. The KEAC recommendations however were not taken into account. It was decided that the current review is a good opportunity for the KEAC to reiterate its earlier recommendations. A letter to this effect will be transmitted to the expert panel.

g) Environmental assessment procedures applicable in the Moinier region

The Moinier region is located south of the 55th parallel near Schefferville. The members discussed the status of this region and in particular the environmental assessment procedures applicable in the region.

## **6. Mining activity**

a) Aboriginal community consultation policy, MERN

The members discussed their recommendations regarding the MERN's aboriginal community consultation policy. It was decided that the MERN should be contacted to enquire about the progress being made on the development of this policy and whether KEAC feedback will be taken into account.

b) Quest Rare Minerals mine project

The members were informed that the MDDELCC recently published the directive for the rare earths mine project by Quest Rare Minerals. The directive will be valid for a period of two years. As well, the KEQC has agreed to meet with

representatives of the Naskapi Nation of Kawawachikamach to discuss their participation in the consultation process for this project.

## **7. Residual materials management**

### a) Spill response and contaminated site remediation information campaign

The members were informed about a series of spill response and contaminated site remediation training courses for representatives of regional and municipal bodies. The courses were held in select Nunavik communities between July and October 2016. The possibility of KEAC participation in upcoming courses was discussed.

### b) Contaminated site, request for assistance from the Northern Village of Kuujuaq

The members continued to explore possible funding options to assist the Northern Village of Kuujuaq to remediate a contaminated site in its territory.

### c) Extended producer responsibility pilot projects

The members were informed that a partnership was recently established between the Federation of Cooperatives of Northern Québec and the Product Care Association to construct and manage residual materials collection depots in the communities of Kangirsuk, Kangiqsujaq, Salluit, Inukjuak and Kuujuaaraapik.

## **8. Water management**

### a) Québec water strategy

At the last KEAC meeting, it was decided a brief would be prepared for the consultation on the Québec water strategy 2016–2030. The members continued to discuss the role of the KEAC in this consultation and how to develop its brief.

### b) Bill 32, *An Act to Amend the Act respecting Compensation Measures for the Carrying out of Projects Affecting Wetlands or Bodies of Water*

The KEAC received an invitation from David Heurtel, Minister of the MDDELCC, to participate in a consultation on Bill 32, *An Act to Amend the Act respecting Compensation Measures for the Carrying out of Projects Affecting Wetlands or Bodies of Water*. As the consultation is scheduled for October 14, 2016, in Montreal, it will be impossible for the KEAC to participate. The members decided to closely monitor the progress of this file.

## **9. Review of amendments to the *Fisheries Act***

On November 13, 2015, the Prime Minister gave a mandate to the Minister of Fisheries, Oceans and the Canadian Coast Guard to review the amendments made in 2012–2013 to the *Fisheries Act*, reinstate the protections which had been eliminated, and integrate modern protection mechanisms. This initiative is part of the review of environmental and regulatory procedures announced on June 20, 2016, by the Government of Canada. The Standing Committee of Fisheries and Oceans was made responsible for reviewing the 2012–2013 amendments to the *Fisheries Act* and for consulting Canadians. Jean-Yves Savaria, with the fisheries protection program of Fisheries and Oceans Canada as well as member of the KEAC, presented to the members the highlights of the initiative and requested the official participation of the KEAC in the consultation process. Following the presentation, the members discussed some aspects of the *Fisheries Act* applicable in Nunavik and the challenges arising from the amendments made in 2012–

2013. It was decided that a letter would be transmitted to the Standing Committee regarding KEAC concerns further to the last amendments to the *Fisheries Act* and its recommendations.

## 10. Climate change

- a) Canada's approach to the fight against climate change: Pan-Canadian Framework on Clean Growth and Climate Change

Marie-Christine Tremblay, associate regional director general of Environment and Climate Change Canada, gave a presentation on the Pan-Canadian Framework on Clean Growth and Climate Change. Ms. Tremblay described the federal government's aims and proposed timeline for this initiative. She explained that a series of workshops will be held throughout Canada to initiate dialogue with the public, including Aboriginal organizations, with a view to preparing climate change adaptation strategies as well as developing alternative energy and green infrastructure. A Nunavik workshop is scheduled in Kuujuaq (October 26–28, 2016). Working groups, composed of representatives of different government departments, are also scheduled to hold meetings to discuss these matters. The results of these workshops and meetings will be used to prepare a report that should be available to the public by October 2017. Ms. Tremblay concluded her presentation by stating that, in Nunavik, the KEAC is playing a central role in this exercise and encouraged its participation.

- b) Federal government workshop on climate change – October 26–28, 2016, in Kuujuaq

Following up on their September 28 conference call, the members continued to discuss the participation and role of the KEAC in the upcoming federal government workshop on climate change. The results of the workshop should contribute to analysis for Nunavik that will permit the members to provide feedback. The members indicated that the KEAC should participate in the workshop and prepare recommendations in a brief.

## 11. Miscellaneous

- a) Green Corner article – *Makivik Magazine*

It was decided that the next article for the Green Corner column in *Makivik Magazine* would address the federal government's workshop on climate change scheduled for October 26–28, 2016, in Kuujuaq.

- b) Meeting with the Mayor of Quaqtaq

Robert Deer, the mayor of Quaqtaq, welcomed the members and shared concerns regarding the environment.

## 12. Dates and location of the next meetings

It was decided that the 150th meeting would take place on December 13 and 14, 2016, in Quebec City and that the dates of the 151st meeting would be confirmed at a later date.



Benjamin Patenaude  
Executive Secretary  
June 13, 2017