



ᑲᑎᑏᑦ ᑩᑭᑎᑭᑎᑭᑦᑭᑦ ᑩᑭᑎᑭᑎᑭᑦ ᑲᑎᑎᑭᑦ
Comité consultatif de l'environnement Kativik
Kativik Environmental Advisory Committee

MINUTES OF THE 160TH MEETING OF THE KEAC (ADOPTED)

DATES: June 18 and 19, 2019

LOCATION: Musée national des beaux-arts du Québec, Québec City

PRESENT:

Appointed by the Kativik Regional Government (KRG)

Michael Barrett, Chairperson

Laina Grey, Vice-Chairperson

Appointed by the Government of Canada

Alexandre-Guy Côté

-Vacant-

Appointed by the Government of Québec

Sylvie Létourneau (June 18)

Julie Samson

Executive Secretary

Benjamin Patenaude

Environmental Analyst

Nancy Dea

ABSENT:

Kelly Regimbald, member appointed by the Government of Canada

Mary Pilurtuut, Member appointed by the KRG

Paule Halley, Member appointed by the Gouvernement du Québec

OBSERVERS:

Megan Williams, Implementation Officer, Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Annie Lamalice, Policy Analyst position candidate, Kativik Environmental Advisory Committee (KEAC)

GUESTS:

Isabelle Nault, Water and Industrial Environmental Assessment Branch, Ministère de l'Environnement et de la Lutte contre les changements climatiques (environment and the fight against climate change, MELCC)

Gilles Côté, Director General, Secrétariat international francophone pour l'évaluation environnementale (international francophone environmental assessment secretariat, SIFÉE)

Julie Veillette, Climate Policy Branch, MELCC

Virginie Moffet, Climate Policy Branch, MELCC

Patrice Dionne, Public Lands Planning Adviser, Ministère de l'Énergie et des Ressources naturelles (MERN)

Kelly Bélisle, Territorial Affairs Advisor, MERN

Patricia Hébert, Regional Director, MERN

Alexandre Richard, Acting Unit Head, Wastewater Policy, Environment and Climate Change Canada (ECCC)

Jeff Mackey, Acting Director General, Northern Contaminated Sites Program, CIRNAC

Hayley Arts, Economic Policy Analyst, Northern Contaminated Sites Program, CIRNAC

1. Call to order and adoption of the agenda

The 160th meeting of the KEAC began at 9 a.m. on June 18, 2019, at the Musée national des beaux-arts du Québec in Quebec City. The chairperson opened the meeting and invited the members to propose modifications to the agenda. Modifications were made and the 160th 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 158th and 159th meetings

3. Administration

- a) Budget
- b) Secretariat and human resource management
- c) Members and the chairpersonship
- d) KEAC priorities
- e) Annual report, 2018–2019
- f) Archives
- g) Naskapi Nation of Kawawachikamach – Update following the 159th meeting
- h) Website
- i) Meeting with the JBNQA administrators
- j) Five-year action plan, 2020–2025

4. Federal and provincial environmental protection legislation

- a) Modernization of the Québec environmental authorization regime
- b) Implementation of *Bill C-69, Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make Consequential Amendments to other Acts*

5. Environmental assessment in Nunavik

- a) Environmental and social impact assessment guide
- b) Social impacts
- c) Presentation on the draft guide for project proponents on climate change and environmental authorization – MELCC

6. Presentation on the draft 2020–2023 climate change action plan – MELCC

7. Mining activities

- a) Asbestos Hill mine site
- b) Nunavik Mining Workshop, 2019

8. Regional land use planning and land occupancy

- a) Presentation on the Public Land Use Plan – MERN
- b) Rehabilitation of outfitting camps in Nunavik

9. Residual and hazardous materials management

- a) Nunavik Residual Materials Management Working Group
- b) Federal Northern Contaminated Sites Program
- c) Mid-Canada Line radar sites

10. Presentation on the federal government's proposed regulatory framework for wastewater systems in the north

11. Miscellaneous

- a) Green Corner Article – *Taqralik*
- b) *Species at Risk Act*
- c) Guide to heating oil tanks

12. Dates and locations of the next meetings

2. Adoption of the minutes of the 158th and 159th meetings

The minutes of the 158th meeting were adopted following modifications. An update was given on progress with the revision of the minutes of the 159th meeting.

3. Administration

- a) Budget

The members were updated on the budget request for 2019–2020, for which payment has yet to be received. This is once again an unacceptable delay that is very detrimental to KEAC operations. The expense report for the period of March to May 2019 was reviewed.

b) Secretariat and human resource management

The members were informed that a candidate for the position of policy analyst has been selected and the hiring process is underway. KEAC employee evaluations were also discussed.

c) Members and the chairpersonship

The members were informed that Michael Barrett, a KRG appointee, will act as chairperson for 2019–2020 and that Laina Grey, will act as vice-chairperson. Kelly Regimbald has been appointed by the Government of Canada to replace Catherine Lapeyrie. A process is underway within the federal government to identify a replacement for Jean-Yves Savaria.

d) KEAC priorities

The members reviewed a table presenting the status of KEAC files since the last meeting. It was decided that an internal procedure will be prepared to clarify for staff the steps to follow when correspondence and documents are received by the KEAC secretariat. The purpose is to better define and facilitate the work of the members whenever it is relevant for a file to be studied by the KEAC.

e) Annual report, 2018–2019

The members reviewed the most recent version of the draft 2018–2019 annual report and provided feedback.

f) Archives

The members continued discussion on archiving options for the files located at the office of the KEAC secretariat in Kuujuaq. It was decided that the archiving firm will be contacted about whether the files could be sent south for processing and about providing a revised bid if this is possible.

g) Naskapi Nation of Kawawachikamach – Update following the 159th meeting

The members were updated on developments concerning the application for judicial review and declaratory judgement filed by the Naskapi Nation of Kawawachikamach. The possibility of obtaining legal advice was discussed. It was decided that a letter will be sent to the federal and provincial administrators of Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA) to follow up on the state of this file.

h) Website

The members were informed of the latest updates made to the KEAC website.

i) Meeting with the JBNQA administrators

The members continued discussion on the possibility of meetings with the federal and provincial administrators of the JBNQA at the KEAC's 162nd meeting. It was decided that invitation letters will be sent to both.

j) Five-year action plan, 2020–2025

The members discussed the possible contents of a 2020–2025 five-year action plan. It was decided that a draft document will be presented at the next meeting.

4. Federal and provincial environmental protection legislation

a) Modernization of the Québec environmental authorization regime

The environmental analyst presented a summary of a recent series of workshops that involved discussions among various sectoral co-creation tables and the MELCC regarding the modernization of the environmental authorization regime under the *Environment Quality Act*. The MELCC met with the co-creation table for the north on April 9 and June 14, 2019, in Quebec City. The members were informed that these workshops focused on low-impact activities, which are currently considered as eligible for a declaration of conformity, and negligible-impact activities, which are currently considered as eligible for an exemption. The final versions of these activity lists should be released for consultation by the fall of 2019. The members noted that it is unclear if the lists in their current form will be applicable in Nunavik. It was decided that the KEAC should conduct an in-depth analysis of these lists as soon as they become available.

b) Implementation of *Bill C-69, Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make Consequential Amendments to other Acts*

A summary of a recent series of consultations on Bill C-69 was presented. KEAC staff attended consultations held on May 9 and June 11, 2019. Further to a request made by participants at one of the above-mentioned consultations, it was decided the KEAC will initiate discussions with review bodies, i.e. the Kativik Environmental Quality Commission, the Nunavik Marine Region Impact Review Board and the Canadian Environmental Assessment Agency, in order to better prepare for situations in which several review procedures apply to a development project planned in the region.

5. Environmental assessment in Nunavik

a) Environmental and Social Impact Assessment Guide

The members reviewed the latest changes made to the Environmental and Social Impact Assessment Guide produced previously by the KEAC. It was decided to organize a conference call to adopt the final version.

b) Social impacts

Gilles Côté, Director General of the SIFÉE, presented a preliminary report on the study commissioned by the KEAC concerning the handling of social impacts under the environmental assessment procedures applicable in Nunavik. Mr. Côté opened with an overview of the study's objectives and a description of the difficulties encountered obtaining the necessary reference materials. He provided a list of projects currently under analysis as well as a description of his approach and preliminary observations. Mr. Côté next

explained how the different impacts will be identified in the Nunavik context and concluded with a description of the required reference materials and future direction of the study. KEAC members plan to conduct an in-depth review after the final report has been submitted to the KEAC.

c) Presentation on the draft guide for project proponents on climate change and environmental authorization – MELCC

Isabelle Nault, team leader for the MELCC Water and Industrial Environmental Assessment Branch, gave a presentation on the draft climate change and environmental authorization guide for project proponents. Ms. Nault provided an overview of the related legislation, the underlying objectives, and effects of climate change. She explained that the guide enables proponents to identify their project's potential sources of greenhouse gas emissions and develop mitigation measures in accordance with the Québec government's approach to climate change. Ms. Nault next described how the guide might also help with the identification of potential hazards, the preparation process for the guide, and how the KEAC could contribute its feedback. In this respect, it was decided that the KEAC will contact the MELCC to discuss how the guide can be adapted to Nunavik and made accessible to the residents of the region.

6. Presentation on the draft 2020–2023 climate change action plan – MELCC

Julie Veillette and Virginie Moffet of the MELCC Climate Policy Branch gave a presentation on the draft 2020–2030 climate change action plan. They described the Québec government's vision and strategies to deal with climate change. They then explained that a working group has been formed to assist with the development of the action plan and that local and regional bodies will be consulted on issues affecting Nunavik. Finally, they described the Québec government's vision for the north and its intention to bring together and integrate cooperation networks and main stakeholders in order to identify the most significant risks for the region. The presentation concluded with a discussion on consultations with Nunavik bodies and suitable locations for consultations in the region.

7. Mining activities

a) Asbestos Hill mine site

The members were informed that the MERN and the MELCC intend to conduct an inspection of the Asbestos Hill mine site during the summer of 2019.

b) Nunavik Mining Workshop, 2019

The executive secretary presented a summary of the 2019 Nunavik Mining Workshop organized by the Nunavik Mineral Exploration Fund in Kuujuaq from April 30 to May 2. The purpose of the workshop was to bring together representatives of government, the mining sector and regional organizations to encourage open dialogue on mining development in Nunavik. Participants had an opportunity to learn about the current state of mining activities in the region and address their concerns to representatives of the mining sector and government. The workshop also served as a networking opportunity for local entrepreneurs.

8. Regional land use planning and land occupancy

a) Presentation on the Public Land Use Plan – MERN

Patrice Dionne, a MERN Public Lands Planning Adviser, gave a presentation on the Public Land Use Plan and its application in Nunavik. He was accompanied by Kelly Bélisle and Patricia Hébert of the regional office of the MERN. Mr. Dionne opened with an overview of land distribution in Nunavik, the MERN Public Land Use Plan and the list of contributors. Mr. Dionne explained that the Plan focuses on land use types and degrees of protection. As well, in Nunavik the land regime and provisions under the JBNQA and *Northeastern Québec Agreement* (NEQA) are recognized and take precedence. Once the Plan has been adopted by the Québec government, it will be updated every five years in order to take into account the development and creation of protected areas. Mr. Dionne concluded with a description of the timeline and stages remaining to complete the Plan.

b) Rehabilitation of outfitting camps in Nunavik

The members were informed that there are currently two projects, one funded under a provincial strategy and the other funded under a federal environmental program, addressing the issue of abandoned outfitting camps in the Nord-du-Québec region.

9. Residual and hazardous materials management

a) Nunavik Residual Materials Management Working Group

The environmental analyst presented a summary of the meeting of the Nunavik Residual Materials Management Working Group held on April 16, 2019, in Quebec City. The participants focused on discussion of priority residual materials management issues for the region: the closing of northern landfills, the accumulation of metal waste and composting. They also discussed the addition of household appliances to the *Regulation respecting the Recovery and Reclamation of Products by Enterprises* as well as the possible addition of propane tanks. Empty propane tanks are problematic in the region because there are no facilities in the communities to refill them. Finally, the Working Group discussed the possibility of holding its next meeting in Nunavik.

b) Federal Northern Contaminated Sites Program

The members met with Jeff Mackey and Hayley Arts, respectively Acting Director General and Economic Policy Analyst of the Northern Contaminated Sites Program, to discuss the current status of the federal program and the current state contaminated sites on federal lands in Nunavik. It was decided that responsible authorities at the CIRNAC will be contacted to request a presentation at the next meeting on the renewal of the program.

c) Mid-Canada Line radar sites

The KEAC has received no news regarding the characterization study conducted in 2017 on Mid-Canada Line radar sites or on the current state of the clean-up project. The members requested that follow-up be carried out with the regional office of the MELCC.

10. Presentation on the federal government's proposed regulatory framework for wastewater systems in the north

Alexandre Richard, Acting Unit Head for Wastewater Policy with Environment and Climate Change Canada (ECCC), gave a presentation on the federal government's proposed regulatory framework for wastewater systems in the north. Mr. Richard opened with a description of the environmental issues related to wastewater and presented federal legislation regulating treatment. He explained that current legislation does not apply in northern regions. Notwithstanding, ECCC has recently undertaken to develop a series of standards for the design and operation of wastewater treatment systems in the north. Mr. Richard next described the federal government's *Wastewater Systems Effluent Regulations*, the types of wastewater treatment systems used in northern communities and the need to adapt the regulatory framework to this context. Finally, Mr. Richard presented the timeline for the development of the regulatory framework, mentioned ECCC's intention to consult Nunavik communities and indicated how interested parties could provide feedback. The members discussed with Mr. Richard about Nunavik realities and existing wastewater treatment lagoons in the communities.

It was decided that a KRG representative will be invited to give a presentation on wastewater treatment in the communities at a future meeting. Representatives from Glencore and Nunavik Nickel will also be contacted to gain a better understanding of the wastewater treatment systems used at their mine facilities in Nunavik.

11. Miscellaneous

a) Green Corner article – *Taqralik*

It was decided that the next article for the Green Corner will address remediation initiatives at contaminated sites in Nunavik communities.

b) *Species at Risk Act*

On May 10, 2019, the KEAC sent a letter to the Director General of the Canadian Wildlife Service concerning the addition of the Eastern Migratory caribou population and the Torngat Mountain caribou population to Schedule 1 of the *Species at Risk Act*, i.e. to the *List of Wildlife Species at Risk*. In its letter, the KEAC recognizes that these caribou populations could benefit from the protection provided by the prohibitions and recovery strategy under the Act. It recommended that any decision concerning caribou protections be made in compliance with the JBNQA and in collaboration with Nunavik residents.

c) Guide to heating oil tanks

The members were updated concerning the ongoing collaboration between the KEAC and the KRG for the purpose of drafting the guide to heating oil tanks.

12. Dates and locations of next meetings

It was decided that the 161st meeting will be held on September 23, 24, and 25, 2019, in a Nunavik community. The dates and location of the 162nd meeting will be confirmed at a later date.



Benjamin Patenaude
Executive Secretary
March 26, 2020