



GUIDE FOR PUBLIC CONSULTATIONS CONDUCTED BY THE PROMOTERS OF CERTAIN MINING PROJECTS

SECTIONS 101.0.1 AND 140.1 OF THE MINING ACT*

*** Projects for metal mines with a production capacity of less than 2,000 metric tons per day and projects to extract peat or surface mineral substances for the purposes of an industrial activity or commercial export. These projects are not subject to the environmental impact assessment and review procedure.**

Publication

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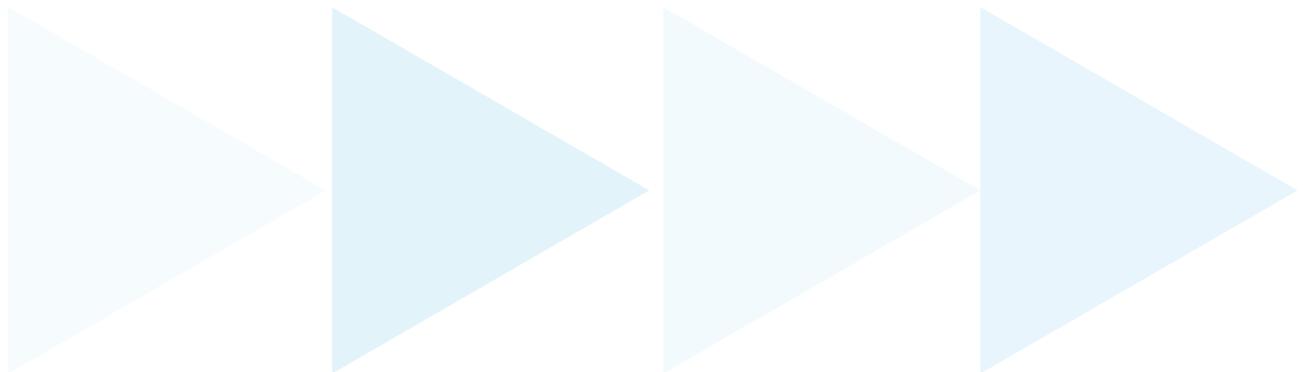
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List of abbreviations

- > **EQA:** Environment Quality Act
- > **BM:** Bail minier
- > **CA:** Certificat d'autorisation environnementale
- > **LQE:** Loi sur la qualité de l'environnement
- > **MDDELCC:** Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques
- > **MERN:** Ministère de l'Énergie et des Ressources naturelles
- > **MFFP:** Ministère des Forêts, de la Faune et des Parcs
- > **MRC:** Municipalité régionale de comté
- > **Regulation:** Regulation respecting mineral substances other than petroleum, natural gas and brine
- > **SMS:** Surface mineral substances



Preamble

The Act to amend the Mining Act (2013, chapter 32) was assented to on December 10, 2013. It prescribes new requirements concerning public consultations.

This guide describes the steps that must be completed to organize a public consultation in compliance with the Mining Act (CLRQ, chapter M-13.1), referred to here as «the Act».

The requirement to hold a public consultation concerns projects for a metal mine with a production capacity of less than 2,000 metric tons per day, as well as projects to extract peat or surface mineral substances¹ for the purposes of an industrial activity or commercial export activity, where the application for the lease was filed after December 31, 2015, the date of coming into force of sections articles 101.0.1 and 140.1 of the Mining Act.

Projects for a metal mine with a production capacity of 2,000 or more metric tons per day, or a uranium mine, rare earth mine or non-metallic mine with a production capacity of 500 metric tons or more per day, are subject to the environmental impact assessment and review procedure set out in Division IV.1 of the Environment Quality Act (CLRQ, chapter Q-2) (the «EQA»). This procedure includes a public information and consultation period and, if applicable, public hearings organized by the Bureau d'audiences publiques sur l'environnement (BAPE).

For projects for mines or for non-metallic mineral processing plants with a production capacity below 500 metric tons per day, no public consultation is required by law. Promoters must, however, obtain a certificate of authorization from the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) pursuant to section 22 of the EQA.

An environmental assessment in a northern environment must be conducted in accordance with the provisions of Chapter II of the EQA. The environmental assessment procedure for the North is distinguished, in particular, by the active involvement of the communities concerned (Cree, Inuit and Naskapi). All mineral extraction projects in the North are subject to this assessment procedure, including projects for sand pits, gravel pits and quarries covering an area of three hectares or more².

This guide reviews the requirements of the Act and the Regulation respecting mineral substances other than petroleum, natural gas and brine (CLRQ, chapter M-13.1, r. 2), referred to here as «the Regulation». It also deals with other elements likely to increase a project's social acceptability. The Appendix contains the relevant legislative and regulatory provisions, a classification of surface mineral substances based on the definition of the industrial activity or commercial export activity, and a checklist.

Since this guide is not a regulatory instrument, it is important to read it alongside the sections of the Act and the Regulation presented in Appendix 1.

- 1 Surface mineral substances (SMS) means peat; sand including silica sand; gravel; limestone; calcite; dolomite; common clay and argillaceous rocks used in the manufacture of clay products; all types of rocks used as dimension stone, crushed stone or silica ore or in the making of cement; and every mineral substance that is found in its natural state as a loose deposit, except the tilth, as well as inert mine tailings, where such substances and tailings are used for construction purposes, for the manufacture of construction materials, or for the improvement of soils.
- 2 The procedures applicable in the North are shown in text boxes in this guide.

What are the projects for which the promoter needs to organize a public consultation?

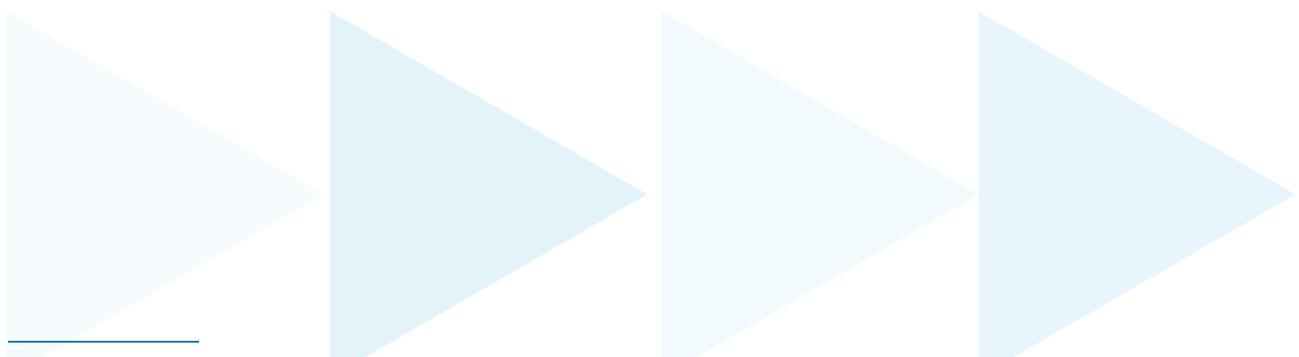
The promoter³ of a project to operate a metal mine with a production capacity of less than 2,000 metric tons per day must organize a public consultation in the region where the project is situated.

The obligation to organize a public consultation pursuant to the Act gives the Ministère de l'Énergie et des Ressources naturelles (MERN) an opportunity to add conditions before issuing the mining lease in order to limit conflicts with other land uses and take into account the project's social acceptability in the community.

For a project to extend an existing mine, the need to hold a public consultation depends on the specific circumstances. The project must be submitted for a public consultation under the Act if it requires a new mining lease and if the mine's total production capacity remains below 2,000 metric tons per day. A consultation is not necessary if the mine is an underground mine that is currently operating or where operations have been temporarily suspended, if the extension project concerns land that is adjacent to the land covered by the existing mining lease or mining concession. However, a project involving a new open pit or an extension to an open pit must, even on land adjacent to an operating mine, be submitted for a public consultation before the application for a mining lease is filed.

The obligation to hold a public consultation mentioned in the first paragraph also applies to projects to extract peat or surface mineral substances needed for an industrial activity or commercial export. In this case, the establishments subject to the requirement are establishments whose main activity is the extraction of surface mineral substances for industrial purposes or commercial export. Examples are provided in Appendix 2.

The holder of a mining lease who wishes to obtain a lease to extract surface mineral substances in connection with the operation of a mine (for example, to build and maintain roads), does not need to organize a new public consultation.



When must citizens be consulted?

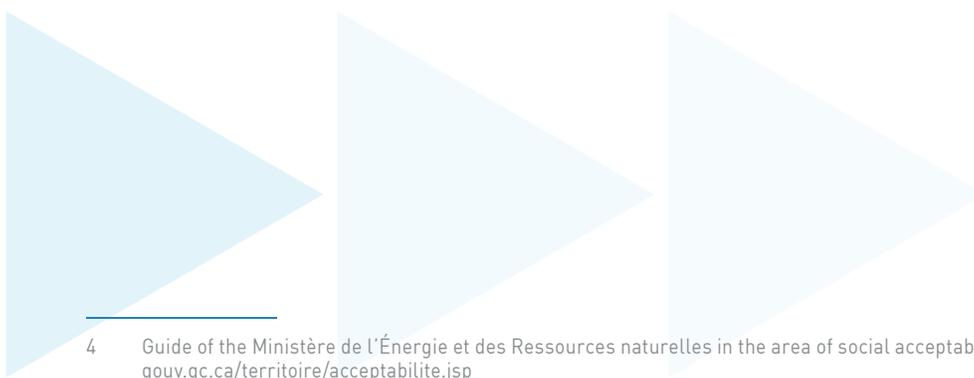
Under section 101.0.1 of the Mining Act, the promoter of a project for a metal mine must hold a public consultation before filing an application for a mining lease with the MERN. In other words, the public consultation must take place at the beginning of the process, as shown in the diagram on page 9.

In accordance with section 140.1, the promoter of a project to extract surface mineral substances must hold a public consultation after filing an application for a lease, as shown in the diagram on page 10.

The promoter of a project to extract peat must also hold a public consultation after filing an application for a lease. However, in this case, the consultation should only be held after the MERN has completed its preliminary analysis, as shown in the diagram on page 11.

The time limits shown in the diagrams are specified in the Mining Act. The processing of files at the MERN and MDDELCC is not necessarily synchronized. The boxes with broken borders show the actions of the promoter, while the boxes with full borders show the actions of the two government departments.

The green paper on social acceptability⁴ specifies that the MERN will support the steps taken by the promoter and ensure that the promoter establishes a liaison committee with local players to design a project that is likely to be well received by the community. These actions are shown in the diagrams.



4 Guide of the Ministère de l'Énergie et des Ressources naturelles in the area of social acceptability, Québec, 2015, (Online) <http://mern.gouv.qc.ca/territoire/acceptabilite.jsp>

Diagram 1: Critical pathway for the granting of a mining lease for a project subject to a public consultation pursuant to the Mining Act

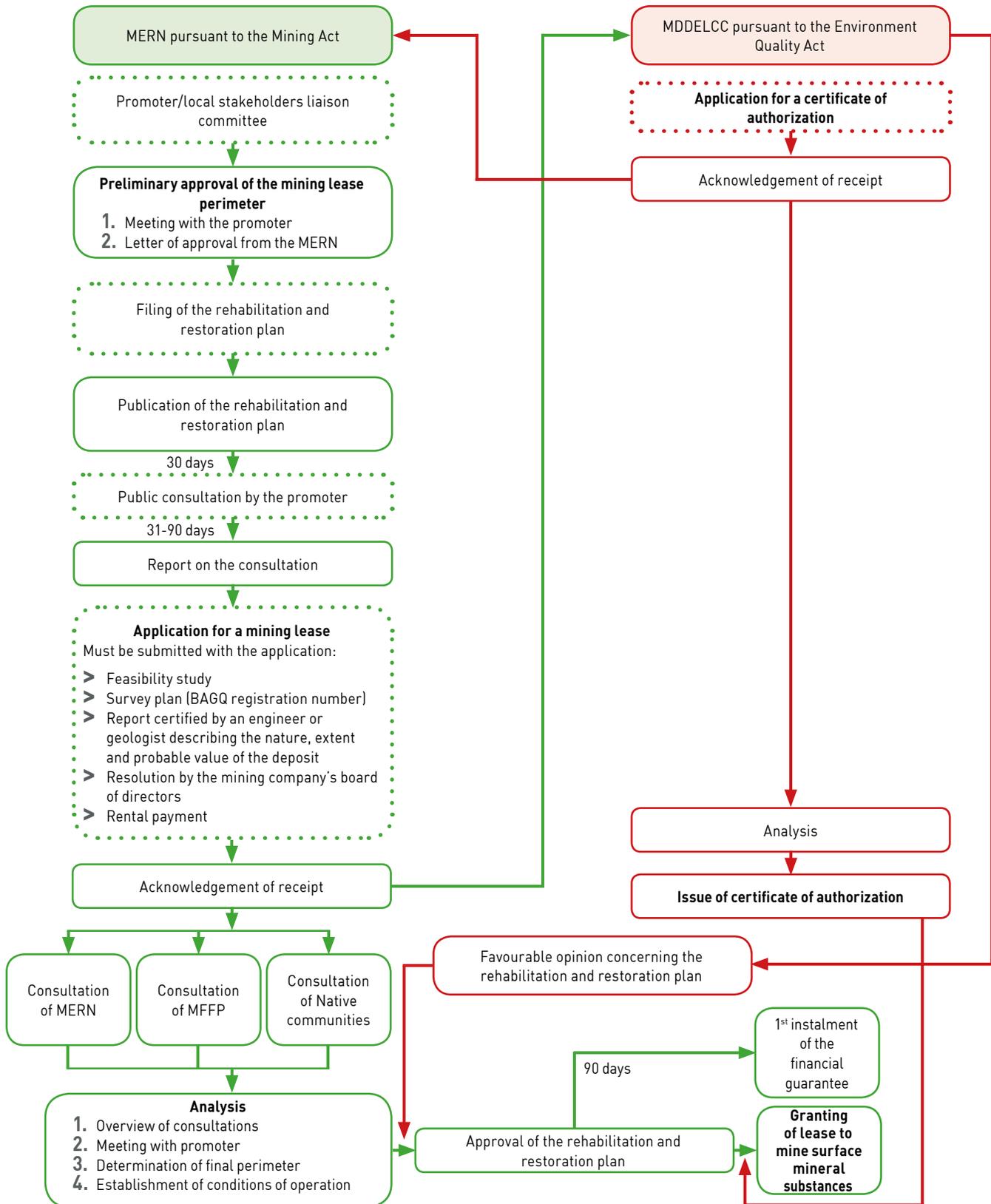
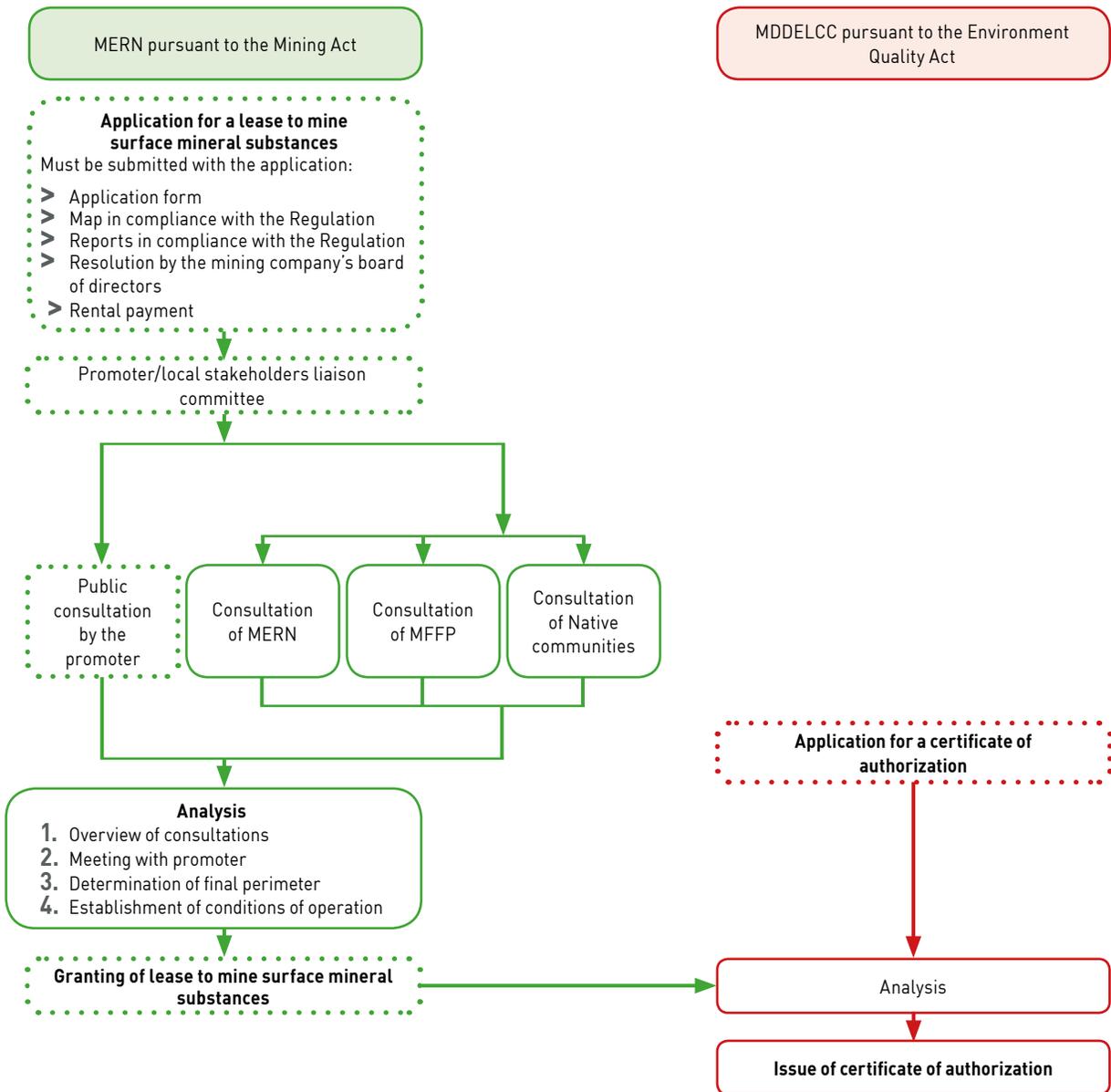
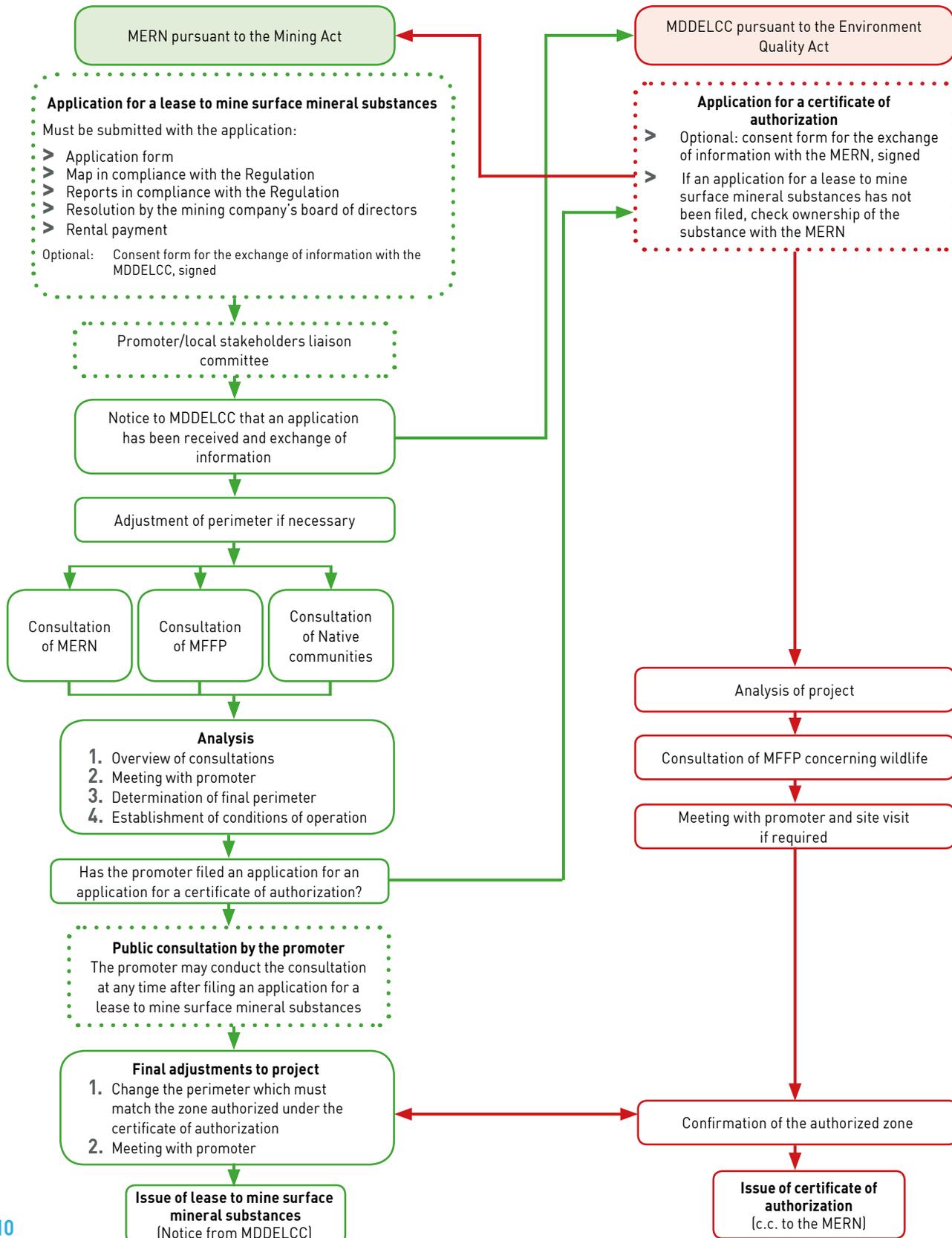


Diagram 2: Critical pathway for the granting of an exclusive lease to mine surface mineral substances (other than peat) for a project subject to a public consultation pursuant to the Mining Act



Note: See the list of abbreviations on page 4.

Diagram 3: Critical pathway for the granting of an exclusive lease for a project subject to a public consultation pursuant to the Mining Act (peat)



How long does a public consultation last?

A public consultation lasts a minimum of 60 days, beginning 30 days before the public meeting is held and ending 30 days after the meeting. During this period all interested parties may submit comments in writing to the promoter.

How is a public consultation organized?

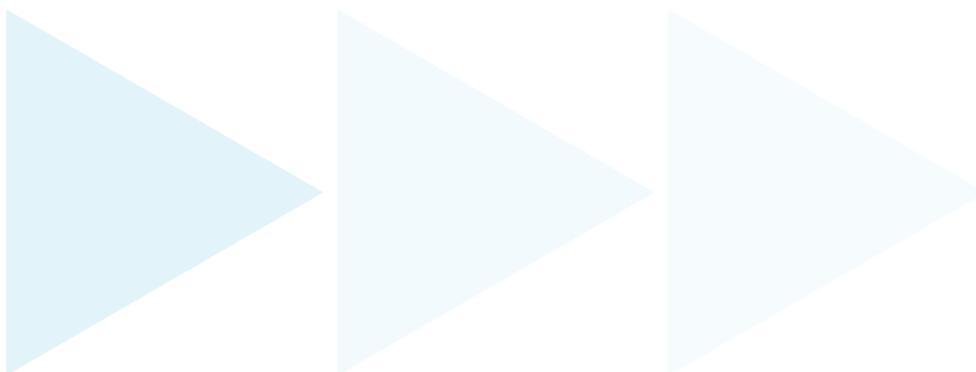
The promoter must announce the public consultation by publishing a notice in a daily or weekly newspaper distributed in the region where the project is situated, at least 30 days before the public meeting. A copy of the notice must be sent to the MERN, the MDDELCC, the Native communities consulted about the project by the government, if any, and the municipalities concerned.

The promoter may also inform any organizations or individuals directly concerned that a public consultation will be held, by sending them a letter or using any other means of communication.

It is suggested that the notice be posted in places frequently used by members of the community, such as community centres, hockey arenas and city halls. The consultation may also be announced on the radio, on social media or, with agreement, on the website of the local or regional county municipality.

What is the scope of the public consultation?

Under the Act, the promoter must organize the public consultation in the region where the project is situated. However, the terms «region» and «territory near the project site» are not defined in either the Act or the Regulation. The scope of the consultation depends on the geographical location and the infrastructures and access routes for the project, and also on the size of the area that may be negatively affected. For example, a project located near the boundary of an administrative region may create problems for the residents of a neighbouring region. People living outside the region, but who travel there for hunting, fishing or vacation purposes, for example, should also be informed about the consultation. Invitations can be sent to tourism associations and users' groups to contact these users.



Does the promoter need to consult Native communities?

During the public consultation, the promoter may receive comments from the Native communities affected by the project. The Regulation specifies that a copy of the notice announcing the public consultation must be sent to the Native communities "consulted by the Government" about the project. The promoter may ask the MERN for a list of the communities that have been or will be consulted.

Although the government has a constitutional requirement to consult the Native communities concerned, the promoter is encouraged to begin a dialogue with the communities as soon as the project is launched.

The diagrams on pages 7 to 9 show the stage during which the government consults Native communities in connection with a lease application.

All mining projects on land covered by northern agreements, more specifically in Eeyou Istchee James Bay and Nunavik, are subject to the environmental assessment procedure set out in Chapter II of the EQA, and promoters are not required to organize a public consultation pursuant to the Mining Act. However, they must produce the documents required, under the EQA, by the organizations responsible for the assessment and review procedure for environmental and social impacts, namely the Evaluating Committee (Comité d'évaluation, or COMEV), the Review Committee (Comité d'examen, or COMEX) and the Kativik Environmental Quality Commission (Commission de la qualité de l'environnement Kativik, or CQEK)⁵.

5 The Mining Act applies subject to the Act respecting the land regime in the James Bay and New Québec Territories (CQLR, chapter R-13.1), the Act approving the Agreement concerning James Bay and Northern Québec (CQLR, chapter C-67), and the Act approving the Northeastern Québec Agreement (CQLR, chapter 67.1) (section 341 of the Mining Act). See also, on the MDDELCC website, the link www.MDDELCC.gouv.qc.ca/evaluations/mil-nordique/index.htm.

What information must be included in the notice announcing the public consultation?

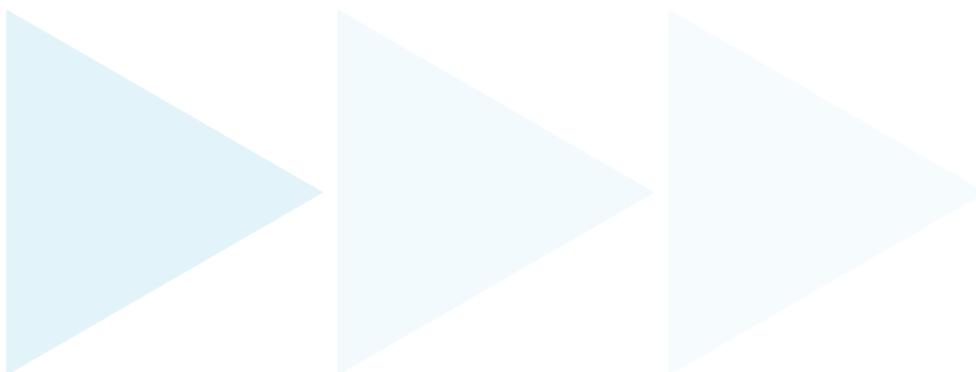
The notice must include, as a minimum,

- > an outline description of the project;
- > a map showing the site and the proposed infrastructures and access roads;
- > the website where detailed documentation is available, and the place where printed documents can be consulted;
- > the procedure and time limits for submitting comments;
- > the date, time and place of the public meeting;
- > a statement that any person may send written comments to the promoter not later than 30 days following the holding of the public meeting.

The documentation must remain available for the whole of the consultation period.

Under the Regulation, comments may be submitted to the promoter during a minimum 60-day period beginning 30 days before the public meeting and ending 30 days after the meeting.

Written comments may be submitted by e-mail, regular mail or personal delivery at the address indicated by the promoter.



EXAMPLE OF A NOTICE ANNOUNCING A PUBLIC CONSULTATION

FOR PUBLICATION IN: (name of the daily or weekly newspaper distributed in the region where the project is situated), edition dated (at least 30 days before the date of the public meeting)

Public consultation concerning: (name of project; substance extracted; for example, X gold mine, Y quarry, Z peat quarry)

(INCLUDE A MAP SHOWING THE LOCATION OF THE PROJECT)

The company (name of promoter) is holding a public consultation meeting on the following project: (name of project; substance extracted). The meeting will be attended by (names of the promoter's representatives and resource persons, if applicable) and will take place on (date), at (time), at (place).

The meeting will have two parts. During the first part, the project will be presented to the public. In the second part, the public will be asked for opinions and suggestions.

DESCRIPTION OF THE PROJECT (outline description of the project including, for example: the substance extracted, the fact that the project is situated on private or public land, the geographic location, the fact that the project is an open-pit or underground mine, the operational lifespan, the equipment, the infrastructures, the production capacity, the use of the product and the cost of the project).

Detailed documentation on the project as a whole is available to the public at (place). The documentation may be consulted from (date) to (30 days after the date of the public meeting) (include the opening hours). It is also available on the following website: (address of the promoter's website or another website).

Citizens may submit their questions and comments in preparation for the public meeting to the following address: (postal and e-mail address of the mine operator), before (deadline prior to the meeting). It is possible to use the form available on-line at the following address: (address of the promoter's website or another website).

The consultation is being conducted in accordance with section 101.0.1 (for metal mines) or 140.1 (for other mines) of the Mining Act, and sections 39.1 to 39.3 (for metal mines) and 39.1 and 39.2 (for other mines) of the Regulation respecting mineral substances other than petroleum, natural gas and brine.

Following the public meeting, citizens will be able to send written comments no later than (30 days after the date of the public meeting) to the following address: (promoter's postal and e-mail address).

What documents must be made available before the public meeting?

The mine operator must release detailed documentation about the project as a whole, including:

- a map showing the location of the site and the proposed infrastructures and access roads;
- a description of each phase of the project, with its duration;
- the expected benefits and disadvantages;
- the proposed mitigation measures;
- a description of the other uses of the territory near the project site.

The documentation must be as detailed as the documentation submitted to the MERN for the lease application. However, the documents should be summarized and made user-friendly, if necessary.

Under the Act, the rehabilitation and restoration plan, submitted for approval to the Minister responsible for the application of the Act, must be accessible to the public for information purposes at least 30 days before the consultation begins.

Should the promoter make other documents available to assist the consultation?

It is possible that one or more of the following issues will be raised at the public meeting:

- environmental concerns: protection for drinking water intakes, air quality, soil quality, groundwater, surface water and wetlands, emergency response procedures in the event of an accident, and mine site rehabilitation and restoration work;
- lifestyle and life quality concerns: dust, vibration, noise, odour and an increase in heavy traffic;
- social concerns: housing availability, post-closure impacts, and road maintenance and repair costs;
- the economic benefits generated by investment, local procurement and employment;
- the benefits arising from royalties on surface mineral substances and mining tax.

The documentation may review:

- the positive and negative impacts of the project on the environment;
- the biophysical environment;
- the promoter's suggestions and proposed mitigation measures for reducing damage to the environment that cannot be prevented by current technology;
- other mitigation measures to reduce project impacts;
- the methods and other measures proposed to control the emission of contaminants into the environment;
- the project's compliance with the laws and regulations concerning environmental impacts;
- the protection measures that the promoter intends to implement in the event of an accident.

The promoter may make public the documents used to estimate the project's economic benefits and the documents previously filed with the MERN to obtain a mining lease and with the MDDELCC to obtain a certificate of authorization.

Last, a promoter filing an application for a mining lease may discuss the establishment of a monitoring committee under section 101.0.3 of the Act, which specifies that the committee must be established within 30 days after the lease is issued.

What is the procedure for the public meeting?

Stages

During the first stage in the public meeting, the promoter describes the project and gives the public present the information needed to understand its nature and impacts. The promoter should prepare visual aids to clearly illustrate all aspects of the project.

For example, the presentation could include the following elements:

- > Presentation by the promoter
- > Type of project (type of mineral mined, use)
- > Location of mine site and transportation infrastructures
- > Characterization of the environment (biophysical environment and land uses)
- > Presentation of physical aspects of the project (mine site and transportation)
- > Technical aspects of the project
- > Impacts on communities
- > Benefits for communities
- > Other advantages and disadvantages
- > Environmental impacts (impacts on surface water and wetlands and on habitats, potential contaminants, etc.)
- > Mitigation and control measures planned to ensure the project's compliance with the applicable laws and regulations
- > Protection measures planned to respond to incidents or accidents at the mine site
- > Concepts for the restoration of the mine site following closure

During the second stage of the meeting, the promoter can receive comments and suggestions about the project from citizens and answer their questions, promoting an open and transparent dialogue. A promoter who is unable to respond fully to a question during the meeting may offer to forward an answer to the person who asked the question within a reasonable time, and to publish the answer on the website where the other documentation is made available.

The comments may be recorded in a register.

Last, citizens should be invited to consult the promoter's website regularly to obtain updates on the project and on the monitoring committee that will be established once the consultation period has ended, if applicable.

Times and place

The public meeting is a crucial step, since it gives the promoter an opportunity to introduce its project to the general public. To promote citizen participation, the meeting must be held at a place and time that suit as many interested parties as possible. For this reason, it is recommended that the meeting be held in the evening, and not on a holiday or during the weekend.

Depending on the scope of the project and the expectations expressed by the public, the meeting could be held on more than one day, or in more than one place. If the project affects a large area, it may be necessary to hold more than one public meeting in order to reach the population affected.

Material organization

The room layout must make it easily accessible for the participants. It must be safe and comfortable. Communication tools such as a screen, sound system and paper must be available for the participants as required.

Recording of the meeting

The promoter must ensure that all conversations and comments at the public meeting are recorded, as required by the Regulation. Individuals who do not wish their comments to be recorded may be asked to submit them to the promoter in writing.

Right to speak

Various methods can be used to give citizens time to ask questions or make comments, such as :

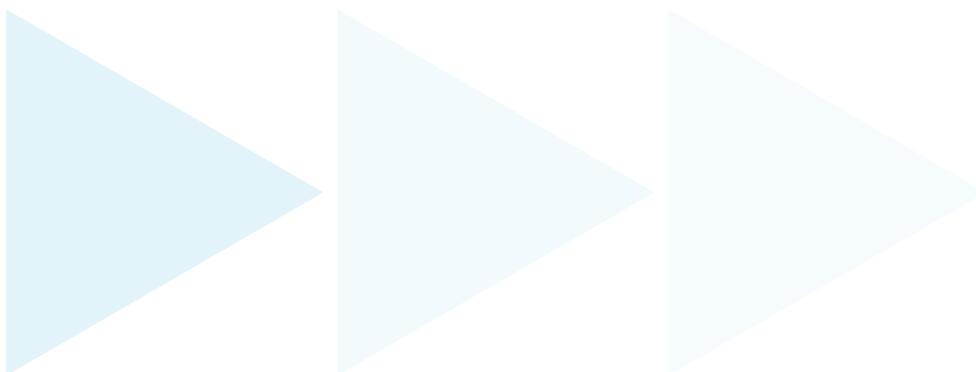
- > the presence of a moderator;
- > a time limit for each question and answer;
- > microphones distributed throughout the room to allow participants to speak in turn;
- > a register listing the names of all the people who wish to speak.

Ideally, all the people who wish to speak should have an opportunity to do so.

When and how should written comments be sent to the promoter?

Comments may be submitted before the meeting. After the meeting, individuals still have 30 days to submit comments to the promoter in writing. The promoter must inform the public of the postal or electronic address where comments can be sent.

The use of a form is not compulsory, but makes it easier to compile the comments received when the report on the consultation is drafted.



When is a report on a public consultation required?

Only the promoter of a metal mine project is required to draft a report on the consultation.

The Act does not require a report on a consultation concerning a project to extract surface mineral substances or peat. However, in keeping with an open and transparent approach and to establish a strong relationship with the communities concerned, the promoter may decide to draft a report on the consultation.

What must be included in the report on a public consultation?

The report must include the questions the promoter is asked about the project and the answers given. It must also include a copy of all the written comments received by the promoter.

The report is not a complete transcription of everything said at the public meeting. Instead, it is a summary of the opinions and concerns expressed by citizens during the public meeting.

The report must also contain the usual information on the project and the public consultation, such as the date, time and place of the public meeting, the name of the promoter, the nature of the project, the number of participants, etc.

The report should indicate the changes that the mine operator has already made, or expects to make, to the project based on the comments made by citizens. If no changes are required, the promoter should explain why.

How long does the promoter have to file the report?

The promoter must send the report on the consultation to the MERN and the MDDELCC between 31 and 90 days after the public meeting.

The promoter must post a copy of the report on a website not later than 15 days after sending it to the MERN and MDDELCC. The promoter should also provide access to any new version of the project with the changes made in response to the public consultation.



What role do the MERN and MDDELCC play in a public consultation?

A public consultation held pursuant to the Act is under the sole responsibility of the promoter of the mining project concerned, and is completely separate from the public consultation provided for in the EQA. The MERN and MDDELCC may act as observers during a public meeting. A MERN representative may be present during the consultation to ensure that it is conducted in compliance with the Regulation, and the MERN may impose additional measures if this is not the case.

What happens in the case of a non-metallic mine?

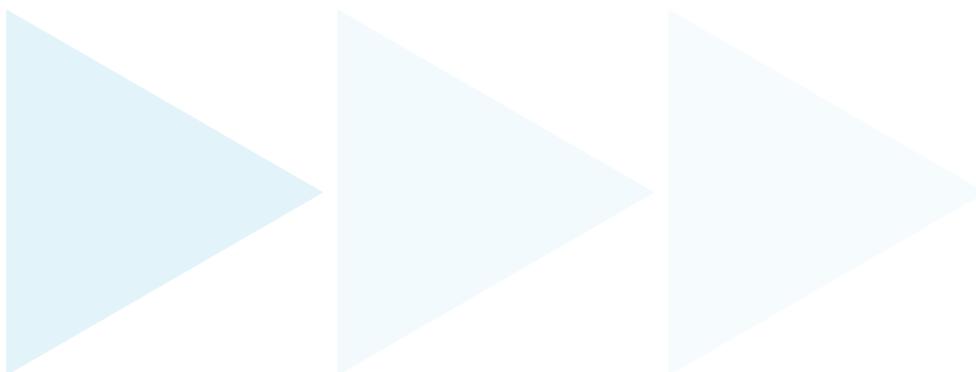
The Regulation respecting environmental impact assessment and review (CLRQ, chapter Q-2, r. 23), made under the provisions of Division IV.1 of the EQA, specifies that an environmental impact assessment must be conducted for :

- > the opening of a mine for a non-metallic ore, such as a graphite mine, with a production capacity of 500 metric tons or more per day;
- > the construction of a mill or an ore processing plant for a non-metallic ore, where the processing capacity of the plant is 500 metric tons or more per day.

Projects for mines or ore processing plants for a non-metallic ore with a production capacity below 500 metric tons per day must, however, obtain a certificate of authorization from the MDDELCC pursuant to section 22 of the EQA.

By law, a public consultation does not need to be held for these projects, but a mining lease must be obtained before operations begin, pursuant to section 101 of the Mining Act. The Minister may, pursuant to section 101, subject the mining lease to conditions designed to avoid conflicts with other uses of the territory.

The promoter of a project of this kind may hold a public consultation on its own initiative. If it fails to do so, the MERN may itself organize a consultation in the region where the project is situated to ensure, in particular, that there are no conflicts with other uses of the territory.



Sections of the mining act and the Regulation respecting mineral substances other than petroleum, natural gas and brine

Sections 101.0.1 and 140.1 of the Mining Act define the general framework for public consultations.

Mining Act, s. 101.0.1 – Metal mine, less than 2,000 metric tons per day

In the case of a metal mine project where the mine has a production capacity of less than 2,000 metric tons per day, the applicant for a mining lease must, before submitting the application and in the manner prescribed by regulation, hold a public consultation in the region where the project is situated. The applicant shall then send a report on the consultation to the Minister and the Minister of Sustainable Development, Environment and Parks.

The rehabilitation and restoration plan required under section 232.1 must be accessible to the public at least 30 days before the consultation begins. The Minister may, if he deems that the consultation was not carried out in the manner prescribed by regulation, impose any additional measure.

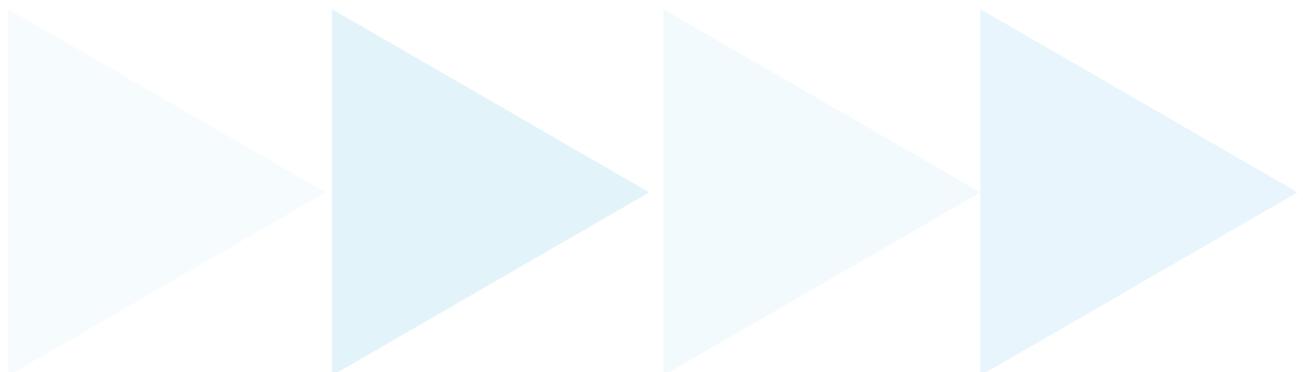
The first paragraph does not apply to a rare earth project.

Mining Act, s. 140.1 – Peat and surface mineral substances used in industrial activity or commercial export

An applicant for a peat lease or a lease to carry on an industrial activity or to engage in commercial export shall hold a public consultation on the project in the region where the project is situated and in the manner prescribed by regulation after submitting the application.

At the Minister's request, the applicant shall provide the Minister with any document or information relating to the public consultation. If the Minister finds that the consultation was not carried out in the manner prescribed by regulation, the Minister may impose any additional measure.

The Minister may subject the lease to conditions designed to avoid conflicts with other uses of the territory or to follow up on comments received during the public consultation.



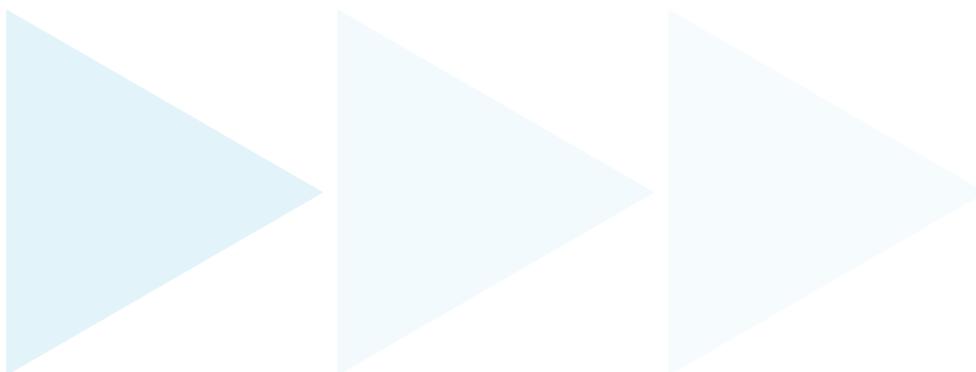
Sections 39.1 to 39.3 and 56.1 of the Regulation respecting mineral substances other than petroleum, natural gas and brine introduce specific rules for the notice announcing the public consultation, the holding of the meeting and the report on the consultation.

Regulation, s. 39.1 – Notice announcing the public consultation

The public consultation required under section 101.0.1 of the Act, which includes the holding of a public meeting, is to be announced by means of a notice containing the following information:

1. a description of the project;
2. a map showing the location of the project site;
3. the location and the website where the detailed documentation concerning the project as a whole may be consulted. The documentation includes, in particular, the proposed infrastructures and access roads, a description of the various stages of the project and the planned duration of each stage, the expected benefits and disadvantages of the project, the proposed mitigation measures and a description of the other uses of the territory near the project site;
4. the means to be used and the time limits to submit comments;
5. the time and place where a public meeting will take place, which must facilitate the participation of the public;
6. the possibility for any person to send written comments not later than 30 days following the holding of the public meeting.

The notice must be published in a daily newspaper or a weekly newspaper circulated in the region of the project at least 30 days before the public meeting is held. A copy of the notice must be sent to the Minister, to the Minister of Sustainable Development, the Environment and the Fight Against Climate Change, to the municipalities concerned and to the Native communities consulted by the Government in respect of the project, where applicable.



Regulation, s. 39.2 – Organization of the public meeting

During the public meeting, the project is presented and persons wishing to express themselves are heard. The interventions made at the public meeting must be recorded.

Regulation, s. 39.3 – Metal mine, less than 2,000 metric tons per day – Report on the consultation

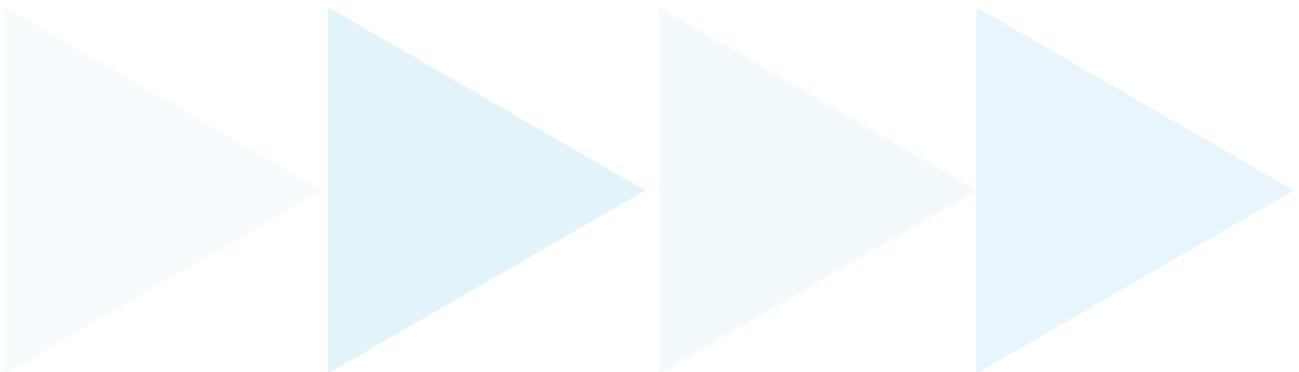
A report on the consultation must be sent to the Minister and to the Minister of Sustainable Development, the Environment and the Fight Against Climate Change within 31 to 90 days of the holding of the public meeting. The report states in particular the requests made by the population and the Native communities concerned, where applicable, and the promoter's proposals regarding those requests.

The report is accompanied by a copy of all the comments received by the promoter during the consultation.

The promoter publishes the report on a website not later than 15 days after sending it to the ministers.

Regulation, s. 56.1 – Peat and mineral substances used in industrial activity or commercial export

Sections 39.1 and 39.2 apply, adapted as required, to the public consultation required under section 140.1 of the Act.



Classification of operations by link with an industrial activity or commercial export activity

Based on the North American Industry Classification System (NAICS) 2012.

A – Extraction for an industrial activity or commercial export activity

This group includes establishments whose main activity is the quarrying of non-metallic ore for industrial or commercial export purposes.

Once extracted from the quarry, the surface mineral substances necessary for industrial activity or commercial export purposes are transported to be treated or processed (cleaning, grain size grading, crushing, cutting) and sold as a value-added product or used to supply a plant for the manufacture of concrete, cement, brick, asphalt, ceramics or pottery.

Surface mineral substances may be extracted, for example, for an industrial activity or commercial export activity to produce:

- > dimension stone (granite, limestone, marble, sandstone);
- > flagstones;
- > tombstones and ornamental stone;
- > stone for monuments;
- > rough construction stone;
- > decorative aggregate;
- > dolomite for pellet plants;
- > limestone for cement plants;
- > agricultural lime;
- > slate for flagstones and roofing slates;
- > kaolin;
- > clay schist;
- > refractory ore for brick manufacture;
- > clay for ceramics and pottery;
- > industrial sand;
- > abrasive sand;
- > filtration sand;
- > foundry sand.

B – Extraction not connected with an industrial activity or commercial export activity

This group includes establishments whose main activity is the extraction of non-metallic minerals for purposes other than industrial or commercial export purposes.

The extraction sites may include initial preparation units, such as those that break, crush and wash minerals. The surface mineral substances are then transported and used directly for infrastructure projects for public services, road, bridge and dam construction, subdivisions, landscaping and civil engineering works, whether for new construction or for the rebuilding, repair, enlargement, transformation or maintenance of existing structures and facilities. The work may be performed on behalf of the Ministère des Transports du Québec, Hydro Québec, the SEPAQ, a ZEC, a regional county municipality, a Native community or a forestry company.

Surface mineral substances may be extracted, for example, for a purpose unconnected with an industrial activity or commercial export activity, in the form of:

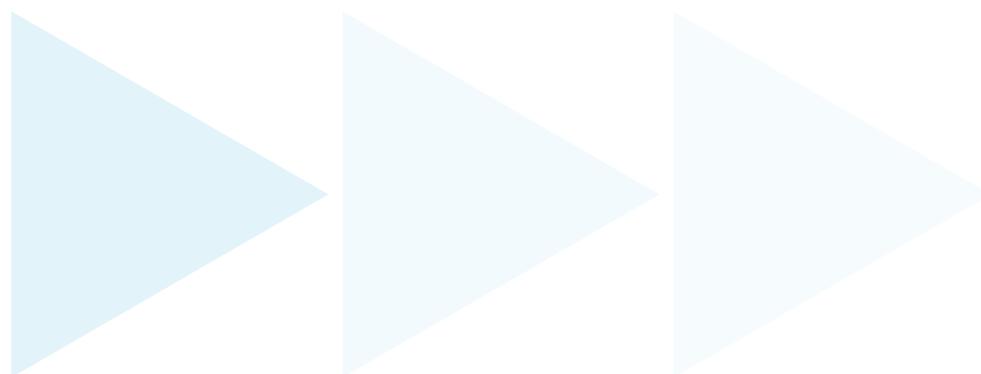
- > crushed stone;
- > rock fill;
- > sand, gravel and till;
- > various aggregates.

Checklist: Relevant information on public consultations

	Metal mine with a capacity of less than 2,000 mt/d	Extraction of surface mineral substances – Industrial activity or commercial export activity	Extraction of peat
Timing of consultation	<ul style="list-style-type: none"> > Before filing the application for a mining lease 	<ul style="list-style-type: none"> > After filing an application for a lease to mine surface mineral substances 	<ul style="list-style-type: none"> > After filing an application for a lease to mine surface mineral substances Once the MERN's preliminary analysis has been completed
Consultation process	<ul style="list-style-type: none"> > Publication of a notice in a daily or weekly newspaper in the region 30 days before the meeting. > Mailing of a copy of the notice to the MERN, the MDDELCC, the Native communities and the municipalities concerned. > Organization of the meeting: information stage, comments stage, and recording. > Written comments submitted to the promoter no later than 30 days after the public meeting. > The MERN may impose additional measures if the consultation is not conducted in compliance with the Regulation. 		
	<ul style="list-style-type: none"> > Report on the consultation sent to the MERN and the MDDELCC between 31 and 90 days after the meeting 	<ul style="list-style-type: none"> > The promoter provides any document or information relating to the public consultation at the request of the MERN. > The MERN may add conditions to the lease to avoid conflicts with other uses of the territory. > The MERN may take into consideration the comments received during the public consultation. 	
Documents required	<ul style="list-style-type: none"> > Description of the project > Map showing the location of the mine site, infrastructures and access roads > Description of other land uses on and close to the site > Description of each of the phases of the project and their respective duration > Analysis of the expected benefits and disadvantages > Mitigation measures 		
	<ul style="list-style-type: none"> > Rehabilitation and restoration plan as submitted to the MERN for approval 		
Complementary documents	<ul style="list-style-type: none"> > Estimate of economic benefits > Documents previously filed with the MERN and the MDDELCC to obtain a lease or certificate of authorization 		

Checklist: Main laws and regulations applicable

	Metal mine with a capacity of less than 2,000 mt/d	Extraction of surface mineral substances – Industrial activity or commercial export activity	Extraction of peat
MERN	<ul style="list-style-type: none"> > Mining Act, s. 101.0.1 > Regulation respecting mineral substances other than petroleum, natural gas and brine, ss. 39.1 to 39.3 	<ul style="list-style-type: none"> > Mining Act, s. 140.1 > Regulation respecting mineral substances other than petroleum, natural gas and brine, ss. 39.1, 39.2 and 56.1 	
MDDELCC	<ul style="list-style-type: none"> > Environment Quality Act, ss. 22, 31.5, 164 and 201 > Regulation respecting environmental impact assessment and review, s. 2 > Directive 019 on the mining industry 	<ul style="list-style-type: none"> > Regulation respecting pits and quarries 	<ul style="list-style-type: none"> > Directive on wetlands and environmental authorizations





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