



June 19, 2015
Government of Nunavut's 2014 Draft
Nunavut Land Use Plan Review Report

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Acronyms & Terms

DNLUP; 'the Plan' – 2014 Draft Nunavut Land Use Plan
DOE – Department of Environment
DIOs – Designated Inuit Organizations
GN – Government of Nunavut
NLCA – *Nunavut Land Claims Agreement*
NUPPAA – *Nunavut Planning and Project Assessment Act*
NSA – Nunavut Settlement Area
O&R – Options & Recommendations document

Executive Summary

Pursuant to Article 11 of the *Nunavut Land Claims Agreement* (“NLCA”) and sections 49- 51(1) of the *Nunavut Project Planning and Assessment Act* (NUPAA), the Nunavut Planning Commission (“NPC”) has the responsibility to develop land use plans that guide and direct resource use and development. After a period of consultation, a draft land use plan is prepared, and the NPC makes the draft land use plan public and solicits written and oral comments from all appropriate federal and territorial government agencies, Designated Inuit Organizations (DIOs), communities and the general public.

Subsequently, the NPC is responsible for holding public hearings and, as appropriate, revising the draft plan before submitting it along with a written report of the public hearings to the Federal Minister of Aboriginal Affairs and Northern Development, the Nunavut Minister of Environment, and Nunavut Tunngavik Incorporated for joint acceptance or rejection.

The NPC has prepared and made public a Draft Nunavut Land Use Plan (DNLUP) and has solicited comments from appropriate parties. As per the NPC’s *Rules of Procedure for Public Hearings and Public Reviews*, on May 1st, 2015, the NPC issued a notice for a public hearing on the DNLUP at a future unknown date.

In advance of the public hearing the NPC has scheduled a Meeting of Technical Experts on June 23rd – 26th and a Pre-Hearing Conference on July 14th – 16th 2015.

The Government of Nunavut (“GN”) has been an active participant and Party to the NPC review process for the DNLUP; participating in the NPC’s community consultation processes and various workshops, contributing to the 2012 Third Party Independent Review of the DNLUP (after which many GN comments on the DNLUP were addressed), as well as the GN’s own internal departmental review of several iterations of the DNLUP (and associated documents) by GN departments of:

- Community & Government Services;
- Culture & Heritage;
- Economic Development & Transportation;
- Environment;
- Executive & Intergovernmental Affairs;
- Health;
- Justice; and
- Nunavut Research Institute.

This document, the GN’s *2014 Draft Nunavut Land Use Plan Review Report*, has been prepared by the GN to support its participation in the next stages of the land use planning process: the Technical Workshop (June 2015), Pre-Hearing Conference (July 2015), and Public Hearing (as yet unscheduled). This Report is the product of comprehensive departmental review and discussion, and presents the GN’s observations and comments on the 2014 DNLUP, the Options and Recommendations (O&R) document, and supporting Schedules and Appendices.

The Report mirrors the format of the 2014 DNLUP with comments separated by the Chapter and Section of the DNLUP or O&R which they pertain to.

Documents considered in this reviewed, in whole or in part, include:

- NPC Draft Nunavut Land Use Plan 2014;
- NPC Draft Nunavut Land Use Plan: Options & Recommendations 2014;
- NPC Draft Nunavut Land Use Plan 2011/2012;
- NPC Draft Nunavut Land Use Plan: Options & Recommendations 2011/2012;
- NPC Responses to GN Comments. May 28, 2014;
- *The Nunavut Land Claims Agreement*;
- *The Nunavut Planning and Project Assessment Act*;
- Various maps & documentation found on NPC website: www.nunavut.ca.

Key Findings and Recommendations

The GN's review, comments and recommendations were based on the following key considerations:

- The requirements and principles of the *Nunavut Project Planning and Assessment Act*; in keeping with the spirit and intent of the *Nunavut Land Claims Agreement*;
- The requirements of the laws and regulations of Nunavut; and
- The priorities of the Government of Nunavut and Nunavummiut.

Ultimately, the GN's participation in the review and comments on the DNLUP has been consistent with its goals and priorities as articulated under "*Sivumut Abluqta: Stepping Forward Together*". These priorities include promoting economic growth through responsible development across all sectors that will provide Nunavummiut with a wide range of employment options. For this reason, the GN's position is that the Nunavut Land Use Plan must clearly apply sound regulatory processes to attract and manage responsible resource development, must work in concert with Nunavut's wildlife co-management partners to ensure that a sound wildlife management system is in place to benefit Nunavummiut, and must encourage and support economic development initiatives that build on and add value to identified areas of potential, including the harvesting, arts and tourism sectors.

The GN's review of the DNLUP has identified several key deficiencies in these areas that must be addressed. Specifically:

Apply sound regulatory processes:

- Provide further clarification on the NPC's role and authority as defined in NUPPAA and the NLCA with respect to the following processes: direction to regulatory authorities and proponents on the mitigation of impacts, review of transboundary effects, screening of cumulative impacts, and the Parks Establishment Process; and

- Provide detailed explanation and, where applicable, process maps / timelines / criteria to ensure consistent and transparent procedures for the following: conformity determinations, screening for cumulative effects, and protocols for projects occurring in more than one land use designation.

Ensure that a sound wildlife management system is in place:

- Apply a consistent land use designation of “Protected Area” to all caribou core-calving areas and associated key access corridors with prohibitions on industrial activities;
- Apply a consistent land use designation of “Special Management Area” with seasonal restrictions in caribou post-calving areas, migration corridors, and rutting areas, and provide further direction to proponents in terms of exceptions and conformity requirements to demonstrate consideration of these areas.
- Include essential data sets for proponents and land managers as provided by the GN for the areas listed above.

Encourage and support economic development initiatives:

- Remove prohibitions on the establishment of tourism facilities, conservation areas and parks in areas of “high known mineral potential” in order to allow the potential for diverse economic opportunities.

Additionally, the GN is seeking further clarity around the processes for developing, implementing and revising the Plan, as described below.

Plan development, implementation, amendment and review:

- Provide clarity on definitions for prohibited uses and consistency in the terminology for various types of land uses discussed in the DNLUP;
- Describe how community priorities and values for land use were incorporated into the land use designations and directions made in the Plan;
- Describe the conformity determinations that will be applied to project proposals as a result of the community priorities and values and community land uses identified in Tables 3-5;
- Describe the process that will be used to routinely update data sets and general information in the Plan without triggering a formal Plan Amendment or Review; and
- Provide greater clarity around the processes for Incremental Planning, Plan Amendment, Periodic Review, and revision of the Plan.

Note: The GN has provided a comprehensive list of recommendations for revising the DNLUP in Appendix A. Further rationale for these recommendations and reference to relevant sections of the DNLUP, O&R document, and supporting Schedules and Appendices can be found in the main text of the Report.

Introduction

Pursuant to Article 11 of the NLCA and sections 49- 51(1) of NUPPAA, the NPC has the responsibility to develop land use plans that guide and direct resource use and development. After a period of consultation, a draft land use plan is prepared, and the NPC makes the draft land use plan public and solicits written and oral comments from all appropriate federal and territorial government agencies, Designated Inuit Organizations (DIOs), communities and the general public.

As per the NPC's *Rules of Procedure for Public Hearings and Public Reviews*, on May 1st, 2015, the NPC issued a notice for a public hearing on the DNLUP at a future unknown date. In advance of the public hearing the NPC has scheduled a Meeting of Technical Experts on June 23rd – 26th and a Pre-Hearing Conference on July 14th – 16th 2015.

This document, the GN's *2014 Draft Nunavut Land Use Plan Review Report*, has been prepared by the GN to support its participation in the next stages of the land use planning process: the Technical Workshop (June 2015), Pre-Hearing Conference (July 2015), and Public Hearing (as yet unscheduled). This Report is the product of comprehensive departmental review and discussion, with comments contributed by the following authors:

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Definitions

DNLUP Review Comment # D-001	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Inconsistent usage of the term 'minor variance' throughout the DNLUP
References	DNLUP. 2014. Definitions: "Minor Variance", p. 9. DNLUP. 2014. Chapter 7: Section 7.8 <i>Minor Variance</i> , p. 48.
SUMMARY OF NPC'S CONCLUSIONS	
<p>The DNLUP defines a minor variance as, "relief or reasonable deviation from certain Terms of a Land Use Designation while not permitting additional uses or changing a Land Use Designation," (Definitions, p. 9, DNLUP).</p> <p>Section 7.8 (DNLUP, p. 48) provides further explanation of a minor variance:</p> <p>"A Minor Variance is a small change to a Term in the Plan. An application for a Minor Variance will be considered when the NPC determines that a project proposal does not conform to the Plan, but is eligible to be considered for a Minor Variance."</p> <p>And,</p> <p>"To be considered minor the change must be less than a 50% reduction to: the distance established by a setback or; the timing of a seasonal access restrictions as established in the Plan."</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The definition of this term is inconsistent throughout the DNLUP document and therefore potentially misleading to users of the Plan. The meaning of minor variance, as stated in Section 7.8, does not come from the NLCA or NUPPAA.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Ensure consistent definition of the term 'minor variance' when used throughout the DNLUP.</p>	

DNLUP Review Comment # D-002	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	“Proposed Territorial Park” definition
References	DNLUP. 2014. Definitions: “Proposed Territorial Park”, p 10.
SUMMARY OF NPC’S CONCLUSIONS	
<p>Currently, the definition for a Proposed Territorial Park in the DNLUP is as follows:</p> <p>“Proposed Territorial Park means an area that approved by the Government of Nunavut to be established as a Park in accordance with the Nunavut Land Claims Agreement (NLCA) and <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area</i> (IIBA) [sic],” (DNLUP, p. 10).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>To achieve status as a Proposed Territorial Park, the area must first undergo considerable background and feasibility study, extensive consultation, and have political and community support in place.</p> <p>The definition should be modified to provide the necessary context for understanding the substantial work required to reach "Proposed Territorial Park" status.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>The following changes to the term “Proposed Territorial Park,” as found in the Definitions section of the DNLUP, are recommended:</p> <p>“Proposed Territorial Park means an area that has undergone considerable background and feasibility study, has community and Regional Inuit Association support and has been approved by Government of Nunavut to proceed in accordance to the legal obligations and processes as outlined under the Nunavut Land Claims Agreement (NLCA) and <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area</i> (IIBA).”</p>	

DNLUP Review Comment # D-003	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	“Territorial Parks Awaiting Full Establishment” definition
References	DNLUP. 2014. Definitions: “Territorial Parks Awaiting Full Establishment”, p 11.
SUMMARY OF NPC’S CONCLUSIONS	
<p>Currently, the definition for Territorial Parks Awaiting Full Establishment in the DNLUP is as follows:</p> <p>“Territorial Parks Awaiting Full Establishment means approved parks that are listed under Schedule 2-1 of the <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks</i> but have not yet been designated under the <i>Territorial Parks Act</i>,” (DNLUP, p. 11).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>Territorial Parks Awaiting Full Establishment are those parks that have been formally approved by the GN and are currently treated as Territorial Parks.</p> <p>The list of Territorial Parks provided in Schedule 2-1 of the <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks</i> is not inclusive of all approved Territorial Parks Awaiting Full Establishment in Nunavut. The definition included in the DNLUP should be revised accordingly.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>The following changes to the term “Territorial Park Awaiting Full Establishment” as found in the "Definitions" section of the DNLUP are recommended:</p> <p>“Territorial Parks Awaiting Full Establishment means parks which have been approved by the Government of Nunavut and are treated as Territorial Parks. These parks, including those listed under Schedule 2.1 of the <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks</i> (as may be amended from time to time), are under the land withdrawal process and/or have not yet been legally designated under the <i>Territorial Parks Act</i>.”</p>	

DNLUP Review Comment # D-004	
Department	Economic Development & Transportation

Organization	Government of Nunavut
Subject/Topic	Prohibited Uses are Undefined
References	DNLUP. 2014. Table 1 – “Prohibited Uses,” throughout (p. 54-70).
SUMMARY OF NPC’S CONCLUSIONS	
<p>“Prohibited Uses” listed in Table 1 of the DNLUP with respect to various Protected Areas include:</p> <ul style="list-style-type: none"> - Mining; - Oil and gas; - Mineral exploration and production; - Oil and gas exploration and production; - Quarries; - Hydro development - All-weather roads; and - Related research. 	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>Many of the prohibited uses listed in Table 1: Land Use Designations do not have a definition assigned to them in the Definitions section of the DNLUP. This could lead to future misinterpretations of the Plan.</p> <p>There is apparent inconsistency in the use of land use terms, and lack of clarity on their definition, in the DNLUP. Examples include:</p> <ul style="list-style-type: none"> - ‘Oil and gas’ vs. ‘oil and gas exploration and development’; - ‘Hydro development’ vs. ‘hydro-electrical and related infrastructure’ (the latter is defined in the DNLUP), vs. ‘alternative energy’ (not defined, but which includes hydroelectric as well as wind and solar in S. 4.3 of DNLUP). For example, it is not clear if other forms of energy production (alternative, fossil fuel, nuclear) are intentionally excluded from the prohibited uses in Protected Areas (see Comment #D-005 below). 	
REVIEWER’S RECOMMENDATIONS	
<p>Include definitions for all terms found in Table 1 in the DNLUP, including those terms listed as Prohibited Uses: ‘Mining’, ‘Oil and Gas’, ‘Quarries’, ‘Mineral Exploration and Production’, ‘Oil and Gas Exploration and Production’, ‘All-Weather Roads’, and ‘Related Research.’</p> <p>In developing the definition of ‘Quarries’ the NPC should consider Article 19, Part 9 of the NLCA concerning Inuit rights to carving stone.</p> <p>Provide clarity on definitions for, and consistency in the use of, terminology for various types of land uses discussed in the DNLUP.</p>	

DNLUP Review Comment # D-005	
Department	Economic Development & Transportation.
Organization	Government of Nunavut
Subject/Topic	Hydro development vs. Hydro-electrical and Related Infrastructure
References	DNLUP. 2014. Definitions – “Hydro-electrical and Related Infrastructure”, p. 9. DNLUP. 2014. Table 1 – “Prohibited Uses,” throughout (p. 54-70).
SUMMARY OF NPC’S CONCLUSIONS	
<p>“Hydro-Electrical and Related Infrastructure means all infrastructures related to the operation, maintenance of hydro-electrical facilities and associated distribution network,” (DNLUP, p.9).</p> <p>And in Table 1, throughout:</p> <p>“Prohibited Uses: ... hydro development...”</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>In Table 1 'hydro development' is often listed as a prohibited land use in Protected Area designations. The Definitions section however, does not include this term and instead lists the term 'Hydro-Electrical and Related Infrastructure'.</p> <p>It is not clear if 'hydro development' is defined by what is included in the definition of 'hydro-electrical and related infrastructure.' If this is the case, it should be explicit in the DNLUP as the implications are significant. It is not clear if other forms of energy production (alternative, fossil fuel, nuclear) are intentionally excluded from the prohibited uses in Protected Areas.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Clarify if 'hydro development' as used in Table 1 is equivalent to 'hydro-electrical and related infrastructure' in the Definitions section of the DNLUP.</p> <p>Consider using only one term for consistency if this is the case. If it is not, then provide a separate and distinct definition for “hydro development.”</p> <p>Confirm if other forms of energy production are intentionally excluded from the Protected Area designations.</p>	

Chapter 1: Land Use Planning in the Nunavut Settlement Area

DNLUP Review Comment # 1-001	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Incremental Planning
References	DNLUP. 2014. Chapter 1: Sub-section 1.4.1 <i>Incremental Planning</i> , p. 15-16.
SUMMARY OF NPC'S CONCLUSIONS	
<p>"The Commission is taking an incremental approach to the development of the Nunavut Land Use Plan. Since it is not feasible to develop a completely comprehensive land use plan for such a vast area in a reasonable timeframe and on a reasonable budget, choices need to be made regarding which issues are addressed in a 'first generation' plan," (DNLUP, p. 15-16).</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>Stakeholders need to be able to plan their meaningful participation in the proposed incremental planning process, and understand the process by which issues or geographic areas will be prioritized as the Plan evolves.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Include a timeline and additional description that outlines the long-term approach the NPC intends to follow in its incremental development of the Plan.</p>	

DNLUP Review Comment # 1-002	
Department	Department of Environment
Organization	Government of Nunavut
Subject/Topic	Community Consultation

References	DNLUP. 2014. Chapter 1: Sub-section 1.4.2 <i>Consultation</i> , p. 16-17; DNLUP. 2014. Chapter 7 Tables 3, 4 and 5, p. 73-75
SUMMARY OF NPC’S CONCLUSIONS	
<p>Sub-section 1.4.2 <i>Consultation</i> states that through its consultation efforts, “the NPC has learned a great deal about the priorities and values of residents...” and “... has considered these priorities and values and has prepared this plan to reflect the input that has been provided,” (DNLUP, p.16).</p> <p>Community values and priorities are grouped together in S. 1.4.2 into the following priority areas: food security, including maintaining access to nutritious country foods; maintaining access to, and preservation of safe drinking water sources; habitat protection, including from impacts of climate change; economic development of renewable and non-renewable resources; and facilitating the development of transportation networks in support of economic development, (DNLUP, p.16-17).</p> <p>Tables 3-5 are mentioned in S. 1.5.5 (Using the Plan, p. 21: “Step 4: Determine the priorities and values that have been identified”) and in a number of comment boxes in Section 4 (DNLUP, p. 32 – 34) and in S. 7.4 (DNLUP, p. 46 “Direction to Regulatory Authorities”).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>The discussion of priority issues in S. 1.4.2 <i>Consultation</i> as identified by communities and residents of the NSA provides a useful summary of the NPC’s consultation efforts since 2007, and highlights the issues of greatest priority. However, this section lacks an obvious connection to the Plan, along with an explanation of how it can support use of the Plan.</p> <p>Moreover, the process by which the NPC has analyzed and applied the priorities and values identified by residents in developing the Plan is not clear in the DNLUP or O&R document. Additional information clarifying how these priorities and values informed land use decisions made throughout the Plan is required.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>State in the DNLUP and O&R document the methodology used by the NPC to analyze and incorporate community priorities and values to inform the Plan and land use designations. .</p> <p>Spell out ‘WMA’ in Table 3, and include in list of acronyms.</p>	

DNLUP Review Comment # 1-003	
Department	Executive and Intergovernmental Affairs
Organization	Government of Nunavut
Subject/Topic	Areas of Overlapping Land Claim
References	DNLUP. 2014. Chapter 1: Sub-section 1.4.2 <i>Consultation</i> , p. 16. DNLUP. 2014. Chapter 2: Section 2.2 <i>Transboundary Considerations</i> , p. 25. NLCA. Article 40: Other Aboriginal People.
SUMMARY OF NPC’S CONCLUSIONS	
<p>Chapter 1, S. 1.4.2 <i>Consultation</i> of the DNLUP specifies that the NPC has consulted with aboriginal communities outside the NSA in accordance with Article 40 of the NLCA.</p> <p>It is a stated objective of the NPC to, “encourage the inter-jurisdictional management of land, air, and water resources; including both marine and fresh water,” (DNLUP, p. 25).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>The DNLUP as it applies to Area A in Hudson Strait and Area B around the Belcher Islands in the Hudson Bay should be cognizant of adjacent planning by the Nunavik Marine Region Planning Commission and Eeyou Marine Region Planning Commission. Clarifying the planning jurisdiction in areas of overlapping treaty, mutual interest, or land claim in the NSA to Nunavummiut and other Aboriginal Peoples would avoid any confusion in the land use planning process because of competing interests.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Include in the DNLUP an explanation clarifying the planning jurisdiction in areas of mutual interest /overlapping jurisdiction/land claim in the NSA. For example, include an explanation of the unique jurisdictional framework, as set out in the NLCA, for Area A in Hudson Strait and Area B around the Belcher Islands in Hudson Bay.</p>	

DNLUP Review Comment # 1-004	
Department	Community & Government Services
Organization	Government of Nunavut
Subject/Topic	Plan Application
References	DNLUP. 2014. Chapter 1: Sub-section 1.5.3 <i>Application of the Plan</i> , p. 20. NLCA. Article 11: Land Use Planning. NLCA. Article 12: Development Impact.
SUMMARY OF NPC'S CONCLUSIONS	
<p>Regarding the Plan's application within municipal boundaries, the following explanation is provided,</p> <p>"Within municipal boundaries, the Plan applies to Project Proposals that:</p> <ul style="list-style-type: none"> - Have ecosystemic impacts outside the municipality; or - Involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydroelectric power or any industrial activities," (DNLUP, p. 20). <p>Article 12, section 12.3.3 of the NLCA states that the NPC may forward project proposal that falls within Schedule 12-1 to the NIRB for screening where the NPC has concerns respecting the cumulative impact of that project proposal.</p> <p>Article 11, Part 7 states that the municipalities are responsible for planning within the municipal boundaries and that great weight should be given to the views and wishes of the municipality where planning is taking place.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>NPC's authority within the municipality is limited to the review of project proposals that have cumulative or ecosystemic impacts outside of municipal boundaries, or pursuant to Schedule 12-1, that include the bulk storage of fuel, the production of nuclear or hydroelectric power, or any industrial activities. The language of this section requires additional clarity to reflect the NOC's limited authority for project proposal review within municipal boundaries.</p> <p>The re-wording should state that the NPC's review of project proposals in municipal lands is restricted to those activities involving the bulk storage of fuel, the production of nuclear and/or hydroelectric power, or any industrial activities. Additionally, the NPC may review those projects where there are cumulative impact concerns for the surrounding region.</p> <p>This change will cause the section to remain consistent with the rest of the DNLUP. This is</p>	

demonstrated by fact that all municipalities are zoned Mixed Use, a designation which makes exactly this point: that land use will not be scrutinized (all uses are permitted) and that projects will only be subject to review in accordance with provisions laid out in Article 11, Article 12, and Schedule 12-1.

REVIEWER’S RECOMMENDATIONS

Revise Section 1.5.3 to read:

“Within municipal boundaries, the Plan applies to Project Proposals that:

- Have cumulative and/or ecosystemic impacts outside the municipality;
- Involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydroelectric power or any industrial activity within the municipal boundary as subject to Article 12 and Schedule 12-1 of the NLCA.”

DNLUP Review Comment # 1-005

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Direction to Regulatory Authorities
References	DNLUP. 2014. Throughout.

SUMMARY OF NPC’S CONCLUSIONS

The DNLUP explains that land use designations are tailored to manage land use through the application of one or more additional concepts. “Direction to regulatory authorities” is one concept and is initially described in the DNLUP as:

“Direction to Regulatory Authorities: identify issues that regulatory authorities, where appropriate, need to address during the regulatory review of Project Proposals,” (DNLUP, p. 20).

As further described in the DNLUP:

Direction to regulatory authorities, “identify issues that regulatory authorities, where appropriate, need to address during regulatory review of Project Proposals”.

Further, “Priorities and Values” identify priorities and values of residents that need to be considered in the design, review and conduct of an activity. Priorities and Values can apply to all Land Use Designations” (DNLUP, p. 45).

Direction to Regulatory Authorities: “may identify priorities and values that NIRB, NWB and

other regulatory authorities, where appropriate, need to mitigate impacts,” (DNLUP, p. 46).

As seen in Table 1, throughout ‘Directions to Regulatory Authorities’ are provided for various land use designations:

“Regulatory Authorities, where appropriate, need to mitigate impacts on [issue X, for example ‘on calving and post-calving areas’ (p. 62)].”

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

The NPC has no law making power and cannot create or place legal obligations on regulatory authorities.

It is not the responsibility of regulators to mitigate impacts. Rather, **project proponents** create impacts and they have the responsibility to avoid, minimize, or otherwise mitigate those impacts.

As per the established regulatory review process, the proponent will develop proposed mitigation strategies, and regulatory authorities, with the help of stakeholders and technical expertise, will determine whether the proposed measures are adequate.

REVIEWER’S RECOMMENDATIONS

The text related to ‘Direction to Regulatory Authorities’ on p. 45 – 46 and provided in various designations in Table 1 should be clarified to reflect that regulators must consider the need for proponents to mitigate impacts as identified in a specific land use designation/area as part of the review process

DNLUP Review Comment # 1-006

Department	Environment; Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Related Research
References	DNLUP. 2014. Chapter 1: Sub-section 1.4.1 <i>Incremental Planning</i> , p. 16. DNLUP. 2014. Table 1 – “Related Research”, throughout (e.g., p. 54-70).

SUMMARY OF NPC’S CONCLUSIONS

Chapter 1: S. 1.4.1 *Incremental Planning* describes the DNLUP as a ‘first generation’ plan that will establish a framework that future research and planning studies can build upon. “It will be updated and amended as additional information is received from planning partners, researchers, and as future land use planning studies are concluded,” (p.16).

“Related Research” is listed throughout Table 1 of the DNLUP as a prohibited use in sites designated as Option 1: Protected Area.

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

The importance of land use planning studies and research appears to be supported by NPC as a part of the planning approach, but is contradicted by prohibiting ‘related research’ activities in the Protected Area land use designation. What constitutes ‘related research’ is not clear as a definition or detailed explanation is not provided in the DNLUP. Is ‘related research’ in the context of a project proposal or a type of industrial activity, or is it more generally related to enhancing the knowledge of an area?

Areas currently designated as Option 1: Protected Area are recognized as sites of ecological and/or cultural significance, where land use activities are to be managed in order to support specified conservation and protection objectives. These places have been identified through the use of the best available scientific research and Inuit Qaujimagatuqangit. Ongoing research will be required in the future in order to provide additional information necessary to promote understanding of these places. Additional research also provides valuable information necessary for the revision and improvement of future generations of the Plan. It is not clear how the NPC intends to ensure that relevant research is reflected in future versions of the Plan when ‘related research’ activities are a prohibited land use activity in these places.

REVIEWER’S RECOMMENDATIONS

Include a detailed definition of the term ‘related research’ in the Definitions section of the DNLUP, and distinguish as appropriate from ‘ongoing land use planning studies and research’ (S. 1.4.1) and ‘additional research and studies’ (S. 7.12 of DNLUP).

Provide clarification on how research related to areas designated as Option 1: Protected Area, including additional information provided by the planning partners and other stakeholders, will be incorporated into future versions of the DNLUP.

Consider revising the terminology ‘related research’ as used in Table 1 to more accurately reflect this process.

Chapter 2: Protecting and Sustaining the Environment

DNLUP Review Comment # 2-001	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Caribou Calving Areas
References	<p>DNLUP. 2014. Chapter 2: Sub-section 2.1.2.1 <i>Caribou Calving and Post-Calving Areas</i>, p, 24., and Schedule A and Table 1- Site #47 and Site #48</p> <p>O&R. 2014. Chapter 2: Sub-section 2.1.2.1 <i>Caribou Calving and Post-Calving Areas</i>, p. 41-42.</p>
SUMMARY OF NPC'S CONCLUSIONS	
<p>DNLUP, S. 2.1.2.1 <i>Caribou Calving and Post-Calving Areas</i> states that:</p> <p>“Calving areas are widely recognized as being of critical importance for maintaining healthy caribou populations. These areas are generally acknowledged as areas where caribou are particularly vulnerable to disturbance and the need for undisturbed calving is greatest.”</p> <p>And,</p> <p>“Post-calving areas are also important to the health of caribou as these areas are used by caribou for nursing and nutrition uptake,” (DNLUP, p. 24).</p> <p>In determining the land use designation for core caribou calving and post-calving areas, the DNLUP states:</p> <p>“Core caribou calving and post-calving areas that have not been identified for high mineral potential are assigned a Protected Area Land Use Designation that prohibits incompatible uses,”</p> <p>And,</p> <p>“Core caribou calving and post-calving areas that have been identified for high mineral potential are assigned a Special Management Area Land Use Designation that identifies cumulative impact concerns and provides direction to regulatory authorities to mitigate impacts on these areas,” [emphasis in original] (DNLUP, p. 24).</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	

It is understood that through the designation of calving areas as either Special Management or Protected Areas, according to their overlap with areas of high mineral potential, the NPC has attempted to find a balance between caribou protection and economic development objectives.

However, by assigning land use designations to calving areas according to the presence or absence of high mineral potential, the conservation and stewardship of areas essential for maintaining healthy caribou populations has been undermined. Caribou are a keystone species in the Arctic, and a valuable renewable resource both economically and culturally for Nunavummiut. In order to effectively support the conservation and continued sustainable use of this species, core calving areas and their associated key access corridors must be protected in their entirety, regardless of their proximity or overlap with areas identified as having high mineral potential.

Core-calving Areas and Key Access Corridors:

Core-calving areas are of critical importance for maintaining healthy caribou populations. They are also the place where caribou are most vulnerable to disturbance. In places where core-calving areas and high mineral potential overlap, it becomes even more important to have protective measures in place, as it is areas of high mineral potential where exploration and development and the impacts thereof are most likely to occur.

Again, it must be stressed that the impacts of exploration and development cannot be effectively mitigated in core-calving areas and that disturbance effects during calving have severe consequences for herd productivity and health.

Key access corridors are regularly used pathways that lead on and off the calving grounds, and are essential for providing access to core-calving areas. Development and/or disturbance along these routes present an extremely high risk of causing caribou to shift or abandon their calving areas. For their combined importance in supporting caribou herd health and productivity, the GN has recommended land use designations for areas that combine core-calving areas and key access corridors.

Allowing development to occur in core-calving areas, or the key access corridors that caribou use to reach them, will have detrimental effects on species reproductive success and subsequent rates of survival.

Under the GN's recommendation for caribou habitat protection, a total area of **91,030 km²** outside of existing Parks and Protected Areas will be assigned a Protected Area land use designation. Of the 91,030 km², a total of **25,272 km²** currently overlaps with areas of high mineral potential and must be re-assigned a Protected Area land use designation. When compared to the current NPC recommendation as seen in the 2014 DNLUP, this represents a **52,445 km²** decrease in the amount of area requiring absolute protection under the Plan. Mapping illustrating the land areas associated with this recommendation have been provided separately with this submission.

Post-calving Areas:

Post-calving areas are geographically defined areas used by caribou for the nursing of calves and nutrition uptake to sustain the high energy demands required by lactating females. Disturbance in these areas while caribou are present can lead to demographic impacts to populations resulting in higher calf mortality because of reduced nursing time, or cow-calf abandonment. Additionally, adults are affected by displacement from areas with high quality

forage required to maintain milk production.

REVIEWER'S RECOMMENDATIONS

Core-calving Areas and Key Access Corridors:

Designation: Assign all core-calving areas and associated key access corridors a Protected Area land use designation where industrial development and activity are not permitted, regardless of the existence of a high mineral potential.

Direction:

Exceptions to these restrictions will include:

1. Research, and tourism directly related to the conservation of the species, to be considered on a project-specific basis;
2. Research, and tourism not directly related to caribou conservation, will be seasonally restricted to times when caribou have vacated the core calving areas and key access corridors.

Post-calving Areas:

Designation: Assign all post-calving areas a Special Management Area land use designation where seasonal restrictions on development activity apply when and where caribou are present.

Direction: Seasonal restrictions apply to development activities when and where caribou are present (approximately June 15 – August 1).

Seasonal restrictions would apply to exploration and production projects, research and tourism unrelated to caribou conservation, and any activity with a high likelihood of disturbance to caribou when and where they are present.

DNLUP Review Comment # 2-002

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Mainland Migratory Herds - Rutting Areas
References	DNLUP. 2014. Chapter 2: Sub-section 2.1.2.1 <i>Caribou Calving and Post-Calving Areas</i> , p, 24.

SUMMARY OF NPC'S CONCLUSIONS

Rutting areas used by mainland migratory caribou herds are not mentioned in the DNLUP or the O&R document.

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

In rutting areas, caribou are known to be particularly vulnerable to disturbance during the breeding process. This disturbance can result in lower pregnancy rates. This is also a critical time for breeding and for pregnant cows to gain added nutrition before the winter. It is important that these areas of ecological significance to the caribou lifecycle be included and accurately reflected in the NLUP and its associated maps and documents.

It is recommended that rutting areas be assigned a Special Management land use designation where development is permitted to occur with seasonal restrictions when and where caribou are present. Seasonal restrictions would require operators to shut down and cease aircraft and vehicle use while caribou are present near operations established within designated rutting areas. In times when caribou are not present, activity would continue to be permitted within these areas. The NPC would consider cumulative impact effects of project proposals in respect to designated rutting areas as described in section 7.7 *Conformity Determinations* of the DNLUP.

REVIEWER'S RECOMMENDATIONS

Assign all caribou rutting areas a Special Management Area land use designation that:

- Includes a conformity requirement whereby proponents must demonstrate in their project proposal that consideration has been given to their location within a designated rutting area;
- Includes direction to proponents specifying that seasonal restrictions on development activity apply when and where caribou are present (approximately Oct. 10 – Nov. 10), and further specifying that the restricted activities include but are not limited to: air and vehicle traffic, loud or repetitive noise, and/or vibration disturbances.

Include designated caribou rutting areas in the NLUP and O&R document, and all relevant figures, maps and tables included within these two documents.

DNLUP Review Comment # 2-003	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Mainland Migratory Herds - Migration Corridors
References	DNLUP. 2014. Chapter 2: Sub-section 2.1.2.1 <i>Caribou Calving and Post-Calving Areas</i> , p, 24.
SUMMARY OF NPC'S CONCLUSIONS	
Migration corridors used by mainland migratory caribou herds are not mentioned in the DNLUP or O&R document.	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>Migration corridors are critical for movement between important areas of caribou seasonal ranges. Disturbance and obstacles along the migration route can displace herds and alter access to critical habitat and forage. Disrupting these migratory routes can lead to a change or loss of migratory behaviour over time resulting in lower productivity and abundance, and change caribou distribution across the landscape which may impact subsistence harvesters. It is important that these areas of ecological significance to the caribou lifecycle be included and accurately reflected in the DNLUP and its associated maps and documents.</p> <p>Minimizing disturbances along the migration routes will remove factors that can cause caribou to shift or abandon their migration routes. It is recommended that migration corridors be assigned a Special Management Area land use designation where development is permitted to occur with seasonal restrictions that apply when and where caribou are present. In times when caribou are not present, activities would continue to be permitted within these areas. The NPC would consider cumulative impact effects of project proposals in respect to designated migration corridors as described in section 7.7 <i>Conformity Determinations</i> of the DNLUP.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Assign caribou migration corridors a Special Management Area land use designation that:</p> <ul style="list-style-type: none"> - Includes direction to proponents specifying that seasonal restrictions on development activity apply when and where caribou are present (approximately Oct. 10 – Nov. 10 [Fall Migration], and April 15 – June 1 [Spring migration]); - Includes a conformity requirement whereby proponents must demonstrate in their project proposal that consideration has been given to their location within a designated migration corridor, and that any linear feature proposed within a designated migration 	

corridor will not impede the movement of caribou;

- Specifies the following restricted activities when and while caribou are present (list not exhaustive): air and vehicle traffic, loud or repetitive noise, and/or vibration disturbances.

Include designated caribou migration corridors in the NLUP and O&R document, and all relevant figures, maps and tables included within these two documents.

DNLUP Review Comment # 2-004	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Mainland Migratory Herds - Seasonal Ranges
References	DNLUP. 2014. Chapter 2: Sub-section 2.1.2.1 <i>Caribou Calving and Post-Calving Areas</i> , p, 24.
SUMMARY OF NPC'S CONCLUSIONS	
The seasonal ranges of mainland migratory caribou herds are not mentioned in the DNLUP or O&R document.	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>Seasonal ranges represent vast areas of Nunavut that are important for the survival and success of caribou herds. Proposed projects should include particular elements aimed at reducing disturbance to caribou wherever possible.</p> <p>Assigning a Mixed Use land use designation to seasonal caribou ranges, with an accompanying conformity requirement will require regulators and proponents to consider potential impacts that may impede the ability of caribou to effectively access summer and winter range and ensure feeding behavior is not significantly disrupted.</p> <p>The NPC would consider cumulative impact effects of project proposals in respect to seasonal ranges as described in S. 7.7 <i>Conformity Determinations</i> of the DNLUP.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Assign Seasonal Ranges a Mixed Use land use designation that:</p> <ul style="list-style-type: none"> - Includes a conformity requirement whereby proponents proposing to operate within a mainland migratory caribou seasonal range must demonstrate consideration for these areas by recognizing the potential impacts of proposed activities, and identify mitigation 	

measures accordingly.

Include the designated seasonal ranges of mainland migratory caribou in the NLUP and O&R document, and all relevant figures, maps and tables included within these two documents.

DNLUP Review Comment # 2-005	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Mainland Migratory Herds – Potential for Calving Areas to Shift and Updating Related Information in the NLUP
References	DNLUP. 2014. Chapter 1: Sub-section 1.4.1 <i>Incremental Planning</i> , p. 15-16. DNLUP. 2014. Chapter 7: Section 7.11 <i>Periodic Review and Monitoring</i> , p.50.
SUMMARY OF NPC’S CONCLUSIONS	
<p>DNLUP, S. 1.4.1 <i>Incremental Planning</i> states:</p> <p>“The Commission is taking an incremental approach to the development of the Nunavut Land Use Plan,” (DNLUP, p. 15).</p> <p>And,</p> <p>“It will be updated and amended as additional information is received from planning partners, researchers and as future land use planning studies are conducted,” (DNLUP, p. 16).</p> <p>DNLUP, S. 7.11 <i>Periodic Review and Monitoring</i> states:</p> <p>“The Commission may review the Plan periodically to verify whether, and the extent to which, it continues to...provide for the conservation and use of land and guide and direct resource use and development,” (DNLUP, 50).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>Caribou maintain fidelity to core calving areas and key access corridors over the long term, typically returning to the same areas consistently over many decades. However, punctuated events displaying geographic shifts in core calving areas do occur in rare circumstances.</p> <p>In those rare circumstances where punctuated shifts in core calving areas and key access corridors occur, the GN will use telemetry data over a 15-25 year period to assess the</p>	

permanence of any shift that has been detected. Once the permanence has been confirmed the GN will make recommendations to the NPC to remove previous core calving area and key access corridors locations from the Protected Area land use designation and re-assign to an appropriate land use designation. At the same time, it will be also recommended that the new areas occupied as calving areas or key access corridors be upgraded to a Protected Area land use designation to ensure the continued conservation of the species.

The GN is committed to ensuring that only those areas with long-term importance as calving and key access corridors will remain under a Protected Area land use designation, and that areas abandoned be re-assigned to a more appropriate land use designation. The GN will report to the NPC at regular intervals to be decided between the two parties.

REVIEWER'S RECOMMENDATIONS

The GN will regularly exchange information and research with the NPC to ensure that land use designations are informed by the current knowledge of caribou habitat and behaviour.

DNLUP Review Comment # 2-006

Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Areas of High Mineral Potential
References	Draft Nunavut Land Use Plan, Chapter 5: Section 5.1.1 Mineral Potential, pages 38-39; DNLUP. 2014. Chapter 2: Sub-section 2.1.2.1 <i>Caribou Calving and Post Calving Areas</i> , p. 24. O&R. 2014. Chapter 5: Section 5.1.1 <i>Mineral Potential</i> Pages 78-79.

SUMMARY OF NPC'S CONCLUSIONS

“Areas of high mineral potential have been identified based on the locations of selected mineral occurrences, an examination of historical mineral tenure held in the territory, the extent of favourable geological units based on limited mapping; locations of current and past-producing mines, locations of advanced exploration projects, and those projects currently in the review and permitting stages.” (DNLUP, Chapter 5, S. 5.1.1 Mineral Potential, p. 38)

“Areas of high mineral potential are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.” (DNLUP, Chapter 5, S. 5.1.1 Mineral Potential, p. 39)

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

The process for selecting areas of high mineral potential is unclear. The O&R document explains that Aboriginal Affairs and Northern Development Canada (AANDC) of the Government of Canada supplied the Commission with a list of sites of high mineral potential but the NPC does not identify the precise data included in this list and does not if this list was the sole source of factors considered by the Commission as listed in S. 5.1.1 of the DNLUP.

To better understand how inclusive, and accurate, areas of high mineral potential are, it should identified what data was considered by the Commission and it should also be confirmed that the latest studies from the Canadian Geologic Survey and the Canada-Nunavut Geoscience Office have been considered by the NPC.

Areas designated for high mineral potential are misleading, as their title suggests there is a comprehensive understanding of all of Nunavut’s mineral potential, which is not the case. A relatively easy way to address this issue is to refer to areas with high mineral potential as areas with high **known** mineral potential.

REVIEWER’S RECOMMENDATIONS

Clarify what information was provided by AANDC to designate areas with high mineral potential and confirm the use of research from GSC and CNGO.

Areas identified as ‘high mineral potential’ should be reassigned as areas with ‘high known mineral potential’ to recognize the fact that all other areas also have mineral potential, but that it is currently unknown.

DNLUP Review Comment # 2-007

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Transboundary Considerations
References	DNLUP. 2014. Chapter 2: Section 2.2 <i>Transboundary Considerations</i> , p. 25-26. NLCA. 1993. Article 12. 12.11.1. NUPPAA. 2013, Part 4. Section 185.

SUMMARY OF NPC’S CONCLUSIONS

“Activities occurring outside the NSA may impact areas inside the NSA...”

And,

“Direction is given to government departments and agencies to consider requesting that the

NIRB screen and review oil and gas exploration and development and hydroelectric development in adjacent areas for ecosystemic or socio-economic impacts on the NSA,” (DNLUP, p. 25-26).

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

It is noted that S. 2.2 only refers to oil and gas exploration and hydroelectric development in adjacent areas – NUPPAA 185 more broadly refers to ‘project’ (defined in NUPPAA 2 as “the carrying out, including the construction, operation, modification, decommissioning or abandonment, of a physical work or the undertaking or carrying out of a physical activity that involves the use of land, waters or other resources”).

However, it is understood from NLCA 12.11.1 and NUPPAA 185 that only by request from government can the NIRB conduct a review of a project that is to be carried out outside of the NSA. It is therefore recommended that the wording as seen in 185 of NUPPAA be adopted in the recommendation for the Transboundary Considerations section of the DNLUP.

REVIEWER’S RECOMMENDATIONS

Revise the S. 2.2 *Transboundary Considerations* of the DNLUP to accurately reflect the process for initiating a transboundary project review as per NLCA 12.11.1 and NUPPAA 185.

Revise the statement on p. 25-26 re: to “Direction is given to government departments and agencies to consider requesting that the NIRB screen and review projects in adjacent areas for ecosystemic or socio-economic impacts on the NSA,”

DNLUP Review Comment # 2-008	
Department	Department of Environment
Organization	Government of Nunavut
Subject/Topic	Transboundary Resources - Watersheds
References	DNLUP. 2014. Chapter 1: Sub-section 1.4.4 <i>Watershed Planning</i> , p. 18. DNLUP. 2014. Chapter 2: Section 2.2 <i>Transboundary Resources</i> , p. 25-26.
SUMMARY OF NPC'S CONCLUSIONS	
<p>It is a stated objective of the NPC to, "encourage the inter-jurisdictional management of land, air, and water resources; including both marine and fresh water," (DNLUP, p. 25).</p> <p>"The NPC considers the management of Nunavut's freshwater as being fundamental to land use planning," (DNLUP, p. 18).</p> <p>The Great Bear Lake Watershed is recognized as an important area in Nunavut where inter-jurisdictional management opportunities exist. It has been assigned a Mixed Use land use designation with accompanying direction to regulatory authorities to mitigate impacts where possible.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>In addition to the Great Bear Lake Watershed, Nunavut shares other watershed resources with neighbouring provinces and territories that have not been considered as transboundary resources within the DNLUP. Due to the large area they encompass and steady growth in the number and scope of development projects in Nunavut and adjacent jurisdictions, watersheds are increasingly vulnerable to land use conflict and subsequent environmental degradation.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Expand S. 2.2 <i>Transboundary Considerations</i> to include all transboundary watershed resources in the NSA.</p>	

Chapter 3: Encouraging Conservation Planning

DNLUP Review Comment # 3-001	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Incomplete Listing of Territorial Parks in DNLUP
References	DNLUP. 2014. Throughout. O&R. 2014. Throughout.
SUMMARY OF NPC'S CONCLUSIONS	
<p>A stated objective of the NPC is to:</p> <p>“Provide for the establishment and continued protection of the ecological integrity of Parks and Conservation Areas in Nunavut in order to contribute to the conservation of representative terrestrial and marine ecosystems and their components.”</p> <p>Additionally, “while land use plans developed by the Commission do not apply within established Parks, the Commission has a role in supporting the identification and establishment of Parks in the NSA,” (DNLUP, p. 28).</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The full extent of all proposed, established, and Territorial Parks awaiting full establishment have not been reflected in the DNLUP or O&R document. To fulfil the NPC's objective of providing for the establishment and continued protection of Parks and Conservation Areas in Nunavut, it is imperative that these areas be accurately and fully accounted for. Mapping illustrating the land areas associated with this recommendation have been provided separately with this submission.</p> <p>Furthermore, the passages cited above give the impression that the NPC is responsible for the identification and establishment of Parks in the NSA. The NPC has no legal jurisdiction to identify or establish Parks. This is the purview of the Governments of Canada and Nunavut.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Edit or remove text in S. 3.1 and other relevant parts of the DNLUP and O&R to clarify the role of the NPC in the Park establishment process as supportive and non-authoritative only.</p> <p>It is recommended that the Nunavut Land Use Plan and O&R document, and all relevant figures, maps and tables included within these two documents, be revised to incorporate the</p>	

following information:

1. Established Territorial Parks

- Kekerten Territorial Park (Pangnirtung)
- Qaummaarviit Territorial Park (Iqaluit)

2. Territorial Parks Awaiting Full Establishment

Qikiqtaaluk (Baffin) Region:

- Territorial Park Awaiting Full Establishment - Katannilik (Kimmirut/Iqaluit)
- Territorial Park Awaiting Full Establishment - Mallikjuaq (Cape Dorset)
- Territorial Park Awaiting Full Establishment - Sylvia Grinnell (Iqaluit)
- Territorial Park Awaiting Full Establishment - Pisuktinu Tunngavik (Pangnirtung)
- Territorial Park Awaiting Full Establishment - Tamaarvik (Pond Inlet)
- Territorial Park Awaiting Full Establishment - Taqaiqsirvik (Kimmirut)
- Territorial Park Awaiting Full Establishment - Tupirvik (Resolute Bay)

Kitikmeot Region:

- Territorial Park Awaiting Full Establishment - Kugluk (Bloody Falls) (Kugluktuk)
- Territorial Park Awaiting Full Establishment - Ovayok (Cambridge Bay)

Kivalliq Region:

- Territorial Park Awaiting Full Establishment - Iqalugaarjuup Nunanga (Rankin Inlet)
- Territorial Park Awaiting Full Establishment - Inuujaarvik (Baker Lake)

3. Proposed Territorial Parks

- Proposed Territorial Park - Aggutinni (Clyde River)
- Proposed Territorial Park - Nuvuk (Arviat)
- Proposed Territorial Park - Kingaluuk-Sitiapiit (Sanikiluaq)
- Proposed Territorial Park – Napartulik / Napaaqtulik (Axel Heiberg Island)

4. Canadian Heritage Rivers

- Soper Canadian Heritage River
- Thelon Canadian Heritage River
- Kazan Canadian Heritage River
- Coppermine Heritage River (nominated)

DNLUP Review Comment # 3-002	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Coppermine Heritage River (nominated)
References	DNLUP. 2014. Chapter 3: Sub-section 3.1.2.5 <i>Heritage Rivers</i> , p.30.

	<p>DNLUP. 2014. Table 1, sites #87-89. O&R. 2014. Chapter 3: Sub-section 3.1.2.5 <i>Heritage Rivers</i>, p.61-62.</p>
SUMMARY OF NPC’S CONCLUSIONS	
<p>As stated in the DNLUP, “the Commission supports the intent of the Canadian Heritage Rivers System,” (DNLUP, p. 30). This is in line with the Commission’s Goal of Encouraging Conservation Planning which strives, “to provide for the establishment and continued protection of the ecological integrity of Parks and Conservation Areas,” (O&R, p. 61)</p> <p>Currently, the DNLUP recognizes the three designated Canadian Heritage Rivers in the territory: the Soper, Thelon, and Kazan (DNLUP 3.1.2.5, p. 30; Table 1, sites 87-89).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>The Coppermine River was nominated to the Canadian Heritage River System in 2002 for its outstanding natural, cultural and recreational features and values. In 2008, a Management Plan was developed and approved by the Kugluktuk Hunters and Trappers Association, the Kitikmeot Inuit Association, the Hamlet of Kugluktuk, and the Government of Nunavut. The Management Plan also acts as a designation document to the Canadian Heritage River System Board, which approved the Plan in 2009. The Management Plan was developed in accordance with the NLCA and in the spirit of ongoing negotiations towards an Inuit Impact and Benefit Agreement (IIBA) for Heritage Rivers.</p> <p>The purpose of the Commission’s Goal of Encouraging Conservation Planning is to, “protect the natural environment, culturally significant areas and special places for the benefit of Nunavummiut and all Canadians,” (DNLUP, p.28).</p> <p>The Coppermine River is in the advanced stages of the Canadian Heritage River approval process. Pending the final negotiation of an IIBA for Heritage Rivers, it will be designated to the Canadian Heritage River System. Mapping illustrating the land areas associated with this recommendation have been provided separately with this submission.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Include the Coppermine River as a nominated Canadian Heritage River in the DNLUP and O&R document, and all relevant figures, maps and tables included within these two documents. Shapefiles are available upon request.</p> <p>Assign Option 2 - Special Management Area land use designation to the Coppermine Heritage River to support the conservation and management objectives outlined in the Coppermine River Management Plan.</p>	

DNLUP Review Comment # 3-003	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Inconsistent Labelling of National and Territorial Parks
References	DNLUP. 2014. Table 1, sites #51-60. DNLUP. 2014. Schedule A.
SUMMARY OF NPC'S CONCLUSIONS	
<p>National Parks are currently listed by their status as either Proposed or Awaiting Full Establishment in Table 1 of the DNLUP.</p> <p>Territorial Parks are not differentiated from each other based on their status as either Proposed, or Awaiting Full Establishment.</p> <p>Schedule A reflects the wording used in Table 1 for National and Territorial Parks.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The labelling used in Table 1 and Schedule A when referring to Territorial Parks that are Proposed and Awaiting Full Establishment does not match the format used for National Parks at similar stages of development.</p> <p>The terms "Proposed" and "Awaiting Full Establishment" identify important information necessary for understanding the stage of development a particular Park is at.</p> <p>The DNLUP does not apply to established Territorial Parks, as noted in S. 1.5.3 of the DNLUP (p.20); however the location of the established parks is important information to be understood from a land use planning perspective.</p> <p>Table 1 and Schedule A should be revised accordingly for improved clarity and consistency of terms used.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>In accordance with the labels assigned to National Parks in Table 1 and Schedule A, revise Table 1 and Schedule A to include the new categories of "Proposed Territorial Park" and "Territorial Park Awaiting Full Establishment."</p>	

DNLUP Review Comment # 3-004	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Proposed Aggutinni Territorial Park is Mislabeled
References	DNLUP. 2014. Chapter 3: Sub-section 3.1.1.2 <i>Proposed Parks</i> , p.28. DNLUP. 2014. Table 1, site #60. DNLUP. 2014. Schedule A.
SUMMARY OF NPC’S CONCLUSIONS	
<p>The Proposed Aggutinni Territorial Park is listed in Table 1 as “National Park Aggutinni Study Area,” (DNLUP: Table 1 site #60, p. 63).</p> <p>Schedule A lists the Proposed Aggutinni Territorial Park as “Aggutinni Study Area.”</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>Table 1 incorrectly lists the Proposed Aggutinni Territorial Park as a National Park Study Area. This is misleading to Plan users as it is a Proposed Territorial Park.</p> <p>In Schedule A, the Proposed Aggutinni Territorial Park is simply listed as “National Park Aggutinni Study Area.” This description is inaccurate, as this area is a Proposed Territorial Park.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Revise Table 1 and Schedule A to reflect the correct title of “Proposed Aggutinni Territorial Park.”</p> <p>List the Proposed Aggutinni Territorial Park within the new "Proposed Territorial Park" category for Table 1 and Schedule A as specified in the previous comment # 3-003.</p>	

DNLUP Review Comment # 3-005	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Incorrect Listing of Territorial Parks Awaiting Full Establishment and Proposed Territorial Parks
References	DNLUP. 2014. Chapter 3: Sub-section 3.1.1.1 <i>Parks Awaiting Full Establishment</i> and Sub-section 3.1.1.2 <i>Proposed Parks</i> , p.28-29. DNLUP. 2014. Table 1, sites #51-52. DNLUP. 2014. Schedule A.
SUMMARY OF NPC'S CONCLUSIONS	
<p>S. 3.1.1.1 <i>Parks Awaiting Full Establishment</i> of the DNLUP states the following:</p> <p>"There are currently 12 Candidate Territorial Parks Awaiting Full Establishment in Nunavut, 4 of which are outside of municipal boundaries. Approved parks that have not yet been designated under the Territorial Parks Act require interim management until they are established," (DNLUP, p. 28).</p> <p>S. 3.1.1.2 <i>Proposed Parks</i>:</p> <p>"The Agguttinni Proposed Territorial Park near Clyde River has undergone considerable background and feasibility study, has community and RIA support, but has not yet received final government approval. Until a Territorial Park is established and a boundary is agreed upon, the area requires interim management.</p> <p>The Agguttinni Proposed Territorial Park is assigned a Protected Area Land Use Designation that prohibits incompatible uses (See Schedule A and Table 1 – Site # 601)," (DNLUP, p. 29).</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The DNLUP incorrectly lists the number of Candidate Territorial Parks Awaiting Full Establishment in Nunavut as 12, and the amount outside of municipal boundaries as 4. Currently, there are only 11 Candidate Territorial Parks Awaiting Full Establishment in Nunavut, 2 of which are located outside of municipal boundaries.</p> <p>Furthermore, the description provided is vague and does not provide Plan users with sufficient detail for understanding of this stage of the Park establishment process.</p> <p>Finally, since the fall of 2014, the GN has approved three additional areas to move forward within Territorial Park Establishment Process:</p> <ul style="list-style-type: none"> - Nuvuk (in Arviat) ; - Kingaluuk-Sitiapiit (for Sanikiluaq) ; and 	

- Napartulik / Napaaqtulik (Axel Heiberg Island)

Proposed Territorial Parks are under consideration for establishment under the *Territorial Parks Act* but final government approval has yet to be received. Until then, it is recommended that all Proposed Territorial Parks receive a Special Management Area land use designation that allows tourism, research and recreation to occur. For project proposed in these areas, proponents must be made aware that a territorial park is under consideration, and therefore must adhere and respect the obligations and processes as outlined under the NLCA and IIBA for Territorial Parks.

The DNLUP should be revised to reflect the correct information pertaining to Territorial Parks Awaiting Full Establishment and Proposed Territorial Parks in the territory, and to include a sufficiently detailed description of these stages of the establishment process. Mapping illustrating the land areas associated with this recommendation have been provided separately with this submission.

REVIEWER'S RECOMMENDATIONS

Revise the text of S. 3.1.1.1 to read:

"There are currently 11 Candidate Territorial Parks Awaiting Full Establishment in Nunavut, 2 of which are outside of municipal boundaries (Katannilik and Sylvia Grinnell). Territorial Parks Awaiting Full Establishment (within or outside municipal boundaries) are approved parks, are under the land withdrawal process and/or have not yet been designated under the *Territorial Parks Act*. Until these parks are fully established, their interim management is the responsibility of GN, Department of Environment, Parks & Special Places Division, in accordance with the NLCA/IIBA."

Revise the S. 3.1.1.2 to read:

"Four areas have undergone considerable background and feasibility study, have community and RIA support, but have not yet received final government approval. Until a Territorial Park is established and a boundary is agreed upon, the area requires interim management. These areas are:

- Agguttinni Proposed Territorial Park near Clyde River;
- Nuvuk (in Arviat) ;
- Kingaluuk-Sitiapiit (for Sanikiluaq) ; and
- Napartulik / Napaaqtulik (Axel Heiberg Island).

These four areas are assigned a Special Management Area Land Use Designation that permits tourism, research and recreation."

Proponents must be made aware that a park is in consideration for the area, and respect the obligations and processes as outlined under the NLCA and IIBA for Territorial Parks.

Update the site numbering of Table 1 and Schedule A accordingly.

DNLUP Review Comment # 3-006	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Territorial Parks Missing from O&R "Introduction" Section
References	O&R. 2014. Chapter 3: Encouraging Conservation Planning, <i>Introduction (Key Areas and Issues)</i> , p.49.
SUMMARY OF NPC's CONCLUSIONS	
<p>The Introduction section of Chapter 3: Encouraging Conservation Planning currently states the following:</p> <p>"Areas and issues of the NSA identified by the Commission as important to encouraging conservation planning are:</p> <ul style="list-style-type: none"> - National Parks Awaiting Full Establishment; - Proposed National Parks..." (O&R, p. 49). 	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The description provided does not include Proposed Territorial Parks, or Territorial Parks Awaiting Full Establishment.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>The following revisions to the text found in the Introduction section of Chapter 3: Encouraging Conservation Planning are recommended:</p> <p>"Areas and issues of the NSA identified by the Commission as important to encouraging conservation planning are:</p> <ul style="list-style-type: none"> - National and Territorial Parks Awaiting Full Establishment; - Proposed National and Territorial Parks..." 	

DNLUP Review Comment # 3-007	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Remove Northwest Passage Territorial Parks from List of Parks Awaiting

	Full Establishment
References	O&R. 2014. Chapter 3: Encouraging Conservation Planning, Sub-section 3.1.1.1 <i>Parks Awaiting Full Establishment</i> , p. 49.
SUMMARY OF NPC's CONCLUSIONS	
<p>The <i>Parks Awaiting Full Establishment</i> section of Chapter 3: Encouraging Conservation Planning lists the Territorial Parks Awaiting Full Establishment by region.</p> <p>The Considered Information section provides an account of the information and sources utilized by the Commission for determining a land use designation for areas awaiting full establishment as National and Territorial Parks.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The list provided in the "Parks Awaiting Full Establishment" section of the O&R document incorrectly lists Northwest Passage Territorial Park as a Territorial Park Awaiting Full Establishment. Northwest Passage Territorial Park does not exist; however there is a Northwest Passage Trail located within the municipal boundaries of Gjoa Haven. At this time trails are not designated or established under the <i>Territorial Parks Act</i>. The land use plan does not apply to lands within municipal boundaries.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Remove Northwest Passage Territorial Park from the list of "Parks Awaiting Full Establishment" in Chapter 3 of the O&R document.</p>	

DNLUP Review Comment # 3-008	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Territorial Parks Awaiting Full Establishment– Considered Information
References	O&R. 2014. Chapter 3: Encouraging Conservation Planning, Sub-section 3.1.1.1 <i>Parks Awaiting Full Establishment - Considered Information</i> , p. 49.
SUMMARY OF NPC's CONCLUSIONS	
<p>The seventh bullet point of the <i>Parks Awaiting Full Establishment - Considered Information</i> section of the O&R document currently states, "4 of the Territorial Parks Awaiting Full</p>	

Establishment are outside of municipal boundaries,” (p. 50).

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

As specified above in GN comment #3-005, only 2 Territorial Parks Awaiting Full Establishment, Katannilik and Sylvia Grinnell Territorial Parks, are located outside of municipal boundaries.

REVIEWER’S RECOMMENDATIONS

Revise the O&R document S. 3.1.1.1 to state that only 2 Territorial Parks Awaiting Full Establishment, Katannilik and Sylvia Grinnell Territorial Parks, are located outside of municipal boundaries.

DNLUP Review Comment # 3-009

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Territorial Parks Awaiting Full Establishment - Considered Information
References	O&R. 2014. Chapter 1: Introduction, Section 1.3 <i>Considered Information</i> , p.5. O&R. 2014. Chapter 3: Encouraging Conservation Planning, Sub-section 3.1.1.1 <i>Parks Awaiting Full Establishment - Considered Information</i> , p. 49-50.

SUMMARY OF NPC’S CONCLUSIONS

As stated in the Introduction section of the O&R document, “Considered Information” incorporates, “direction provided in the existing policy framework, pertinent land use plans and development reports, input from Planning Partners as well as existing land and resource use in the NSA,” in order to, “direct the policy options, recommendations and decisions contained in this document,” (O&R, p.5).

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

Important information pertaining to Territorial Parks Awaiting Full Establishment has not been included in the Considered Information portion of the Parks Awaiting Full Establishment section. The following information is relevant for understanding the Recommendation for Territorial Parks Awaiting Full Establishment :

- Territorial Parks Awaiting Full Establishment (within or outside municipal boundaries) have been approved by the GN, are under the land withdrawal process and/or have not

- yet been designated under the *Territorial Parks Act*.
- Until they are fully established, their interim management is the responsibility of GN Department of Environment: Parks & Special Places Division, in accordance with the NLCA and IIBA for Territorial Parks in partnership with the communities and Joint Planning and Management.
- As per the IIBA Section 2.1.2, Park Specific Appendices will be developed and added to the IIBA during the Territorial Park Establishment Process.

REVIEWER'S RECOMMENDATIONS

- Revise the O&R document Sub-section 3.1.1.1 Considered Information for Territorial Parks Awaiting Full Establishment to reflect that:
- Territorial Parks Awaiting Full Establishment (within or outside municipal boundaries) have been approved by the GN, are under the land withdrawal process and/or have not yet been designated under the *Territorial Parks Act*.
 - Until they are fully established, their interim management is the responsibility of GN Department of Environment: Parks & Special Places Division, in accordance with the NLCA and IIBA for Territorial Parks in partnership with the communities and Joint Planning and Management.
 - As per the IIBA Section 2.1.2, Park Specific Appendices will be developed and added to the IIBA during the Territorial Park Establishment Process.

DNLUP Review Comment # 3-010

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Municipal Boundaries - Territorial Parks Awaiting Full Establishment
References	O&R. 2014. Chapter 3: Encouraging Conservation Planning, Sub-section 3.1.1.1 <i>Parks Awaiting Full Establishment</i> – Recommendation, p. 50.

SUMMARY OF NPC'S CONCLUSIONS

The O&R document separates Territorial Parks Awaiting Full Establishment based on their location outside or within municipal boundaries.

Territorial Parks Awaiting Full Establishment outside of municipal boundaries are assigned an "Option 1 - Protected Area" designation.

Parks inside municipal boundaries are assigned an "Option 3- Mixed Use" based on the ability of municipal land use plans to manage land use (O&R, p. 50).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

All Territorial Parks Awaiting Full Establishment, within or outside municipal boundaries, are approved Parks, are under the land withdrawal process, and/or have not yet been designated under the *Territorial Parks Act*. Until these parks are fully established, their interim management is the responsibility of the GN: Department of Environment, Parks & Special Places Division, in accordance with the NLCA/IIBA.

All Territorial Parks Awaiting Full Establishment should be treated the same regardless of if they are inside or outside municipal boundaries.

REVIEWER’S RECOMMENDATIONS

All Territorial Parks Awaiting Full Establishment either within or outside municipal boundaries should be assigned the land use designation of “Option 1 – Protected Area.”

DNLUP Review Comment # 3-011

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Proposed Territorial Parks – Considered Information
References	O&R. 2014. Chapter 1: Introduction. p.5. O&R. 2014. Chapter 3: Encouraging Conservation Planning, Sub-section 3.1.1.2 <i>Proposed Parks</i> - Considered Information, p. 50-51.

SUMMARY OF NPC’S CONCLUSIONS

As stated in the Introduction section of the O&R document, “Considered Information” incorporates, “[d]irection provided in the existing policy framework, pertinent land use plans and development reports, input from Planning Partners as well as existing land and resource use in the NSA,” in order to, “direct the policy options, recommendations and decisions contained in this document,” (O&R, p. 5).

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

Important information pertaining to Proposed Territorial Parks has not been included in the Considered Information section.

The following information is relevant for understanding the Recommendation for Proposed Territorial Parks:

- Proposed Territorial Parks have undergone considerable background and feasibility study, have community and Regional Inuit Association support and have been approved by the GN to proceed in accordance to the legal obligations and planning processes as outlined under the *Nunavut Land Claims Agreement (NLCA)* and approved *Umbrella*

Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area (IIBA).

REVIEWER'S RECOMMENDATIONS

Revise the O&R document S. 3.1.1.2 Considered Information for Territorial Parks Awaiting Full Establishment to reflect that Proposed Territorial Parks have undergone considerable background and feasibility study, have community and Regional Inuit Association support and have been approved by the GN to proceed in accordance to the legal obligations and planning processes as outlined under the NLCA and IIBA for Territorial Parks.

DNLUP Review Comment # 3-012

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Proposed Territorial Parks
References	O&R. 2014. Chapter 3: Encouraging Conservation Planning, Sub-section 3.1.1.2 <i>Proposed Territorial Parks</i> – Recommendation, p. 51.

SUMMARY OF NPC'S CONCLUSIONS

Chapter 3 "Encouraging Conservation Planning" in the O&R document (p.51):

"Option 1 is recommended for the Agguttinni Study Area:

- Restricts access to uses that are incompatible with environmental and cultural values.
- May include terms to guide land use.
- May include direction to regulatory authorities.
- May identify priorities and values that need to be considered in the design, review, and conduct of the activity.

The following uses are prohibited:

- Mineral exploration and production;
- Oil and gas exploration and production;
- Quarries;
- Hydro development;
- All-weather roads; and
- Related research.

Option 1 was chosen given that this area has been proposed as a Territorial Park," (p.51)

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

Since the release of the 2014 DNLUP in June 2014, the following sites have been approved to move forward in the Territorial Park Establishment Process in addition to Agguttinni Study Area:

- Nuvuk (in Arviat);
- Kingaluuk-Sitiapiit (for Sanikiluaq); and
- Napartulik / Napaaqtulik (Axel Heiberg Island)

It is recommended that all Proposed Territorial Parks section of the O&R be updated accordingly to reflect that there is more than one Proposed Territorial Park. Until final government approval is received, all Proposed Territorial Parks should be assigned Option 2: Special Management Area that allows tourism, research and recreation to occur. Proponents must be made aware that a territorial park is under consideration for the area, and respect the obligations and processes as outlined under the NLCA and IIBA for Territorial Parks.

REVIEWER'S RECOMMENDATIONS

Assign all Proposed Territorial Parks Option 2: Special Management Area that would allow tourism, research and recreation. Proponents must be made aware that a park is under consideration for the area, and respect the obligations and processes outlined in the Territorial Parks IIBA.

Revise the recommendation for Proposed Territorial Parks in the O&R to say:

“Option 1 is recommended for Proposed Territorial Parks:

- Restricts access to uses that are incompatible with environmental and cultural values.
- May include terms to guide land use.
- May include direction to regulatory authorities.
- May identify priorities and values that need to be considered in the design, review, and conduct of the activity.

The following uses are prohibited:

- Mineral exploration and production;
- Oil and gas exploration and production;
- Quarries;
- Hydro development;
- All-weather roads; and
- Related research.”

DNLUP Review Comment # 3-013

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Territorial Parks in Nunavut - Missing Information – Territorial Parks

	Program and IIBA
References	O&R. 2014. Chapter 1: <i>Introduction</i> , p. 5. O&R. 2014. Chapter 3: <i>Encouraging Conservation Planning - Introduction</i> , p. 49.
SUMMARY OF NPC's CONCLUSIONS	
The 2014 DNLUP does not include important information about the <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area</i> (IIBA Territorial Parks, 2002) and the Government of Nunavut's Parks and Special Places Program.	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The GN Parks and Special Places division is responsible for planning, establishment, management, operation and promotion of Nunavut's Territorial Parks and special places. Through the IIBA for Territorial Parks, all Territorial Parks are planned and managed jointly and are founded on sound and comprehensive resource information, Inuit Qaujimagatuqangit, local and scientific knowledge, and current technological and geospatial information.</p> <p>It is recommended that the NPC include the IIBA for Territorial Parks and the role of the GN's Parks and Special Places division where appropriate in the O&R document.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>In S. 1.3 of the O&R report "Considered Information" (p. 5)– add the following bullet:</p> <ul style="list-style-type: none"> • "Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Region (2002)" <p>Chapter 3 of the O&R report (p. 49) – Edit the first bullet in the Introduction to say:</p> <p style="padding-left: 40px;">"identifies key areas of Nunavut that are known to be critical to encouraging conservation planning,"</p> <p>In S. 3.1.1 of the O&R report (p.49) – add the following two bullets:</p> <ul style="list-style-type: none"> • "Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Region (2002)" • Nunavut Parks and Special Places Program." 	

Chapter 4: Building Healthier Communities

DNLUP Review Comment # 4-001	
Department	Health
Organization	Government of Nunavut
Subject/Topic	Community Drinking Water Sources Outside of Municipal Boundaries
References	DNLUP. 2014. Chapter 4: Sub-section 4.4.1 <i>Community Drinking Water Supplies</i> , p.35.
SUMMARY OF NPC'S CONCLUSIONS	
<p>The DNLUP states that, "the quality and quantity of drinking water may be affected by land use activities within the entire watershed or catchment area of the water source."</p> <p>Community drinking water supplies located in watersheds outside of municipal boundaries are assigned a Special Management Area land use designation by the DNLUP (DNLUP, p. 35).</p> <p>Further direction for the management of these areas is provided in Table 1 of the DNLUP, where it states:</p> <p>"Terms: The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region,"</p> <p>And,</p> <p>"Direction: The NWB, where appropriate, needs to mitigate impacts on community water drinking supplies to ensure that the integrity of the drinking water is maintained," (DNLUP, Table 1 sites #103-113).</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>Drinking water quality is very important for public health, and ensuring safe drinking water requires source water protection. In Nunavut, source waters for drinking water supply are particularly vulnerable because the territory relies on surface water as its only source of drinking water.</p> <p>While the watershed approach that is outlined in the DNLUP offers an effective management technique, there is concern that the safety of community drinking water sources outside of municipal boundaries has not been adequately addressed by the DNLUP.</p> <p>It is important that the DNLUP facilitate the provision of safe drinking water in instances where</p>	

water sources are located outside of municipal boundaries. It is therefore recommended that a conformity requirement for any industrial activity taking place within a watershed containing a community drinking water source be included in the DNLUP to act as an early filter for applications that do not include satisfactory mitigation measures.

It is not the responsibility of the NWB to mitigate impacts. Rather, project proponents create impacts, and they have the responsibility to avoid, minimize, or otherwise mitigate those impacts.

As per the established regulatory review process, the proponent will develop proposed mitigation strategies, and regulatory authorities, with the help of stakeholders and technical expertise, will determine whether the proposed measures are adequate.

REVIEWER'S RECOMMENDATIONS

Include a conformity requirement in the DNLUP requiring a proponent of an industrial project taking place within a watershed containing a community drinking water source to identify in their proposal: the location of the community drinking water source in relation to the proposed project activities; any potential impacts of project activity on that water source; and mitigation measures to avoid impacts to the community drinking water source.

DNLUP Review Comment # 4-002

Department	Executive & Intergovernmental Affairs
Organization	Government of Nunavut
Subject/Topic	Denesuline Areas of Asserted Title Claim
References	DNLUP. 2014. Figure 1: Nunavut Settlement Area, p. 14. DNLUP. 2014. Chapter 4: Sub-section 4.1.5 <i>Denesuline Areas of asserted Title Claim</i> , p. 33. DNLUP. 2014. Schedule A.

SUMMARY OF NPC'S CONCLUSIONS

Figure 1: Nunavut Settlement Area (p.14) depicts the boundaries of the Athabasca and Manitoba Denesuline Areas of Asserted Title Claim.

Schedule A, site #97 "Denesuline Land Withdrawals" shows certain tracts of land that have been withdrawn from disposition.

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

In keeping with past NPC practice and as per 40.4.8 and 40.5.7 of the NLCA, the NPC, in performing their review functions, will allow full standing to the Denesuline in northern Manitoba (Northlands and Sayisi) and northern Saskatchewan (Black Lake, Hatchet Lake and Fond Du Lac) to make representations respecting their interests in areas they have traditionally used and continue to use, and will take these representations into account.

The full extent of Denesuline Areas of Asserted Title Claim as depicted in Figure 1, are not shown in Schedule A. This is potentially misleading to users of the Plan.

Manitoba and Athabasca Denesuline Areas of Asserted Title Claim should remain consistent throughout the entire DNLUP and accompanying O&R document in order to provide clear direction on land use in and around Denesuline Areas of Asserted Title Claim.

REVIEWER'S RECOMMENDATIONS

Revise Schedule A, and other maps within the DNLUP and O&R document, to reflect the full extent of Manitoba and Athabasca Denesuline Areas of Asserted Title Claim.

Consider using a coloured dash line for each of the areas of Asserted Title Claim to maintain consistency with Figure 1 and the rest of the DNLUP.

DNLUP Review Comment # 4-003

Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Meliadine and Nanisivik Roads
References	DNLUP. 2014. Chapter 4: Section 4.2 <i>Territorial and Community Infrastructure</i> , p.33-34.

SUMMARY OF NPC'S CONCLUSIONS

S. 4.2 *Territorial and Community Infrastructure* includes a listing of the existing overland infrastructure and proposed transportation corridors in the NSA.

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

Meliadine and Nanisivik Roads are still missing from the DNLUP. It is recommended that they be included in order to provide a complete inventory of existing overland infrastructure and proposed transportation corridors /surface links in the NSA.

REVIEWER'S RECOMMENDATIONS

Include Meliadine and Nanisivik Roads in the DNLUP and all accompanying documents, maps and figures where applicable.

DNLUP Review Comment # 4-004	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Marine Transportation Corridors
References	DNLUP. 2014. Chapter 4: Sub-section 4.2.1 <i>Transportation Infrastructure</i> , p. 33-34. DNLUP. 2014. <i>Marine Transportation Corridors</i> . Schedule A. O&R. 2014. Appendix B: Maps 119-120.
SUMMARY OF NPC's CONCLUSIONS	
<p>Existing and proposed land transportation corridors in the NSA are listed in S. 4.2.1 of the DNLUP. This section of the DNLUP also refers to the importance of marine transportation corridors and infrastructure in the NSA.</p> <p>Existing and proposed land and marine transportation corridors are portrayed in both Schedule A of the DNLUP and Maps 119-120 of Appendix B of the O&R document.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>A listing of existing and proposed marine transportation corridors has not been included in sub-section 4.2.1 of the DNLUP. This is not consistent with the listing of existing and proposed land transportation corridors in Section 4.2.1.</p> <p>Additionally, certain existing and proposed marine transportation corridors have not been included in Schedule A of the DNLUP and Maps 119-120 of the O&R Document. These marine transportation corridors are:</p> <ul style="list-style-type: none"> - Chesterfield Inlet barge route (existing); - Steensby Inlet port and shipping route through Hudson Strait / Foxe Basin (proposed); - Meliadine Mine port and shipping route (proposed); 	
REVIEWER'S RECOMMENDATIONS	
<p>Update S. 4.2.1 of the DNLUP to include a complete listing of existing and proposed marine transportation corridors. This list will include:</p> <ul style="list-style-type: none"> - Chesterfield Inlet barge route (existing); - Steensby Inlet port and shipping route through Hudson Strait / Foxe Basin (proposed); - Meliadine Mine port and shipping route (proposed); 	

- Those already identified in Schedule A and Maps 119 and 120.

Update Schedule A of the DNLUP, and maps 119 and 120 within the O&R document to reflect the existing and proposed marine transportation corridors.

DNLUP Review Comment # 4-005	
Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Alternative Energy Sources – Thelon River Infrastructure
References	DNLUP 2014. Chapter 4: Section 4.3 <i>Alternative Energy Sources</i> , p. 34; and, Table 1, p.68. O&R. 2014. Section 4.3 <i>Alternative Energy Sources</i> , p. 69; and Appendix B: Map 125. <i>Alternative Energy Sources - Thelon River Infrastructure</i> .
SUMMARY OF NPC’S CONCLUSIONS	
<p>Alternative Energy Sources are assigned a Special Management Area land use designation in the DNLUP (DNLUP, p. 34; Table 1, p. 68).</p> <p>Map 125 in Appendix B of the O&R document shows the Thelon River alternative energy infrastructure at a regional scale.</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>“Alternative Energy Sources – Thelon River Infrastructure” is listed in the reference list of Schedule A but is not visible on the actual map itself.</p> <p>Schedule A is an important reference tool for Plan users and must therefore accurately portray the location of all existing land uses in order to inform future land use decisions.</p> <p>The DNLUP does not define ‘Alternative Energy Sources’, but S. 4.3 (p. 37) states: “Alternative energy sources in Nunavut include water, wind, and solar. Hydro-electricity from water is currently the most viable option.”</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Update Schedule A of the DNLUP to show the Thelon River alternative energy infrastructure.</p> <p>Include a definition of ‘Alternative Energy Sources’ in the DNLUP.</p>	

DNLUP Review Comment # 4-006	
Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Existing Rights - Armshow South Site
References	DNLUP. 2014. Chapter 4: Section 4.3 <i>Alternative Energy Sources</i> , p. 34. DNLUP. 2014. Chapter 7: Section 7.6 <i>Existing Rights</i> , p. 46. “GN-30.” NPC Responses to the GN. May 28, 2014, p. 5.
SUMMARY OF NPC’S CONCLUSIONS	
<p>Currently, the DNLUP recognizes three high potential sites for hydroelectricity generation: the Thelon River, Quoich River, and Jaynes Inlet (Qikiqjivik). These sites offer the most viable option for diversifying energy sources in Nunavut and will, “benefit from management to ensure that the potential of the sites is maintained,” (DNLUP, p. 35).</p> <p>The Armshow South site was not included in the DNLUP as it, “is within a Territorial Park Awaiting Full Establishment and as such is designated as a Protected Area under the Draft Plan,” (NPC Responses to the GN, p. 5).</p> <p>S. 7.6 <i>Existing Rights</i> states that, “a land use plan or plan amendment will not apply to project proposals with existing rights.” Existing rights are defined in (a) as “a project that is being assessed or is being, or has been, lawfully carried out on the day on which the Plan comes into force,” (DNLUP, p. 46).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>Armshow South is the second phase of development for Qulliq Electricity Corporation’s (QEC) “Iqaluit Hydroelectric Project,” and is located in the northern end of Katannillik Territorial Park. A Part 5 review has been initiated by NIRB for this project and is currently ongoing.</p> <p>It would appear that according to the criteria provided in S. 7.3(a), a Project undergoing a Part 5 Review, such as the Iqaluit Hydroelectricity Project, would qualify as “being assessed” and thus have existing rights under the Plan. However, it is unclear how existing rights would be applied in this circumstance, given that the Armshow South Site is also located within a Territorial Park Awaiting Full Establishment that will be under the interim management of the NLUP until its establishment.</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Provide additional clarification in S. 4.3 <i>Alternative Energy Sources</i> on how the Iqaluit Hydroelectricity Project, particularly the Armshow South site, will be addressed in the future.</p>	

Chapter 5: Encouraging Sustainable Economic Development

DNLUP Review Comment # 5-001	
Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Additional Economic Sectors
References	DNLUP. 2014. Chapter 5: Section 5.1 <i>Diversified Economic Development</i> , p. 38.
SUMMARY OF NPC'S CONCLUSIONS	
<p>As stated in Chapter 5: <i>Encouraging Economic Development</i> an objective of the NPC is to:</p> <p>“Encourage diversified economic development that increases employment, business opportunities, training and other benefits which includes, but is not limited to:</p> <ul style="list-style-type: none"> - ...sustainable tourism and outfitting development...” - ...the arts sector, by ensuring access to, where appropriate, known sources of carving stone, flora and other natural materials used by artisans...” <p>And,</p> <p>“Promote sustainable economic development,” (DNLUP, p.38).</p> <p>Chapter 5 currently lists mineral potential, oil and gas potential, and commercial fisheries as viable economic sectors in the NSA.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The tourism and arts sectors are both excluded from larger discussions and associated land use designations in Chapter 5 (although they are both mentioned in context of the Commission's Objectives at the beginning of Chapter 5).</p> <p>It is recommended that, as with other economic sectors, a discussion of tourism and arts be included in the DNLUP and O&R document. Areas of known high tourism potential and/or arts sector potential should be identified by the Plan and managed to ensure that any proposed land uses are achieved with the least possible impact on tourism and arts resources. Until such time that data can be provided to outline these high potential areas, it is recommended that neither tourism nor the arts sector be listed as prohibited activities in a land use designation except in cases where explicitly stated otherwise.</p>	
REVIEWER'S RECOMMENDATIONS	

Revise the DNLUP and O&R document to include discussion of tourism and arts sectors.

Include a recommendation that specifies that neither tourism, nor activities related to the arts sector, will be a restricted land use activity except in areas where explicitly stated otherwise.

DNLUP Review Comment # 5-002	
Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Prohibition of Tourism Establishments in High Mineral Potential Areas
References	DNLUP. 2014. Chapter 5: Section 5.1.1 <i>Mineral Potential</i> , pages 38-39; DNLUP. 2014 Chapter 5: Section 5.1.2 <i>Oil and Gas Potential</i> , page 39; DNLUP. 2014. Table 1 #167, p.70. O&R 2014. Chapter 5: Encouraging Sustainable Economic Development, Sub-section 5.1.1 <i>Mineral Potential</i> , p. 78-79.
SUMMARY OF NPC's CONCLUSIONS	
<p>Chapter 5 S. 5.1.1 <i>Mineral Potential</i>:</p> <p>“Areas of known high mineral potential are assigned a Special Management Area Land Use Designation that prohibits incompatible uses” (DNLUP, p. 39)</p> <p>Incompatible uses are listed in Table 1, #167:</p> <p>“Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> - the establishment of tourism facilities; - the establishment of Conservation Areas and Parks;” (DNLUP, p. 70). 	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The DNLUP proposes Special Management Area Land Use Designations for areas with high mineral potential (Site # 167); in this designation, the establishment of tourism facilities, Conservation Areas and Parks is prohibited. The GN, through <i>Sivummut Abluqta</i>, has an express mandate to encourage and support economic development initiatives that build on and add value to identified areas of potential, including the harvesting, arts, and tourism sectors. While the GN supports the prioritization of high mineral potential, there has to be a balance with Nunavut's other economic sectors and they must be afforded the opportunity to develop. The size of the proposed areas is a significant concern for two reasons:</p> <ol style="list-style-type: none"> 1. There are currently licensed tourism establishments operating within the boundaries of high mineral potential designated areas, and 	

2. The high mineral potential designated areas overlap with areas of high potential for the tourism sector.

The process for selecting high mineral potential areas as described in the DNLUP is presently very arbitrary (the GN has already expressed this as a separate concern; see comment # 2-006). From a tourism perspective, it is not reasonable to prohibit the establishment of tourism facilities in areas without active mineral claims without sufficiently understanding the degree of certainty that high mineral potential exists.

More importantly, the GN does not agree that the establishment of tourism facilities in areas of high mineral potential is necessarily an incompatible use. The existence of tourism infrastructure in remote locations may serve to support mineral exploration in its vicinity. Where a tourism establishment includes landing facilities and accommodations there exists real opportunities for that infrastructure to support multiple uses.

While mineral exploration and production is a key contributor to Nunavut's economy, it is important to diversify as much as possible. Nunavut's tourism industry is in its infancy, but in time it could be a major contributor to the economy and provide a source of security against fluctuations in global commodity prices and investment markets.

REVIEWER'S RECOMMENDATIONS

Remove the establishment of tourism facilities as a prohibited use in the Special Management Land Use Designation for High Mineral Potential areas (Site # 167).

DNLUP Review Comment # 5-003

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Areas of High Mineral Potential – Prohibition of Conservation Areas and Parks
References	DNLUP. 2014. Chapter 5: Sub-sections 5.1.1 <i>Mineral Potential</i> , p. 38-39. DNLUP. 2014. Site #167 Table 1 and Schedule A. O&R. 2014. Chapter 5: Encouraging Sustainable Economic Development – Sub-sections 5.1.1 <i>Mineral Potential</i> and, p. 78-79. O&R. 2014. Appendix B Maps: Map 180 (Mineral Development and Production Potential).

SUMMARY OF NPC'S CONCLUSIONS

"Areas of high mineral potential have been identified based on the locations of selected mineral occurrences, an examination of historical mineral tenure held in the territory, the extent of

favourable geological units based on limited mapping; locations of current and past-producing mines, locations of advanced exploration projects, and those projects currently in the review and permitting stages.” (DNLUP, p. 38)

“Areas of high mineral potential are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.” (DNLUP, p. 39). Table 1, site #167 – High Mineral Potential:

“...the following uses are prohibited... the establishment of Conservation Areas and Parks;” (DNLUP, p.70)

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

As brought forward in comment # 2-006, the process that has been used to select high mineral potential areas is unclear. The mapped areas are large, distributed widely throughout Nunavut, and likely include important natural and cultural resources. Detailed information about the source of all factors considered by the Commission when determining sites of high mineral potential is required for government, Inuit organizations, and the public to make informed land use decisions.

REVIEWER’S RECOMMENDATIONS

Remove the establishment of Conservation Areas and Parks as a prohibited use in the Special Management Land Use Designation for High Mineral Potential areas (Site # 167) in Table 1 of the DNLUP.

DNLUP Review Comment # 5-004	
Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Oil & Gas Potential – Cameron Island Significant Discovery License
References	“Oil & Gas Dispositions – Sverdrup Basin.” Department of Aboriginal Affairs and Northern Development Canada. February 2015. DNLUP. 2014. Chapter 5: Sub-section 5.1.2 <i>Oil and Gas Potential</i> , p. 39. DNLUP. 2014. Table 1: #168 <i>Oil and Gas Significant Discovery License</i> , p. 70 and Schedule A.
SUMMARY OF NPC’S CONCLUSIONS	
Oil and gas significant discovery licenses, or #168 as specified in Table 1, are displayed in the Schedule A map.	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
Significant discovery license SDL043 on Cameron Island has not been included on Schedule A.	
REVIEWER’S RECOMMENDATIONS	
Include SDL043 in Schedule A and elsewhere within the DNLUP and O&R document as necessary in order to shown the full extent of existing significant discovery licenses within Nunavut.	

DNLUP Review Comment # 5-005	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Operating Commercial Fisheries in Nunavut
References	O&R. 2014. Chapter 5: Encouraging Sustainable Economic Development – Sub-section 5.1.3 <i>Commercial Fisheries</i> , p. 79-80.

SUMMARY OF NPC's CONCLUSIONS	
The description of Commercial Fisheries in the O&R document currently reads, "commercial fisheries are an emerging sector in Nunavut's economy, with turbot and char currently being harvested," (O&R, p.79).	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
In addition to active turbot and char fisheries, a shrimp fishery is also currently operating within the territory.	
REVIEWER'S RECOMMENDATIONS	
Shrimp should be added to the sentence on p.79 of the O&R to reflect the full range of fisheries currently operating within the NSA.	

DNLUP Review Comment # 5-006	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Commercial Fisheries – Considered Information
References	O&R. 2014. Chapter 5: Encouraging Sustainable Economic Development – Sub-section 5.1.3 <i>Commercial Fisheries</i> , p. 80.
SUMMARY OF NPC's CONCLUSIONS	
The Considered Information section provides an account of the information and sources utilized by the Commission for Nunavut's commercial fisheries land use designation.	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The Nunavut Fisheries Strategy reaffirms the commitment of the GN, communities and co-management organizations to the continuing development of commercial fisheries as an economic pillar in Nunavut.</p> <p>The "Considered Information" does not include the GN's 2005 Nunavut Fisheries Strategy that was under review in 2014.</p>	
REVIEWER'S RECOMMENDATIONS	

Review the Nunavut Fisheries Strategy and include under the "Considered Information" heading of the *Commercial Fisheries* section.

DNLUP Review Comment # 5-007	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Cumberland Sound Turbot Management Area
References	DNLUP. 2014 Chapter 5: Sub-section 5.1.3 <i>Commercial Fisheries</i> , p. 39. O&R. 2014. Chapter 5: Encouraging Sustainable Economic Development – Sub-section 5.1.3 <i>Commercial Fisheries</i> , p. 80.
SUMMARY OF NPC's CONCLUSIONS	
<p>S. 5.1.3 <i>Commercial Fisheries</i> states:</p> <p>"Cumberland Sound has been identified as a particularly important turbot fishing area..."</p> <p>And,</p> <p>"Cumberland Sound is assigned a Special Management Area land use designation that prohibits incompatible uses," (p. 39.)</p> <p>S. 5.1.3 of the O&R states:</p> <p>"Option 2 is recommended for the Cumberland Sound..." (p.79)</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>As stated in the DNLUP, Cumberland Sound has been identified as an important fishing area for the community of Pangnirtung. The land use designation of Special Management Area supports the management objectives of this area.</p> <p>However, the use of "Cumberland Sound" is vague and potentially misleading. For consistency, the proper name "Cumberland Sound Turbot Management Area" (or CSTMA) should be used whenever referencing this area.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Amend DNLUP, including Schedule A, and the O&R (including Appendix B2 #182) to read "Cumberland Sound Turbot Management Area" (or CSTMA) when referencing this area.</p>	

Chapter 6: Mixed Use

DNLUP Review Comment # 6-001	
Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Figure 2: Mixed Use
References	DNLUP. 2014. Chapter 6: Mixed Use – Figure 2, p. 42.
SUMMARY OF NPC'S CONCLUSIONS	
Figure 2: Mixed Use depicts eight symbols for which there is no explanation.	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
It is unclear what the purpose of the symbols are and how they are to be used by Plan users.	
REVIEWER'S RECOMMENDATIONS	
Explain the symbols shown in Figure 2 of Chapter 6 (p. 42) and how they support use of the Plan.	

Chapter 7: Implementation Strategy

DNLUP Review Comment # 7-001	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Verbatim references to NUPPAA and NLCA
References	DNLUP. 2014. Chapter 7: Section 7.1 <i>Responsibilities for Plan Implementation</i> , p.44.
SUMMARY OF NPC'S CONCLUSIONS	
S. 7.1 <i>Responsibilities for Plan Implementation</i> states that, "... the draft plan contains verbatim linkages to NUPPAA that are intended to aid the reader. The final version will not contain verbatim references," (DNLUP, p. 44).	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
The DNLUP contains verbatim references to NUPPAA and paraphrases the NLCA. While they are not quoted, these references are beneficial to the reader for clarity and it is not necessary – and perhaps unhelpful - to remove them.	
REVIEWER'S RECOMMENDATIONS	
Retain NLCA and NUPPAA references in the NLUP and O&R, delineated by quotes where they have been included directly, or providing section references for clarity of purpose and the benefit of the reader.	

DNLUP Review Comment # 7-002	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Public Registry
References	DNLUP. 2014. Chapter 7: Section 7.2 <i>Public Registry</i> , p. 44-45.

SUMMARY OF NPC's CONCLUSIONS	
S. 7.2 <i>Public Registry</i> of the DNLUP states, "... The NPC is required under NUPPAA to develop an on-line Public Registry to support implementation of the Plan. The NPC on-line Public Registry will be located at www.nunavut.ca," (p. 44).	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
An online public registry is required by NUPPAA, but no timeline for completion and availability is given.	
REVIEWER'S RECOMMENDATIONS	
Provide a proposed completion date for the public registry and an outline of its framework.	

DNLUP Review Comment # 7-003	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Inclusion of Inuit Place Names
References	DNLUP. 2014. Chapter 7: Section 7.3 <i>Project Proposal Application</i> , p. 45.
SUMMARY OF NPC's CONCLUSIONS	
The DNLUP asserts that, "the identification and inclusion of local Inuit Place Names with the submission of a Project Proposal would greatly assist residents with understanding the exact location of the project and its various activities" (DNLUP, p. 45).	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>Proponents are encouraged to use Inuit place names, but the DNLUP does not consistently make use of traditional Inuit place names and no suggestions from the NPC are given as to where these names may be found.</p> <p>It is recommended that the NPC include traditional place name information throughout the NLUP where information is available in order to satisfy the objectives of Goal 4 – <i>Building Healthy Communities</i> as listed in the NPC's Broad Planning Policies, Objectives and Goals document.</p>	

REVIEWER'S RECOMMENDATIONS	
Incorporate traditional place name data into NLUP maps, spatial data, and text wherever information is available, or suggest potential sources for this information.	

DNLUP Review Comment # 7-004	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Cumulative Impact Concerns – Land Use Designation
References	DNLUP. 2014. Chapter 7: Section 7.4 <i>Land Use Designations and Terms</i> , p. 46. DNLUP. 2014. Table 1, throughout (p. 54-70).

SUMMARY OF NPC'S CONCLUSIONS	
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Regarding the NPC's assessment of cumulative impact concerns for Schedule 12-1 exempt project proposals, the DNLUP states the following:

"In some Special Management Areas identified on Schedule A, the NPC may refer Project Proposals falling within NLCA Schedule 12-1 to NIRB for screening where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region," (DNLUP, p. 46 & Table 1, throughout).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
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It is understood that the NPC has the primary responsibility to assess cumulative impact potential and determine if Schedule 12-1 exempt projects should be forwarded to NIRB, independent of the land use designation the project occurs within.

However, as cited above, in some versions of this statement it appears that the NPC's assessment of Schedule 12-1 exempt project proposals with cumulative impact concerns is limited to "some Special Management Areas..." (DNLUP, p. 46).

This statement is misleading and does not accurately portray the scope of the assessment and referral process for Schedule 12-1 exempt projects with cumulative impact concerns in the NSA and Outer Land Fast Zone.

REVIEWER'S RECOMMENDATIONS	
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It is recommended that this passage on p. 46 of the DNLUP be reworded to clarify that, where

there are cumulative impact concerns, it is the NPC's obligation to refer Schedule 12-1 exempt project proposals to the NIRB for screening, irrespective of the land use designation the project proposal occurs in.

DNLUP Review Comment # 7-005	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Incorporation of Priorities and Values
References	DNLUP. 2014. Chapter 7: Section 7.4 <i>Land Use Designations and Terms</i> , p. 45-46. DNLUP. 2014. Tables 3, 4, & 5.
SUMMARY OF NPC's CONCLUSIONS	
<p>S. 7.4 <i>Land Use Designations and Terms</i> describes land management in the NSA. "Priorities and Values" instructs proponents to, "identify priorities and values of residents that need to be considered in the design, review, and conduct of the activity," and that, "Priorities and Values can apply to all Land Use Designations," (DNLUP, p. 45).</p> <p>Tables 3, 4, 5 provide extensive listings of the community priorities and values for terrestrial areas by watershed management areas, by community for marine areas, and community land use for water management areas, respectively.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>Based on Tables 3, 4 & 5 of the DNLUP, and the description provided in S. 7.4, it is not clear how these Priorities and Values are to be assessed against a project proposal, or to what end. There are no criteria for determining how proponents need to incorporate the priorities and values of residents. Furthermore, the absence of minimum acceptable thresholds makes it difficult to measure the extent to which priorities and values must be included into project design and will be measured in terms of conformity.</p> <p>While Tables 3-5 present important information about community priorities, values and use for important areas, there is a lack of context for the Tables and how they should be used by proponents to ensure that priorities and values for land use are incorporated satisfactorily into project proposals. Community priorities and values may change over time for a variety of reasons. While these tables are a starting point, proponents should be advised to consult with communities to confirm or gain a current understanding.</p> <p>It is reasonable to expect a project proposal to accommodate community concerns; however, there is no established rubric within the DNLUP to guide, assess or manage conformity to</p>	

expectations. Additional information is needed from the NPC on how Priorities and Values are to be addressed in project proposals.

REVIEWER'S RECOMMENDATIONS

Provide additional guidance and/or criteria in the DNLUP on how the Priorities and Values / Use information included in Tables 3, 4 & 5 should be effectively used and incorporated by proponents in project proposals.

DNLUP Review Comment # 7-006

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Overlapping Land Use Designations
References	DNLUP. 2014. Chapter 7: Section 7.4 <i>Land Use Designations and Terms</i> , p. 46.

SUMMARY OF NPC'S CONCLUSIONS

S. 7.4 "Land Use Designations and Terms" states the following, "In some instances, Protected Areas and Special Management Areas may overlap. When this occurs, all requirements of the Land Use Designation, Terms, Direction to Regulators and Priorities and Values apply."

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

It is not clear in what instance more than one land use designation would be required. Any incongruence between land use designations in the DNLUP should be resolved prior to finalizing the Plan. Overlapping land use designations may cause confusion for Plan users and should not be included in the DNLUP.

Land use designations should be applied consistently throughout the DNLUP. Protected Areas, Special Management Areas, and Mixed Use land use designations are separate designations with their own purpose and conditions. They must remain mutually exclusive of one another in order to retain their integrity, and to ensure clarity throughout the Plan.

REVIEWER'S RECOMMENDATIONS

Remove the wording providing for the potential overlap of Protected Areas and Special Management Areas on p. 46 of S. 7.4 of the DNLUP.

DNLUP Review Comment # 7-007	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Project Proposal Occurring in More than One Land Use Designation
References	DNLUP. 2014. Chapter 6: Mixed Use, p. 41 DNLUP. 2014. Chapter 7: Section 7.4 <i>Land Use Designations and Terms</i> , p. 46.
SUMMARY OF NPC’S CONCLUSIONS	
<p>S. 7.4 <i>Land Use Designations and Terms</i> states, “where the foot print [sic] or study area of a project proposal occurs in more than one land use designation it will be considered to conform as long as all aspects of the project are considered to conform to each Designation.”</p> <p>And,</p> <p>“For example, Project Proposals that conform to the Plan in a Protected Area or Special Management Area will also conform to the Plan in a Mixed Use Designation,” (DNLUP, p. 41).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>There may be practical limitations with this approach if a project has a large geographic scale, includes a linear feature, or has a majority of components within a Mixed Use designation, but a relatively small or seasonal use within a Special Management Area or Protected Area.</p> <p>For example, a proposal to build a mine, primarily on lands of “Mixed Use” designation, with a 200km road that passed through a 10 km section of lands with “Special Management Area” designation that prohibited all weather roads would not conform.</p> <p>Will it always be reasonable for the more restrictive requirements, particularly those for Protected Areas, to apply to the entire project or project footprint?</p>	
REVIEWER’S RECOMMENDATIONS	
<p>Review and revise the DNLUP accordingly to clarify the protocol for determining conformity for project proposals that occur in more than one land use designation.</p>	

DNLUP Review Comment # 7-008	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Definition of 'Accessory Use' and Application Under the Plan
References	DNLUP. 2014. Definitions: "Accessory Use", p. 8. DNLUP. 2014. Section 7.5: <i>Generally Permitted Uses</i> , p. 46. NPC Responses to Sabina Gold & Silver. Comments #3-4.
SUMMARY OF NPC'S CONCLUSIONS	
<p>The DNLUP defines an accessory use as, "a use of land that is temporary or seasonal and is both incidental to and customarily found in connection with a principal land use," (DNLUP, p.8).</p> <p>S. 1.4.3 explains that, "accessory uses are considered to conform to the Plan, but must be authorized through the regulatory review of the Project Proposal," (Section 1.4.3 p.17, DNLUP). Accessory uses are further referenced in section 7.5 <i>Generally Permitted Uses</i> as follows:</p> <p>"The following project proposals are considered to conform to the Plan and may occur in any Land Use Designation:</p> <ul style="list-style-type: none"> - Remediation and Reclamation - Accessory Uses - Establishment of National Historic Sites administered by Parks Canada," (DNLUP, p.46) <p>Finally, in its comments to Sabina Gold & Silver Corporation on February 14, 2014 the NPC specified, "for clarity, accessory uses that conform to the Plan include temporary uses such as winter roads, open water shipping and associated ports, staging and warehousing."</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The definition provided for an Accessory Use is unclear, ambiguous and has the potential for misapplication.</p> <p>It is unclear why uses such as winter roads or ports would be categorized as accessory uses, when these are often major components of a project. Furthermore, in reference to section 7.5 <i>Generally Permitted Uses</i>, it is unclear how projects, or accessory uses, of such a magnitude would be considered to conform to any Land Use Designation when the use may be considered incompatible under the DNLUP if it were to be submitted through the standard project application process.</p> <p>The procedure through which the conformity of an accessory use is determined and the</p>	

regulatory review process initiated has not been provided and should be included in the DNLUP. This should provide criteria for determining accessory uses, practical predictability, and dissuade potential proponent abuse.

The definition of “accessory use” should include a description of the criteria used to determine what constitutes an “accessory use” under the DNLUP. Specific reference to uses considered as accessory to the principal land use should be included. Additionally, detail on the conformity determination process for an accessory use is necessary for understanding its role in the project application process.

REVIEWER’S RECOMMENDATIONS

Revise the definition to include clarifying information on what constitutes an “accessory use” under the DNLUP. Detailed criteria and examples of acceptable accessory uses should be included for reference by users.

Include additional detail in the Chapter 7: *Implementation Strategy* on the conformity determination process for accessory uses and an explanation of its role in the project proposal application process.

DNLUP Review Comment # 7-009

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Existing Rights - Significant Modification to a Project
References	DNLUP. 2014. Chapter 7: Section 7.6 <i>Existing Rights</i> , p. 47.

SUMMARY OF NPC’S CONCLUSIONS

S. 7.6 *Existing Rights* states the following, “for greater certainty a land use plan or plan amendment will not apply to project proposals with existing rights. Despite the above, if, after the Plan comes into force, there is a significant modification to a project referred to in any of paragraphs (a) to (d), the Plan applies to that project, (p.47).

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

The term “significant modification” is not defined in the Plan, the NLCA or NUPPAA.

It is understood that the wording preceding the quoted passage comes from NUPPAA; however, as the NPC will need to define what constitutes a significant modification to a project in determining if the Plan applies to that project or not, it seems appropriate that the definition

be included in the Plan.

REVIEWER'S RECOMMENDATIONS

Include a definition of what constitutes a "significant modification" to a project with existing rights, including criteria or factors.

Provide additional detail on the NPC's procedures for conformity determinations for significant modifications to projects with existing rights.

DNLUP Review Comment # 7-010

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Conformity Determination Explanation
References	DNLUP. 2014. Chapter 7: Section 7.7 <i>Conformity Determinations</i> , p. 47.

SUMMARY OF NPC'S CONCLUSIONS

In regard to Conformity Determinations, S. 7.7 provides the following description,

"To determine whether a project proposal submitted to the NPC conforms to the Plan the NPC will review the; [sic] summary, location and description of the project. If the project proposal is not prohibited and complies with any applicable Terms it will be considered to conform to the Plan. If the project proposal is prohibited or is unable to comply with relevant Terms it will be considered to not be in conformity with the Plan," (p.47).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

A conformity determination against the requirements of the DNLUP is the first step in the review process and should be clearly and accurately described in the DNLUP. Currently, the description provided for conformity determinations is brief and does not provide useful details on such things as: how to submit or what constitutes a "complete proposal application," or which criteria are relied upon to make a conformity determination. (DNLUP, p.47). Process maps could provide detail not included in Section 7.7 Figure 3 of the DNLUP.

It is recommended that more information on this process be included in the DNLUP.

REVIEWER'S RECOMMENDATIONS

Expand upon and provide more detail on any processes or procedures that accompany the

determination of conformity with the DNLUP.

DNLUP Review Comment # 7-011

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Conformity Determinations and Projects Exempt from Screening
References	DNLUP. 2014. Chapter 7: Section 7.7 <i>Conformity Determinations</i> , p. 47.

SUMMARY OF NPC'S CONCLUSIONS

S. 7.4 *Land Use Designations and Terms:*

"The NPC also works with the Nunavut Impact Review Board and Nunavut Water Board when determining if there is a concern regarding cumulative impacts," (p.46).

S. 7.7 *Conformity Determinations:*

"If the NPC determines that the project is in conformity with the Plan it will verify whether the project is exempt from screening by NIRB. A project is exempt from screening if each work or activity that compromises the project proposal belongs to a class of exempt works activities set out in Schedule 12-1 of the NLCA, Schedule 3 of NUPPAA or prescribed by regulation. The Commission may request the NIRB's opinion as to whether a particular project is exempt from screening."

And,

"If the project is exempt from screening and the NPC has concerns with respect to any cumulative ecosystemic and socio-economic impacts that could result from the impacts of the project combined with those of any other project that has been carried out, is being carried out or is likely to be carried out wholly or partly inside the designated area, it will send the project proposal to the NIRB to conduct a screening of the proposal," (DNLUP, p. 47).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

As per NLCA sections 12.3.1-12.3.3, the NPC has the authority to determine project conformity with the DNLUP, as well as refer Schedule 12-1 exempt projects to the NIRB for screening where there are cumulative impact concerns.

The process or procedure by which the NPC works with or consults with the NIRB or NWB on cumulative impact concerns is not clear in either the DNLUP or the NLCA.

Additional explanation of this process is required for a complete understanding of conformity determinations for Schedule 12-1 exempt project proposals with cumulative impact potential.

REVIEWER'S RECOMMENDATIONS

Based on Articles 12.3.2 and 12.3.3 of the NLCA, and 78 and 80 of NUPPAA, the process by which the NPC confers with the NIRB and the NWB regarding cumulative impact concerns of Schedule 12-1 exempt projects, and how it will be consistently applied, should be clearly described in the wording of the Chapter 7 Implementation Strategy.

DNLUP Review Comment # 7-012

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Minor Variance
References	DNLUP. 2014. Definitions: "Minor Variance", p. 9. DNLUP. 2014. Chapter 7: Section 7.8 <i>Minor Variance</i> , p. 48. DNLUP. 2014. Figure 3: <i>Review of Project Proposals</i> , p. 53.

SUMMARY OF NPC'S CONCLUSIONS

"Minor Variance means relief or reasonable deviation from certain Terms of a Land Use Designation while not permitting additional uses or changing a Land Use Designation," (DNLUP, p.9).

S. 7.8 (DNLUP, p. 48) provides further explanation of a minor variance:

"A Minor Variance is a small change to a Term in the Plan. An application for a Minor Variance will be considered when the NPC determines that a project proposal does not conform to the Plan, but is eligible to be considered for a Minor Variance."

And,

"To be considered minor the change must be less than a 50% reduction to: the distance established by a setback or; the timing of a seasonal access restrictions as established in the Plan [sic]."

And,

The conditions proposed in the DNLUP for determining if a project proposal is eligible for a minor variance are:

- (a) The proposed minor variance is necessitated by unique physical features or limitations of the project location, such as those related to topography and vegetation;
- (b) The granting of the proposed minor variance will not cause the project to have incompatible or obnoxious land use when viewed in the context of surrounding uses or interests; abutting lands or on other activities that are occurring or will potentially occur in the area; and
- (c) The granting of the proposed minor variance will not be inconsistent with similar minor variances previously granted by the Commission,” (DNLUP, p. 48).

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

As a land use plan encompassing an entire territory, the ability of the DNLUP to quantify a ‘minor’ variance from a certain Term is complicated as the scale of operations and development may differ significantly with each project proposal. Whether the proposed minor variance is considered to be a reasonable deviation from the specified Terms of a Land Use Designation would be addressed accordingly through a public review process as illustrated in Figure 3: *Review of Project Proposals* of the DNLUP.

A 50% reduction is not typically considered minor. With that said, assigning a maximum percentage of change to setbacks or seasonal access restrictions may be reasonable in some cases, yet unreasonable in others. Furthermore, due to the variety of project proposals in the NSA, it may become difficult to apply a standardized measurement to all circumstances. The consequences of a proposed variance will be contextual, and a relatively arbitrary percentage may not necessarily reflect the significance of the proposed variance.

Furthermore, given the large area and varying scale of operations and development that the Plan will apply to, it is critical that the criteria or conditions for granting a minor variance be applicable to a range of circumstances, and easily interpreted by Plan users so as to avoid misuse in the future.

Presently, the conditions for determining a minor variance as outlined in section 7.8 appear open to misinterpretation and difficult to apply. The conditions used for determining the eligibility of a minor variance should be clarified to assist in the effective interpretation and application of the Plan.

REVIEWER’S RECOMMENDATIONS

Adopt additional conditions for determining a minor variance so that they may be easier to interpret and apply. For instance, some or all of the following additional conditions may be applied:

The proposed minor variance:

- (a) is reasonable given the geographic location and existing conditions;
- (b) is in accordance with the general intent and purposes of the DNLUP;
- (c) is appropriate in the context of surrounding land uses and designations;
- (d) does not set an undesirable precedent;
- (e) does not cause unacceptable adverse impacts to persons, projects, wildlife or the environment.

DNLUP Review Comment # 7-013	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Ministerial Exemption
References	DNLUP. 2014. Chapter 7: Section 7.9 <i>Ministerial Exemption</i> , p. 49.
SUMMARY OF NPC's CONCLUSIONS	
<p>S. 7.9 <i>Ministerial Exemption</i> states the following, "an exemption may only be granted after consultation with the Commission and the relevant regulatory authorities and relevant departments or agencies that [sic] are not regulatory authorities," (p.49).</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>It is understood that this statement comes from NUPPAA 82.3; however, additional detail on the consultation process between the Minister(s) and the NPC, relevant regulatory authorities, and other departments and agencies is required.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Provide additional detail on the framework of the Ministerial exemption consultation process that is required as part of a Ministerial Exemption determination.</p> <p>Additionally, include clarification of who the relevant parties are, the level of consultation, and what the general expectations are on the parties.</p>	

DNLUP Review Comment # 7-014	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Plan Amendment
References	DNLUP. 2014. Chapter 7: Section 7.10 <i>Plan Amendment</i> , p. 49.
SUMMARY OF NPC's CONCLUSIONS	

S. 7.10 *Plan Amendment* states, "the NPC will consider all applications for Plan Amendment," and further, that "the federal minister, territorial Minister, the Designated Inuit Organization or any person, including a corporation of other organization may propose an amendment to the Land Use Plan at any time,[sic]" (p.49).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

This statement is overly broad and is not consistent with wording in NLCA 11.6.1 or NUPPAA 59.1.

Emphasis on entities affected by the Plan as the limiting factor is needed.

REVIEWER'S RECOMMENDATIONS

Revise the wording to reflect that of NUPPAA 59.1 which states:

"The federal Minister, the territorial Minister, the designated Inuit organization or any person, including a corporation or other organization, ***affected by a land use plan*** may propose to the Commission an amendment to that plan," [emphasis added].

DNLUP Review Comment # 7-015

Department	Economic Development & Transportation
Organization	Government of Nunavut
Subject/Topic	Plan Amendment – Public Review Process
References	DNLUP. 2014. Chapter 7: Section 7.10 <i>Plan Amendment</i> , p. 49-50.

SUMMARY OF NPC'S CONCLUSIONS

As seen in S. 7.10 *Plan Amendment*, "the NPC must consider the proposed amendment and, if it considers it appropriate to do so, conduct a public review."

And,

"...the NPC must make the proposal public in a manner that is designed to promote public participation..."

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

The DNLUP expects to utilize plan amendments, and if necessary, conduct a public review to approve major changes to the Plan; however it is not clear when a public review may be

considered appropriate, or how the NPC would determine a need for the public review. Proponents and regulators need some predictability in the determination process.

Criteria for determining when a review is necessary and timelines associated with any anticipated stages of a public review would provide clarity and certainty to the plan amendment process.

REVIEWER'S RECOMMENDATIONS

Develop criteria and timelines for determining when a public review of a plan amendment may be necessary and the timelines for such reviews.

DNLUP Review Comment # 7-016

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Territorial Minister - Approval of Plan Amendments
References	DNLUP. 2014. Chapter 7: Section 7.10 <i>Plan Amendment</i> , p. 49.

SUMMARY OF NPC'S CONCLUSIONS

S. 7.10 *Plan Amendment*: "The NPC must submit the original or revised proposed plan amendment to the federal Minister and the Designated Inuit Organization with a written report of any public review..." (p.49).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

The territorial minister is not included in this statement, but he/she should be.

REVIEWER'S RECOMMENDATIONS

Revise S. 7.10 to include the territorial minister in terms of the approval of Plan amendments, as per NLCA 11.6 and NUPPAA 61.1.

DNLUP Review Comment # 7-017

Department	Environment
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Organization	Government of Nunavut
Subject/Topic	Designated Inuit Organization – Approval of Plan Amendments
References	DNLUP. 2014. Chapter 7: Section 7.10 <i>Plan Amendment</i> , p. 49-50.
SUMMARY OF NPC's CONCLUSIONS	
S. 7.10 <i>Plan Amendment</i> : “Based on all available information, the NPC will then make a recommendation to the Ministers whether the proposed plan amendment should be accepted or rejected,” (p.49).	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
The Designated Inuit Organization is not included in the statement, but should be.	
REVIEWER'S RECOMMENDATIONS	
Revise S. 7.10 to include the Designated Inuit Organization in terms of the approval of Plan amendments, as per NUPPAA 61.1.	

DNLUP Review Comment # 7-018	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Reliance on Plan Amendments
References	DNLUP. 2014. Chapter 7: Section 7.11 <i>Periodic Review and Monitoring</i> , p. 50-51.
SUMMARY OF NPC's CONCLUSIONS	
S. 7.11 <i>Periodic Review and Monitoring</i> states the following: “The NPC is committed to ensuring the Plan continues to reflect the changing needs and environment of the NSA and its residents. As part of this commitment, the NPC will review and monitor the provisions of the Plan and rely on plan amendments over the short term to keep the plan current and address planning partner concerns.”	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	

Reliance on plan amendments has the potential to become an onerous process for proponents, regulators, government and other parties and stakeholders.

It is recommended that a process or set of guidelines be established to select which issues or proposed plan amendments must be dealt with immediately, through amendment (which require the approval of Ministers and the Designated Inuit Organization), and those that can be deferred until a comprehensive Periodic Review.

REVIEWER'S RECOMMENDATIONS

State which issues, and/or provided criteria to determine which issues must be dealt with immediately through plan amendment, and those that can be deferred until a comprehensive Periodic Review.

DNLUP Review Comment # 7-019

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Periodic Review Definition and Process
References	DNLUP. 2014. Definitions: "Periodic Review," p. 10. DNLUP. 2014. Chapter 7 Section 7.11 <i>Periodic Review and Monitoring</i> , p.50-51.

SUMMARY OF NPC'S CONCLUSIONS

"Periodic Review" is defined in the Definitions section of the DNLUP as, "a complete public review of an approved land use plan including its regional and sub-regional components. Such a review is typically undertaken every 5-10 years."

S. 7.11 states that, "a Periodic Review should occur every 5 years. This process may be a combination of formal and informal processes" (DNLUP, p. 50).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

The timeline for Periodic Review is not consistent throughout the DNLUP.

Regularly scheduled Periodic Reviews are an important aspect for the continued evolution of the DNLUP. To improve the first generation plan, it is suggested that the Plan be reviewed, and undergo a Periodic Review after 5 years to ensure that it, "continues to reflect the changing needs and environment of the NSA and its residents" (DNLUP, p.50).

The statement that, "a combination of formal and informal processes" will be used for

conducting a Periodic Review is vague. The NPC should elaborate on its proposed 5 year review process so that planning partners may anticipate the method and manner in which input will be sought and provided.

REVIEWER'S RECOMMENDATIONS

Revise the definition and subsequent use of 'Periodic Review' to mean "a complete and comprehensive review of the Plan, as it appears, every 5 years."

Include a description of what a complete Periodic Review process will entail.

Provide additional information or procedures to clarify what can be expected with a "...combination of formal and informal processes".

DNLUP Review Comment # 7-020

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Periodic / Comprehensive Review and Plan Revision
References	DNLUP. 2014. Chapter 7: Section 7.11 <i>Periodic Review and Monitoring</i> , p. 50-51.

SUMMARY OF NPC'S CONCLUSIONS

S. 7.11 *Periodic Review and Monitoring*: "The Commission will also evaluate the results of its annual reports and periodic reviews to determine the timing or need for a comprehensive review and revision of the entire Plan content. When a periodic review determines that a comprehensive revision of the Plan should be undertaken, this will be a public process. A review of the Commission's Broad Planning Policies, Objectives and Goals will precede a comprehensive public review of the Plan," (p. 51).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

It is not clear from the description provided how the NPC will determine that a comprehensive review and revision of the Plan is needed based on its Periodic Review process. It could be interpreted that a Plan revision may not necessarily follow a Periodic Review. Furthermore, the associated timelines for both Periodic Review and comprehensive review/revision are not definitively stated in the DNLUP and it is therefore unknown how the two processes will interact and relate to one another. Additional detail is required so that the review and revision processes will be transparent and predictable.

Furthermore, the questions the NPC may ask ('a-i', p. 50-51) to assess the Plan content during Periodic Review are largely qualitative. Certain quantitative thresholds which would initiate a revision would be useful as it is unclear how the answers to these questions will be assessed or utilized.

A simpler process for review may be considered whereby the Plan is revised after every Periodic Review, with the revisions reflecting the findings of the review, rather than a separate or duplicative process to decide whether to revise or not.

REVIEWER'S RECOMMENDATIONS

Provide clarification on how the NPC will review and revise the Plan.

Consider combining the Periodic Review and comprehensive Plan revision into the same process, with the results of the review justifying the revisions that follow.

Revise the considerations that the NPC may use when deciding to initiate Plan revision to include certain thresholds that are measurable and therefore adequately assessable.

Explain the distinction between "comprehensive review" and "periodic review," and what the NPC hopes to achieve with each.

DNLUP Review Comment # 7-021

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Comprehensive Revision of the Plan
References	DNLUP. 2014. Chapter 7: Section 7.11 <i>Periodic Review and Monitoring</i> , p.51.

SUMMARY OF NPC'S CONCLUSIONS

S. 7.11 *Periodic Review and Monitoring* states that, "the Commission will also evaluate the results of its annual reports and periodic reviews to determine the timing or need for a comprehensive review and revision of the entire Plan content,"

And,

"When a periodic review determines that a comprehensive revision of the Plan should be undertaken, this will be a public process," (DNLUP, p. 51).

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

The term “comprehensive revision” is not defined in the ‘Definitions’ section of the DNLUP.

Additionally, very little information can be found in the DNLUP to describe what a comprehensive revision entails. Information such as the duration, framework, level of consultation, and how it is decided that a comprehensive revision is needed is required to promote understanding and transparency during Plan review and revision.

Also, no timeline is supplied in the DNLUP to provide Plan users with a regular and predictable comprehensive review/revision schedule. A full revision of the Plan is a public process that is essential for the continued progression of the NLUP. It is therefore recommended that a timeline be assigned to the comprehensive revision process, and that the NPC consider combining this with the Periodic Review process in order to simplify Plan review and revision procedures (see also comments #7-019, and 7-020 above).

REVIEWER’S RECOMMENDATIONS

Include a detailed definition of ‘comprehensive revision’ in the DNLUP.

Describe how the need for a comprehensive revision is determined and what the revision process entails.

Assign a definitive timeline to the comprehensive revision process or consider combining it with the Periodic Review process (see Comment #7-020 above) so that the results of the review may justify the revisions that follow.

DNLUP Review Comment # 7-022

Department	Nunavut Research Institute
Organization	Government of Nunavut
Subject/Topic	Future Research Priorities
References	DNLUP. 2014. Chapter 7: Section 7.12 <i>Additional Research and Studies</i> , p. 51-52.

SUMMARY OF NPC’S CONCLUSIONS

S. 7.12 *Additional Research and Studies* of Chapter 7 provides a list of priorities for future research that would support NPC in fulfilling its responsibilities.

REVIEWER’S COMMENTS AND SUPPORTING RATIONALE

It is unclear how the research priorities were defined and selected. There is limited information in the DNLUP regarding key geographic areas where particular research studies should (or

should not) be undertaken (.e.g. p. 52).

Research priorities are particularly important in helping partners allocate research resources and efforts most effectively and to maximize community support and involvement in studies that require local involvement and/or which may generate local concerns (e.g. use and occupancy research, experimental studies to assess development impacts). It is also important for the proposed studies to contribute to the understanding of potential impacts of seismic noise, oil spills, aircraft and ship activity on marine and terrestrial mammals, among other considerations. These types of studies clearly relate to resource development, and as 'related research' are included in the list of prohibited activities for certain key areas (e.g. caribou calving and post calving areas; see comments #1-006 and #2-001).

REVIEWER'S RECOMMENDATIONS

Provide clarity on the key geographic areas (and regions/sub regions/communities) where specific proposed studies should (and should not) be undertaken, and where research is most relevant/needed.

DNLUP Review Comment # 7-023

Department	Nunavut Research Institute
Organization	Government of Nunavut
Subject/Topic	High Arctic and Ellesmere Island Research Activities
References	DNLUP. 2014. Chapter 7: Section 7.12 "Additional Research and Studies," p.52.

SUMMARY OF NPC'S CONCLUSIONS

Regarding additional research and studies required for the ongoing improvement of the DNLUP, S. 7.12 "Additional Research and Studies" of Chapter 7 states the following:

"In addition to the research priorities noted above, other issues that were raised during community consultations that may be considered as priority include: ... cumulative impacts of research projects undertaken in the high Arctic and Ellesmere Island..."(p. 52)

REVIEWER'S COMMENTS AND SUPPORTING RATIONALE

It would appear from this passage that the cumulative impacts of research activities in the high Arctic and Ellesmere Island were identified as an issue for communities during the NPC's consultation process; however, the scope and significance of these concerns is not clearly defined in the DNLUP.

As additional research and study of the NSA, particularly in areas where information is limited, will play an important role in informing future land use decisions, it is recommended that this passage be revised to clarify the scope and significance of community concerns. It is also not clear that if, by default of a project's location in the high Arctic and/or Ellesmere Island, whether it will be automatically referred to the NIRB for screening based on cumulative impact concerns for research activities occurring in this region.

REVIEWER'S RECOMMENDATIONS

Clarify the scope of community concern regarding the cumulative impacts of research projects in the high Arctic and Ellesmere Island.

Clarify the process, if any, which will be in place to address concerns related to the cumulative impacts of research projects in the high Arctic and Ellesmere Island.

Supporting Material (Schedules and Appendices)

DNLUP Review Comment # SM-001	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Options & Recommendations Document
References	DNLUP. 2014. Chapter 1: Section 1.1 <i>Land Use Planning in the Nunavut Settlement Area</i> , p. 13. NLCA. 1993. Article 11: <i>Land Use Planning</i> . 11.2.2(b). O&R. 2014. Chapter 1: Introduction – Section 1.1 <i>Purpose</i> , p. 5.
SUMMARY OF NPC’S CONCLUSIONS	
<p>S. 1.1 <i>Land Use Planning in the Nunavut Settlement Area</i>: “the Commission is mandated under Article 11: Land Use Planning to develop, implement and monitor land use plans in the Nunavut Settlement Area (NSA),” (DNLUP, p.13).</p> <p>Chapter 1: <i>Introduction</i> of the O&R document states, “this document has been prepared to inform the draft Nunavut Land Use Plan (the Plan). It offers policy direction for land and resource use in the Nunavut Settlement Area (NSA)...” (p. 5).</p>	
REVIEWER’S COMMENTS AND SUPPORTING RATIONALE	
<p>The O&R document is not referred to or referenced in the Plan document. The O&R contains more detailed information on the NPC’s rationale behind land use designations, considered information for these decisions, and recommendations based on these factors. As laid out in the NLCA, the NLUP and its contents are legally binding and intended to “...guide and direct resource use and development in the NSA,” (NLCA 11.2.2[b]). Any documents that are supplemental to the NLUP, such as the O&R document, are not legally binding.</p> <p>It is recommended that O&R document be substantively incorporated into the DNLUP and that the DNLUP be revised to include wording as to the purpose of the O&R document and its content for land use planning in Nunavut.</p>	
REVIEWER’S RECOMMENDATIONS	
Substantively incorporate the O&R document into the DNLUP.	

DNLUP Review Comment # SM-002	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Interpretation of Schedules A and B
References	DNLUP 2014. Schedule A: Nunavut Land Use Plan - Land Use Designations, & Schedule B: Nunavut Land Use Plan - Direction to Regulators.
SUMMARY OF NPC'S CONCLUSIONS	
<p>Schedule A: Land Use Designations depicts Protected Area and Special Management Area Land Use Designations. Additionally, existing and proposed transportation corridors, areas of Equal Use and Occupancy, Inuit Owned Lands, and Established Parks are also shown in Schedule A.</p> <p>Schedule B: Direction to Regulators provides visual representation of Water Management Areas in Nunavut as well as areas where Direction to Regulatory Authorities exists.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The maps included in Schedule A and B of the DNLUP are essential to both the comprehension and application of the Plan. It is both expected, and required that Plan users be able to use the maps when making cursory determinations as to whether or not a project proposal in a certain location conforms under the Plan. Consequently, it is imperative that any maps included in the DNLUP are understandable, clearly illustrate permitted land use activities and other relevant information, and are easy for all Nunavummiut and Canadians to use.</p> <p>Because the Plan applies to the entire territory of Nunavut, large scale maps are required to depict the entirety of the area encompassed by the Plan. However, the NPC runs the risk of inaccurately displaying important information by including maps only at a territorial scale.</p> <p>Inclusion of regional maps, one for each of the NPC's planning regions, would greatly assist in the practical application of the Plan.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>As supplementary information to Schedules A and B, consider including a third Schedule ("Schedule C: Regional Maps") in the NLUP containing a separate map for each of the NPC's planning regions. Each map should illustrate a combination of the land use designations shown in Schedule A, and the direction to Regulatory Authorities information shown in Schedule B, at finer, regional scale.</p>	

DNLUP Review Comment # SM-003	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Appendix B Maps
References	O&R. 2014. Appendix B.
SUMMARY OF NPC'S CONCLUSIONS	
<p>The 184 maps included in Appendix B of the O&R document depict areas of interest and land use designations at a local scale.</p>	
REVIEWER'S COMMENTS AND SUPPORTING RATIONALE	
<p>The organization of the maps listed in Appendix B of the 2014 O&R document is confusing and not conducive to quick reference.</p> <p>The maps included in Appendix B are integral to the practical application of the Plan by users, as they define land use designations at a fine scale in areas throughout the territory. The Chapters, Sections, and detailed Table of Contents of the revised 2015 O&R document (Appendix B was not revised) distributed in June provide direct reference to these maps, as they correspond with the land use designations described in these Chapters and Sections.</p> <p>However, Appendix B lacks a similar Table of Contents to allow for easy navigation through the large collection of maps contained therein.</p> <p>It is recommended that a Table of Contents be included at the beginning of Appendix B to direct users to the correct map(s) based on a particular need. Additionally, it would be useful if the maps were organized geographically, by the planning regions in which they are located.</p>	
REVIEWER'S RECOMMENDATIONS	
<p>Include a Table of Contents at the beginning of Appendix B in the O&R document, including map title / page number and cross-reference to the appropriate sections of the NLUP and O&R documents.</p> <p>Consider categorizing Appendix B maps in the O&R document by planning region.</p>	

Appendix A: List of Recommendations

TC ID NO.	RECOMMENDATION(S)	Page #
D-001	Ensure consistent definition of the term 'minor variance' when used throughout the DNLUP.	p. 2
D-002	<p>The following changes to the term "Proposed Territorial Park," as found in the Definitions section of the DNLUP, are recommended:</p> <p>"Proposed Territorial Park means an area that has undergone considerable background and feasibility study, has community and Regional Inuit Association support and has been approved by Government to proceed in accordance to the legal obligations and processes as outlined under the Nunavut Land Claims Agreement (NLCA) and Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area (IIBA)."</p>	p. 3
D-003	<p>The following changes to the term "Territorial Park Awaiting Full Establishment" as found in the "Definitions" section of the DNLUP are recommended:</p> <p>"Territorial Parks Awaiting Full Establishment means parks which have been approved by Government and are treated as Territorial Parks. These parks, including those listed under Schedule 2.1 of the Umbrella Inuit Impact and Benefit Agreement for Territorial Parks (as may be amended from time to time), are under the land withdrawal process and/or have not yet been legally designated under the Territorial Parks Act."</p>	p. 4
D-004	<p>Include definitions for all terms found in Table 1 in the DNLUP, including those terms listed as Prohibited Uses: 'Mining', 'Oil and Gas', 'Quarries', 'Mineral exploration and production', 'oil and gas exploration and production', 'All-Weather Roads', and 'Related Research.'</p> <p>In developing the definition of 'Quarries' the NPC should consider Article 19, Part 9 of the NLCA concerning Inuit rights to carving stone.</p> <p>Provide clarity on definitions for, and consistency in the use of, terminology for various types of land uses discussed in the DNLUP.</p>	p. 5
D-005	<p>Clarify if 'hydro development' as used in Table 1 is equivalent to 'hydro-electrical and related infrastructure' in the Definitions section of the DNLUP.</p> <p>Consider using only one term for consistency if this is the case. If it is not, then provide a separate and distinct definition for "hydro development."</p> <p>Confirm if other forms of energy production are intentionally excluded from the Protected Area designations.</p>	p. 6
1-001	Include a timeline and additional description that outlines the long-term approach the NPC intends to follow in its incremental development of the Plan.	p. 7
1-002	<p>State in the DNLUP and O&R document the methodology used by the NPC to analyze and incorporate community priorities and values to inform the Plan and land use designations.</p> <p>Spell out 'WMA' in Table 3, and include in list of acronyms.</p>	p. 7-8

TC ID NO.	RECOMMENDATION(S)	Page #
1-003	Include in the DNLUP an explanation clarifying the planning jurisdiction in areas of mutual interest /overlapping jurisdiction/land claim in the NSA. For example, include an explanation of the unique jurisdictional framework, as set out in the NLCA, for Area A in Hudson Strait and Area B around the Belcher Islands in Hudson Bay.	p. 9
1-004	Revise Section 1.5.3 to read: “Within municipal boundaries: <ul style="list-style-type: none"> - The Plan applies to Project Proposals that have ecosystemic impacts outside the municipality; - Projects involving the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydroelectric power or any industrial activity within the municipal boundary are subject to Direction to Regulatory Authorities.” 	p. 10
1-005	The text related to ‘Direction to Regulatory Authorities’ on p. 45 – 46 and provided in various designations in Table 1 should be clarified to reflect that regulators must consider the need for proponents to mitigate impacts as identified in a specific land use designation/area as part of the review process.	p. 11-12
1-006	Include a detailed definition of the term ‘related research’ in the Definitions section of the DNLUP, and distinguish as appropriate from ‘ongoing land use planning studies and research (S. 1.4.1) and ‘additional research and studies’ (S. 7.12 of DNLUP. Provide clarification on how research related to areas designated as Option 1: Protected Area, including additional information provided by the planning partners and other stakeholders, will be incorporated into future versions of the NLUP. Consider revising the terminology ‘related research’ as used in Table 1 to more accurately reflect this process.	p. 12-13
2-001	<p>Core-calving Areas and Key Access Corridors:</p> <p><i>Designation:</i> Assign all core-calving areas and associated key access corridors a Protected Area land use designation where industrial development and activity are not permitted, regardless of the existence of a high mineral potential.</p> <p><i>Direction:</i></p> <p>Exceptions to these restrictions will include:</p> <ol style="list-style-type: none"> 1. Research, and tourism directly related to the conservation of the species, to be considered on a project-specific basis; 2. Research, and tourism not directly related to caribou conservation, will be seasonally restricted to times when caribou have vacated the core calving areas and key access corridors. <p>Post-calving Areas:</p> <p><i>Designation:</i> Assign all post-calving areas a Special Management Area land use designation where seasonal restrictions on development activity apply when and where caribou are present.</p> <p><i>Direction:</i> Seasonal restrictions apply to development activities when and where caribou are present (approximately June 15 – August 1).</p>	p. 14-16

TC ID NO.	RECOMMENDATION(S)	Page #
	Seasonal restrictions would apply to exploration and production projects, research and tourism unrelated to caribou conservation, and any activity with a high likelihood of disturbance to caribou when and where they are present.	
2-002	<p>Assign all caribou rutting areas a Special Management Area land use designation that:</p> <ul style="list-style-type: none"> - Includes a conformity requirement whereby proponents must demonstrate in their project proposal that consideration has been given to their location within a designated rutting area; - Includes direction to proponents specifying that seasonal restrictions on development activity apply when and where caribou are present (approximately Oct. 10 – Nov. 10), and further specifying that the restricted activities include but are not limited to: air and vehicle traffic, loud or repetitive noise, and/or vibration disturbances. <p>Include designated caribou rutting areas in the NLUP and O&R document, and all relevant figures, maps and tables included within these two documents.</p>	p. 16-17
2-003	<p>Assign caribou migration corridors a Special Management Area land use designation that:</p> <ul style="list-style-type: none"> - Includes direction to proponents specifying that seasonal restrictions on development activity apply when and where caribou are present (approximately Oct. 10 – Nov. 10 [Fall Migration], and April 15 – June 1 [Spring migration]); - Includes a conformity requirement whereby proponents must demonstrate in their project proposal that consideration has been given to their location within a designated migration corridor, and that any linear feature proposed within a designated migration corridor will not impede the movement of caribou; - Specifies the following restricted activities when and while caribou are present (list not exhaustive): air and vehicle traffic, loud or repetitive noise, and/or vibration disturbances. <p>Include designated caribou migration corridors in the NLUP and O&R document, and all relevant figures, maps and tables included within these two documents.</p>	p. 18-19
2-004	<p>Assign Seasonal Ranges a Mixed Use land use designation that:</p> <ul style="list-style-type: none"> - Includes a conformity requirement whereby proponents proposing to operate within a mainland migratory caribou seasonal range must demonstrate consideration for these areas by recognizing the potential impacts of proposed activities, and identify mitigation. 	p. 19-20
2-005	The GN will regularly exchange information and research with the NPC to ensure that land use designations are informed by the current knowledge of caribou habitat and behaviour.	p. 20-21

TC ID NO.	RECOMMENDATION(S)	Page #
2-006	<p>Clarify what information was provided by AANDC to designate areas with high mineral potential and confirm the use of research from GSC and CNGO.</p> <p>Areas identified as 'high mineral potential' should be reassigned as areas with 'high known mineral potential' to recognize the fact that all other areas also have mineral potential, but that it is currently unknown.</p>	p. 21-22
2-007	<p>Revise the section 2.2 <i>Transboundary Considerations</i> of the DNLUP to accurately reflect the process for initiating a transboundary project review as per NLCA 12.11.1 and NUPPAA 185.</p> <p>Revise the statement on p. 25-26 re: to "Direction is given to government departments and agencies to consider requesting that the NIRB screen and review projects in adjacent areas for ecosystemic or socio-economic impacts on the NSA."</p>	p. 22-23
2-008	<p>Expand section 2.2 <i>Transboundary Considerations</i> to include all transboundary watershed resources in the NSA.</p>	p. 24
3-001	<p>Edit or remove text in Section 3.1 and other relevant parts of the DNLUP and O&R to clarify the role of the NPC in the Park establishment process as supportive and non-authoritative only.</p> <p>It is recommended that the Nunavut Land Use Plan and O&R document, and all relevant figures, maps and tables included within these two documents, be revised to incorporate the following information:</p> <p>1. Established Territorial Parks</p> <ul style="list-style-type: none"> - Kekerten Territorial Park (Pangnirtung) - Qaummaarviit Territorial Park (Iqaluit) <p>2. Territorial Parks Awaiting Full Establishment</p> <p><i>Qikiqtaaluk (Baffin) Region:</i></p> <ul style="list-style-type: none"> - Territorial Park Awaiting Full Establishment - Katannilik (Kimmirut/Iqaluit) - Territorial Park Awaiting Full Establishment - Mallikjuaq (Cape Dorset) - Territorial Park Awaiting Full Establishment - Sylvia Grinnell (Iqaluit) - Territorial Park Awaiting Full Establishment - Pisuktinu Tunngavik (Pangnirtung) - Territorial Park Awaiting Full Establishment - Tamaarvik (Pond Inlet) - Territorial Park Awaiting Full Establishment - Taqaiqsirvik (Kimmirut) - Territorial Park Awaiting Full Establishment - Tupirvik (Resolute Bay) <p><i>Kitikmeot Region:</i></p> <ul style="list-style-type: none"> - Territorial Park Awaiting Full Establishment - Kugluk (Bloody Falls) (Kugluktuk) - Territorial Park Awaiting Full Establishment - Ovayok (Cambridge Bay) <p><i>Kivalliq Region:</i></p> <ul style="list-style-type: none"> - Territorial Park Awaiting Full Establishment - Iqalugaarjuup Nunanga (Rankin) 	p. 25-26

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	<p>Inlet)</p> <ul style="list-style-type: none"> - Territorial Park Awaiting Full Establishment - Inuujaarvik (Baker Lake) <p>3. Proposed Territorial Park</p> <ul style="list-style-type: none"> - Proposed Territorial Park - Aggutinni (Clyde River) - Proposed Territorial Park - Nuvuk (Arviat) - Proposed Territorial Park - Kingaluuk-Sitiapiit (Sanikiluaq) - Proposed Territorial Park – Napartulik / Napaaqtulik (Axel Heiberg Island) <p>4. Canadian Heritage Rivers</p> <ul style="list-style-type: none"> - Soper Canadian Heritage River - Thelon Canadian Heritage River - Kazan Canadian Heritage River - Coppermine Heritage River (nominated) 	
3-002	<p>Include the Coppermine River as a nominated Canadian Heritage River in the DNLUP and O&R document, and all relevant figures, maps and tables included within these two documents. Shapefiles are available upon request.</p> <p>Assign Option 2 - Special Management Area land use designation to the Coppermine Heritage River to support the conservation and management objectives outlined in the Coppermine River Management Plan.</p>	p. 26-27
3-003	<p>In accordance with the labels assigned to National Parks in Table 1 and Schedule A, revise Table 1 and Schedule A to include the new categories of "Proposed Territorial Park" and "Territorial Park Awaiting Full Establishment."</p>	p. 28
3-004	<p>Revise Table 1 and Schedule A to reflect the correct title of "Proposed Aggutinni Territorial Park."</p> <p>List the Proposed Aggutinni Territorial Park within the new "Proposed Territorial Park" category for Table 1 and Schedule A as specified in the previous comment # 3-003.</p>	p. 29
3-005	<p>Revise the text of sub-section 3.1.1.1 to read:</p> <p>"There are currently 11 Candidate Territorial Parks Awaiting Full Establishment in Nunavut, 2 of which are outside of municipal boundaries (Katannilik and Sylvia Grinnell). Territorial Parks Awaiting Full Establishment (within or outside municipal boundaries) have been approved by Government, are under the land withdrawal process and/or have not yet been designated under the <i>Territorial Parks Act</i>. Until these parks are fully established, their interim management is the responsibility of GN, Department of Environment, Parks & Special Places Division, in accordance with the NLCA/IIBA."</p> <p>Revise the sub-section 3.1.1.2 to read:</p> <p>"Four areas have undergone considerable background and feasibility study, have community and RIA support, but have not yet received final government approval. Until a Territorial Park is established and a boundary is agreed upon, the area requires interim management. These areas are:</p>	p. 30-31

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	<ul style="list-style-type: none"> - Agguttinni Proposed Territorial Park near Clyde River; - Nuvuk (in Arviat) ; - Kingaluuk-Sitiapiit (for Sanikiluaq) ; and - Napartulik / Napaaqtulik (Axel Heiberg Island). <p>These four areas are assigned a Special Management Area Land Use Designation that permits tourism, research and recreation.”</p> <p>Proponents must be made aware that a park is in consideration for the area, and respect the obligations and processes as outlined under the NLCA and IIBA for Territorial Parks.</p> <p>Update the site numbering of Table 1 and Schedule A accordingly.</p>	
3-006	<p>The following revisions to the text found in the Introduction section of Chapter 3: Encouraging Conservation Planning are recommended:</p> <p>“Areas and issues of the NSA identified by the Commission as important to encouraging conservation planning are:</p> <ul style="list-style-type: none"> - National and Territorial Parks Awaiting Full Establishment; - Proposed National and Territorial Parks...” 	p. 32
3-007	Remove Northwest Passage Territorial Park from the list of "Parks Awaiting Full Establishment" in Chapter 3 of the O&R document.	p. 32-33
3-008	Revise the O&R document Sub-section 3.1.1.1 to state that only 2 Territorial Parks Awaiting Full Establishment, Katannilik and Sylvia Grinnell Territorial Parks, are located outside of municipal boundaries.	p. 33-34
3-009	<p>Revise the O&R document Sub-section 3.1.1.1 Considered Information for Territorial Parks Awaiting Full Establishment to reflect that:</p> <ul style="list-style-type: none"> - Territorial Parks Awaiting Full Establishment (within or outside municipal boundaries) have been approved by Government, are under the land withdrawal process and/or have not yet been designated under the <i>Territorial Parks Act</i>. - Until they are fully established, their interim management is the responsibility of GN Department of Environment: Parks & Special Places Division, in accordance with the <i>Nunavut Land Claims Agreement (NLCA)</i> and <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area (IIBA)</i> in partnership with the communities and Joint Planning and Management. - As per the IIBA Section 2.1.2, Park Specific Appendices will be developed and added to the IIBA during the Territorial Park Establishment Process. 	p. 34-35
3-010	All Territorial Parks Awaiting Full Establishment either within or outside municipal boundaries should be assigned the land use designation of “Option 1 – Protected Area.”	p. 35-36

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3-011	<p>Revise the O&R document Sub-section 3.1.1.2 Considered Information for Territorial Parks Awaiting Full Establishment to reflect that Proposed Territorial Parks have undergone considerable background and feasibility study, have community and Regional Inuit Association support and have been approved by Government to proceed in accordance to the legal obligations and planning processes as outlined under the <i>Nunavut Land Claims Agreement</i> (NLCA) and approved <i>Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area</i> (IIBA).</p>	p. 36-37
3-012	<p>Assign all Proposed Territorial Parks Option 2: Special Management Area that would allow tourism, research and recreation. Proponents must be made aware that a park is under consideration for the area, and respect the obligations and processes outlined in the Territorial Parks IIBA.</p> <p>Revise the recommendation for Proposed Territorial Parks in the O&R to say:</p> <p>“Option 1 is recommended for Proposed Territorial Parks:</p> <ul style="list-style-type: none"> • Restricts access to uses that are incompatible with environmental and cultural values. • May include terms to guide land use. • May include direction to regulatory authorities. • May identify priorities and values that need to be considered in the design, review, and conduct of the activity. <p>The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral exploration and production; • Oil and gas exploration and production; • Quarries; • Hydro development; • All-weather roads; and • Related research.” 	p. 37-38
3-013	<p>In Section 1.3 of the O&R report “Considered Information” (p. 5)– add the following bullet:</p> <ul style="list-style-type: none"> • “Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Region (2002)” <p>Chapter 3 of the O&R report (p. 49) – Edit the first bullet in the Introduction to say:</p> <p>“identifies key areas of Nunavut that are known to be critical to encouraging conservation planning,”</p> <p>In section 3.1.1 of the O&R report (p.49) – add the following two bullets:</p> <ul style="list-style-type: none"> • “Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Region (2002)” • Nunavut Parks and Special Places Program.” 	p. 38-39

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4-001	Include a conformity requirement in the DNLUP requiring a proponent of an industrial project taking place within a watershed containing a community drinking water source to identify in their proposal: the location of the community drinking water source in relation to the proposed project activities; any potential impacts of project activity on that water source; and mitigation measures to avoid impacts to the community drinking water source.	p. 40-41
4-002	Revise Schedule A, and other maps within the DNLUP and O&R document, to reflect the full extent of Manitoba and Athabasca Denesuline Areas of Asserted Title Claim. Consider using a coloured dash line for each of the areas of Asserted Title Claim to maintain consistency with Figure 1 and the rest of the DNLUP.	p. 41-42
4-003	Include Meliadine and Nanisivik Roads in the DNLUP and all accompanying documents, maps and figures where applicable.	p. 42-43
4-004	Update sub-section 4.2.1 of the DNLUP to include a complete listing of existing and proposed marine transportation corridors. This list will include: <ul style="list-style-type: none"> - Chesterfield Inlet barge route (existing); - Steensby Inlet port and shipping route through Hudson Strait / Foxe Basin (proposed); - Meliadine Mine port and shipping route (proposed); - Those already identified in Schedule A and Maps 119 and 120. Update Schedule A of the DNLUP, and maps 119 and 120 within the O&R document to reflect the existing and proposed marine transportation corridors.	p. 43-44
4-005	Update Schedule A of the DNLUP to show the Thelon River alternative energy infrastructure. Include a definition of 'Alternative Energy Sources' in the DNLUP.	p. 44
4-006	Provide additional clarification in section 4.3 <i>Alternative Energy Sources</i> on how the Iqaluit Hydroelectricity Project, particularly the Armshow South site, will be addressed in the future.	p. 45
5-001	Revise the DNLUP and O&R document to include discussion of tourism and arts sectors. Include a recommendation that specifies that neither tourism, nor activities related to the arts sector, will be a restricted land use activity except in areas where explicitly stated otherwise.	p. 46
5-002	Remove the establishment of tourism facilities as a prohibited use in the Special Management Land Use Designation for High Mineral Potential areas (Site # 167).	p. 47-48
5-003	Remove the establishment of Conservation Areas and Parks as a prohibited use in the Special Management Land Use Designation for High Mineral Potential areas (Site # 167).	p. 48-49

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5-004	Include SDL043 in Schedule A and elsewhere within the DNLUP and O&R document as necessary in order to shown the full extent of existing significant discovery licenses within Nunavut.	p. 50
5-005	Shrimp should be added to the sentence on p.79 of the O&R to reflect the full range of fisheries currently operating within the NSA.	p. 50-51
5-006	Review the Nunavut Fisheries Strategy and include under the "Considered Information" heading of the <i>Commercial Fisheries</i> section.	p. 51-52
5-007	Amend DNLUP, including Schedule A, and the O&R (including Appendix B2 #182) to read "Cumberland Sound Turbot Management Area" (or CSTMA) when referencing this area.	p. 52
6-001	Explain the symbols shown in Figure 2 of Chapter 6 (p. 42) and how they support use of the Plan.	p. 53
7-001	Retain NLCA and NUPPAA references in the NLUP and O&R, delineated by quotes where they have been included directly, or providing section references for clarity of purpose and the benefit of the reader.	p. 54
7-002	Provide a proposed completion date for the public registry and an outline of its framework.	p. 54-55
7-003	<p>Proponents are encouraged to use Inuit place names, but the DNLUP does not consistently make use of traditional Inuit place names and no suggestions from the NPC are given as to where these names may be found.</p> <p>It is recommended that the NPC include traditional place name information throughout the NLUP where information is available in order to satisfy the objectives of Goal 4 – <i>Building Healthy Communities</i> as listed in the NPC's Broad Planning Policies, Objectives and Goals document.</p> <p>Incorporate traditional place name data into NLUP maps, spatial data, and text wherever information is available, or suggest potential sources for this information.</p>	p. 55-56
7-004	It is recommended that this passage on p. 46 of the DNLUP be reworded to clarify that, where there are cumulative impact concerns, it is the NPC's obligation to refer Schedule 12-1 exempt project proposals to the NIRB for screening, irrespective of the land use designation the project proposal occurs in.	p. 56-57
7-005	Provide additional guidance and/or criteria in the DNLUP on how the Priorities and Values / Use information included in Tables 3, 4 & 5 should be effectively used and incorporated by proponents in project proposals.	p. 57-58
7-006	Remove the wording providing for the potential overlap of Protected Areas and Special Management Areas on p. 46 of Section 7.4 of the DNLUP.	p. 58
7-007	Review and revise the DNLUP accordingly to clarify the protocol for determining conformity for project proposals that occur in more than one land use designation.	p. 59

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7-008	<p>Revise the definition to include clarifying information on what constitutes an “accessory use” under the DNLUP. Detailed criteria and examples of acceptable accessory uses should be included for reference by users.</p> <p>Include additional detail in the Chapter 7: <i>Implementation Strategy</i> on the conformity determination process for accessory uses and an explanation of its role in the project proposal application process.</p>	p. 60-61
7-009	<p>Include a definition of what constitutes a “significant modification” to a project with existing rights, including criteria or factors.</p> <p>Provide additional detail on the NPC’s procedures for conformity determinations for significant modifications to projects with existing rights.</p>	p. 61-62
7-010	<p>Expand upon and provide more detail on any processes or procedures that accompany the determination of conformity with the DNLUP.</p>	p. 62-63
7-011	<p>Based on Articles 12.3.2 and 12.3.3 of the NLCA, and sections 78 and 80 of NUPPAA, the process by which the NPC confers with the NIRB and the NWB regarding cumulative impact concerns of Schedule 12-1 exempt projects, and how it will be consistently applied, should be clearly described in the wording of the Chapter 7 Implementation Strategy.</p>	p. 63-64
7-012	<p>Adopt additional conditions for determining a minor variance so that they may be easier to interpret and apply. For instance, some or all of the following additional conditions may be applied:</p> <p>The proposed minor variance:</p> <ul style="list-style-type: none"> (a) is reasonable given the geographic location and existing conditions; (b) is in accordance with the general intent and purposes of the DNLUP; (c) is appropriate in the context of surrounding land uses and designations; (d) does not set an undesirable precedent; (e) does not cause unacceptable adverse impacts to persons, projects, wildlife or the environment. 	p. 64-66
7-013	<p>Provide additional detail on the framework of the Ministerial exemption consultation process that is required as part of a Ministerial Exemption determination.</p> <p>Additionally, include clarification of who the relevant parties are, the level of consultation, and what the general expectations are on the parties.</p>	p. 66
7-014	<p>Revise the wording to reflect that of NUPPAA 59.1 which states:</p> <p>“The federal Minister, the territorial Minister, the designated Inuit organization or any person, including a corporation or other organization, <i>affected by a land use plan</i> may propose to the Commission an amendment to that plan,” [emphasis added].</p>	p. 66-67
7-015	<p>Develop criteria and timelines for determining when a public review of a plan amendment may be necessary and the timelines for such reviews.</p>	p. 67-68

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7-016	Revise Section 7.10 to include the territorial minister in terms of the approval of Plan amendments, as per NLCA 11.6 and NUPPAA 61.1.	p. 68
7-017	Revise Section 7.10 to include the Designated Inuit Organization in terms of the approval of Plan amendments, as per NUPPAA 61.1.	p. 69
7-018	State which issues, and/or provided criteria to determine which issues must be dealt with immediately through plan amendment, and those that can be deferred until a comprehensive Periodic Review.	p. 69-70
7-019	Revise the definition and subsequent use of 'Periodic Review' to mean "a complete and comprehensive review of the Plan, as it appears, every 5 years,". Include a description of what a complete Periodic Review process will entail. Provide additional information or procedures to clarify what can be expected with a "...combination of formal and informal processes".	p. 70-71
7-020	Provide clarification on how the NPC will review and revise the Plan. Consider combining the Periodic Review and comprehensive Plan revision into the same process, with the results of the review justifying the revisions that follow. Revise the considerations that the NPC may use when deciding to initiate Plan revision to include certain thresholds that are measurable and therefore adequately assessable. Explain the distinction between "comprehensive review" and "periodic review," and what the NPC hopes to achieve with each.	p. 71-72
7-021	Include a detailed definition of 'comprehensive revision' in the DNLUP. Describe how the need for a comprehensive revision is determined and what the revision process entails. Assign a definitive timeline to the comprehensive revision process or consider combining it with the Periodic Review process (see Comment 7-020 above) so that the results of the review may justify the revisions that follow.	p. 72-73
7-022	Provide clarity on the key geographic areas (and regions/sub regions/communities) where specific proposed studies should (and should not) be undertaken, and where research is most relevant/needed.	p. 73-74
7-023	Clarify the scope of community concern regarding the cumulative impacts of research projects in the high Arctic and Ellesmere Island. Clarify the process, if any, which will be in place to address concerns related to the cumulative impacts of research projects in the high Arctic and Ellesmere Island.	p. 74-75
SM-001	Substantively incorporate the O&R document into the DNLUP.	p. 76

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SM-002	As supplementary information to Schedules A and B, consider including a third Schedule ("Schedule C: Regional Maps") in the NLUP containing a separate map for each of the NPC's planning regions. Each map should illustrate a combination of the land use designations shown in Schedule A, and the direction to Regulatory Authorities information shown in Schedule B, at finer, regional scale.	p. 77
SM-003	Include a Table of Contents at the beginning of Appendix B in the O&R document, including map title / page number and cross-reference to the appropriate sections of the NLUP and O&R documents. Consider categorizing Appendix B maps in the O&R document by planning region.	p. 78