

Nunavut Planning Commission ᓄᓇᓂᓂ ᑕᓄᓂᓂ NUNAVUTNI PARNAYIIT

Keewatin

REGIONAL LAND USE PLAN



Letter of Transmittal

The Nunavut Planning Commission has prepared the *Keewatin Regional Land Use Plan* in accordance with the procedure for public consultation and government review set out in Part 5, Article 11 of the *Nunavut Land Claims Agreement*.

The plan was submitted to government for final consideration in May, 2000, and was approved in June, 2000.

In preparing the plan, the Nunavut Planning Commission has attended closely to the views expressed by individuals and communities in the region and by Inuit representatives and the other participants in the planning process. Every effort has also been made to address the comments offered by government.

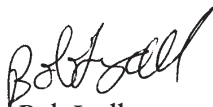
We, the undersigned members of the Nunavut Planning Commission, believe that the plan contained in the following pages incorporates the best concepts from all of these sources. We believe that with appropriate regard and action by government, Inuit land owners, and all affected agencies, this plan can guide and direct development in the region for several years to come.

We wish to sincerely thank all those who contributed their time and thoughts to the preparation of this plan. We also wish to recognize the contribution of our predecessors. Bob Lyall (Chairperson), Tongola Sandy (Vice-Chairperson), David Mablick (Vice-Chairperson), Mark Kalluak, Joe Otokiak and Robert Hornal (Members) served on the Nunavut Planning Commission that prepared the original *Keewatin Regional Land Use Plan* submitted in 1991.

Our predecessors on the Nunavut Planning Commission, responsible for work on this plan between 1996 and 1999, include Akalayok Qavavau (Vice-Chairperson), Louis Pilakapsi, Loseeosee Aipellie, Jobie Nutaraq and Ron Tologanak (Members).



Louis Pilakapsi,
Member



Bob Lyall,
Chairperson



Loseeosee Aipellie,
Member



Peter Suwaksiork,
Member



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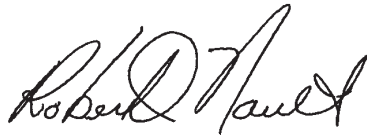


Akalayok Qavavau,
Member



Ministerial Approval

We, the undersigned, are pleased to approve, on behalf of the Government of Canada and the Government of Nunavut, the *Keewatin Regional Land Use Plan 2000* which is effective as of June 20, 2000.



Robert Nault
Minister of Indian Affairs
and Northern Development
Government of Canada



Peter Kilabuk
Minister of Sustainable
Development
Government of Nunavut

Notes to Readers

Previous Plan

The original *Keewatin Regional Land Use Plan* was approved by government in 1994 and 1995. Following the signing of the NLCA in 1993, and the establishment of the NPC in 1996, the plan has been reviewed and revised to ensure that it conforms to the NLCA. The review process is described in Chapter 4. This document is the revised plan, the *Keewatin Regional Land Use Plan*.

Acronyms

Many agencies are involved in land management in Nunavut, and virtually all of them are more commonly referred to by their acronym than by their full name. The same practice is, therefore, followed in this land use plan. Two lists are provided in Appendix A to aid readers who may not be familiar with some of the acronyms used in land management in Nunavut. The first list is sorted alphabetically by acronym, the second is sorted by full name.

Definitions

A number of terms that are used frequently in land and resource management in Nunavut, and throughout this land use plan, are defined in Appendix B.

Summary of Terms

A number of numerically ordered Terms are developed and discussed in Chapter 6. For easy reference, these are summarized in Appendices C-E.

Cover photo of Marble Island by Doug McLarty.

Acknowledgements and Dedication



The late Louis Pilakapsi, a former NPC board member, served his people and his homeland in many ways. This land use plan is dedicated to his memory.

The NPC would like to acknowledge all those who contributed to the development of the *Keewatin Regional Land Use Plan*: the Kivalliq Inuit Association, all the local Hunters' and Trappers' Organizations, the Community Land and Resources Committees, Hamlet Councils, Nunavut Tunngavik Inc. (NTI), industry, federal and territorial departments and agencies, and our staff, both in the Keewatin Region and elsewhere.

The greatest thanks go to the people of the Keewatin, who participated with enthusiasm in all stages of this review. This was the first land use plan review to be conducted under the terms of the *Nunavut Land Claims Agreement* (NLCA). For that reason, the

people of the Keewatin can justifiably see themselves as trail blazers in a new land use management process developed through the land claims agreement.

Changes to this plan reflect first and foremost the concerns, goals and objectives of the people of the region. The members of the NPC learned a lot from this review and trust that the people of the Keewatin will feel that it has been worthwhile.

This plan is dedicated to the memory of Louis Pilakapsi, who was born at Ukkusiksalik and served his people and his land in many capacities, including membership in the NPC from 1996 to 1999.

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INTRODUCTION



*NPC board members and staff conduct a paperless meeting in Wager Bay, 1998.
Putting land use plans into effect in Nunavut as early in its mandate as is feasible is a top priority.*

Photo by Arthur Boutilier

The NPC is pleased to present a revised regional land use plan to guide land use in the Keewatin planning region. The original plan was developed following more than two years of public consultation with members of all regional communities, Inuit organizations, industry, government and other interested parties.

At this early stage in the evolution of land use planning in the Nunavut Settlement Area (NSA), the NPC fully expects that the degree of precision in this plan is less than future plans will be able to provide. There are many reasons for this, including the limited availability of planning data for such a vast expanse of land, and the relative newness of the requirements of land use planning in this part of Canada. Another important

consideration is the importance the NPC places upon putting plans into effect in Nunavut as early in its mandate as is feasible. Moreover, many of the requirements of this plan involve commitments for action by governments and government agencies and do not apply directly to individual project proposals.

The land use plan resulting from this exercise is not like a traditional land use plan. The purpose of this plan is not to allocate restrictive land uses to particular regions. However, at times it may be appropriate to address mining and non-mining concerns by putting restrictions on certain types of land use in certain areas (for example, archaeological sites, sacred sites and key harvesting areas).

The intent of a land use plan is to provide a framework within which to work. Land owners, managers and proponents will therefore have a better idea of where there are limits or concerns. This plan looks at land use activities in the region as a whole and provides terms that will guide sound development where it might occur, while at the same time ensuring the protection of the land and resources. These terms are directed at communities, government and industry.

It is also important to recognize that land use planning in this part of Canada – particularly in the context of the NLCA land and resource management system – does not necessarily resemble the administrative process by which municipal officials determine the conformity of land use applications with local zoning by-laws in southern Canada. Again, Nunavut is vast; the scale of land use planning alone in this territory suggests that plans may be broad in their scope. This territory is subject to land use and resource distribution patterns more uncertain and shifting than those that characterize towns and cities. Also, the NPC is not a permitting agency; land use planning under the NLCA is a policy-making function whose regulatory effect is intended to be broad. This understanding of the NPC's mandate is confirmed by s. 11.3.1 of the NLCA, which defines a land use plan as a “document ... for the establishment of *objectives and guidelines* for short-term and long-term development” (emphasis added).

Making decisions about particular cases on the basis of a set of policies, principles and

standards rather than specific and predetermined land use designations is an established method of land use planning.

It is a balancing act, but one which reflects the needs and interests of everyone who has participated in this report's development. This plan is also written with an eye to the future. The land use plan adopted for the Keewatin will be reviewed every five years. This time period may be extended or shortened depending on the rate of change within the region. Most of the terms should be implemented shortly after the plan is approved, through changes or modifications to current government, industry and community practice. Where this is not the case, the NPC has made comments as to the appropriate timing. During this period, subject to community consultation and assent, the plan may also be amended.

The original plan was designed to be integrated with the NLCA. The NLCA is now being implemented and there is a requirement to ensure that all existing land use plans comply with its provisions. To that end, a process was developed to review this plan and ensure that it complied with the Agreement. This process and its development are outlined in Chapter 4.

In its review, the NPC decided to adhere to the principles laid out in the original plan, since the situation in the Keewatin has not changed appreciably from when that plan was developed. There is still little likelihood of major industrial development going ahead in the near future.

CHAPTER 1

PRINCIPLES GUIDING DEVELOPMENT OF THE REVISED PLAN

The following principles guided the development of the original *Keewatin Regional Land Use Plan*. The NPC finds they are still endorsed by the people of the region and other participants in the process. They also continue to reflect the planning priorities of the region.

Planning Principles under the NLCA

In conducting its review, the NPC was guided, in particular, by the following principles contained in the NLCA:

- The primary purpose of land use planning in the Nunavut Settlement Area shall be to protect and promote the existing and future well being of those persons ordinarily resident and communities of the Nunavut Settlement Area taking into account the interests of all Canadians; special attention shall be devoted to protecting and promoting the existing and future well being of Inuit and Inuit Owned Lands (11.2.1 (b));
- The purpose of a land use plan shall be [in addition to those stated above] ... to protect, and where necessary, to restore the environmental integrity of the Nunavut Settlement Area (11.3.2);

- In the development of a regional land use plan, the NPC shall give great weight to the views and wishes of municipalities in the areas for which planning is being conducted (11.7.3);
- Land use plans shall take into account Inuit goals and objectives for Inuit Owned Lands (11.8.2).

Compliance with the NLCA

Regional land use planning is an important part of the land and resource management regime that has been established through the NLCA. The Agreement confirms the importance of an open planning process and lays out the relationship between the NPC and other co-management bodies. Regional plans will serve as the first level of review for development proposals. The Implementation Contract for the NLCA recognizes that the original *Keewatin Regional Land Use Plan* is a completed plan, but requires “review”.

The NPC has revised the original plan in order to meet the requirements of the NLCA. Where appropriate, institutions and bodies created through the land claim have been referenced.



Some of Rankin Inlet's young faces. Inuit became the collective owners of IOL under the NLCA, and land use plans will take into account Inuit goals and objectives for those lands.

Photo courtesy of the Department of Resources, Wildlife and Economic Development, GNWT

Using Local and Traditional Knowledge

Local and traditional knowledge has been used throughout the land use plan. This is the knowledge that local people have about the environment in which they live – everything from the land and wildlife to the location of sites of spiritual significance and important factors affecting community health and economic well-being.

Land Use Planning on IOL¹

The NPC, NTI, and the RIAs are working on a comprehensive approach that will guide

land use planning on IOL. The NLCA states that:

The land use planning process shall apply to Inuit Owned Lands. Land use plans shall take into account Inuit goals and objectives for Inuit Owned Lands. (11.8.2)

This planning work will be carried out in conjunction with regional planning activities, including land use mapping. The objectives of the project are:

- to promote, protect and enhance Inuit rights and interests on IOL through the concept of sustainable development;
- “[t]o provide Inuit with rights in land that

¹ It is important to note that NPC policies apply to all lands regardless of who owns them. This land use plan does not have a separate set of policies for IOL, Crown land, etc.

promote economic self-sufficiency of Inuit through time, in a manner consistent with Inuit social and cultural needs and aspirations” (NLCA, s. 17.1.1);

- to identify the IOL that are of significant environmental, cultural or economic importance to Inuit;
- to ensure the incorporation of Inuit traditional knowledge in the IOL land use planning process;
- to provide sufficient information and direction to KIA land managers when reviewing requests for land use activities; and
- to ensure the coordination of land use planning in Nunavut.

Relationship to Municipal Plans

The mandate of the NPC is to plan for land and marine areas throughout the planning region. Under the NLCA, municipalities remain responsible for developing municipal plans. The NPC and municipalities are directed to cooperate to ensure that the regional and municipal land use plans are compatible (NLCA, s. 11.7.4). In revising the original plan, the NPC has given great weight to the views and wishes of the municipalities, as required by the NLCA.

Sustainable Development

Maintaining the Balance

Sustainable development is the overriding principle guiding the preparation of the *Keewatin Regional Land Use Plan*. The NPC

has adopted the following definition of sustainable development:

Sustainable development is defined generally as the management of human relationships to the natural environment in such a way that economic, social and cultural needs are met, and ecological processes and natural diversity are maintained.

Sustainable development considers the well-being of social, ecological and economic systems and recognizes that quality of life depends upon all these. This understanding leads to an integrated approach to planning, decision making and monitoring.

The notion of sustainable development is not new to Nunavut communities. Rather, it builds upon ancient knowledge of how to live in relation to the world. For example, the Inuktitut translation of “sustainable” is based on the word *Ikupik*. *Ikupik* means to conserve and not take all at once, what is brought in from a hunt. Everyone takes a small piece for the family, always making sure there is enough to go all the way around. Inuit call this *Ikupingniq*.²

It is also not a fixed understanding. As communities change, their understanding of how to live in a sustainable relationship with the land and with each other will also develop and evolve.

The people of the region have stated clearly and consistently over the years that there must

² Rachel Uyarasuk, as quoted in the DSD 2000/2001 Business Plan.

be a balance between industrial development and other human activities in order to guarantee the long-term preservation and conservation of the land, wildlife and wildlife habitat.

Support for Regional Economic Development

Most of the Keewatin's private-sector economy is based on some use of the land and the natural resources. The most important elements of this economy are mineral exploration, tourism, the harvesting of wildlife, and the provision of services such as construction. Apart from social services, a significant number of jobs in the public sector are devoted to regulating or supporting these land-related activities. Any land use plan for the Keewatin must therefore take into account the economic impacts of its proposals.

Residents would like to see the development of a stronger local and regional economy that would provide more business

and employment opportunities, particularly for youth. At the same time, they want to maintain, as far as possible, the traditional lifestyle of Inuit, and would like to see more economic endeavours that combine elements of tradition with wage employment and business opportunities.

Encouragement of Multiple Land Uses

The land and resources of the Keewatin should be available to all users, subject to the principle of sustainable development.

Overlap

The jurisdictional boundaries of the NPC have been established by the NLCA. The NPC recognizes that some non-residents have interests in the Keewatin planning region. Every effort has been made during the preparation of this plan to identify and to reflect these interests in the plan.

CHAPTER 2

BOUNDARIES OF THE PLANNING REGION



Hardy, miniature arctic flowers, typical of the local landscape.

The NPC has jurisdiction over regional land use planning for the area of the Nunavut land claim settlement, as well as the land and waters of Hudson Bay and James Bay. Thus, the boundaries of the Keewatin planning region fall into two categories: external boundaries, defining the limit of the NPC's jurisdiction; and internal boundaries, which separate the planning regions within the NPC's jurisdiction.

External Boundaries

The southern boundary of the Keewatin planning region is the 60th parallel. However, it is acknowledged that Inuit in the Keewatin have an aboriginal interest in an area of northern Manitoba and northern Saskatchewan. It is also acknowledged that the Dene in northern Manitoba and Saskatchewan have an aboriginal interest in the southernmost part of the planning region. These interests have been reflected in the

preparation of the plan and will be further defined through the land claim process.

The western boundary of the planning region is the boundary of the Nunavut land claim settlement area.

Internal Boundaries

The northern boundary represents the northern extent of land use by the Keewatin communities. It is acknowledged that the communities of Gjoa Haven, Taloyoak, Pelly

Bay, Hall Beach and Igloolik may have an interest in land use in the Keewatin planning region. These interests have been considered in this plan.

The eastern boundary is divided into two parts. The northern part divides the marine areas of Foxe Basin, Foxe Channel, and Hudson Bay from Melville Peninsula to Southampton Island. The southern part is defined as in the NLCA.

CHAPTER 3

KEEWATIN

TODAY

Physical Setting

Geography and Geology

Ecosystems are the basis for all life. The linkages and interdependencies among plants and animals determine what survives and what perishes. Arctic ecosystems are especially fragile. They have low productivity, slow growth rates and problems recovering once they are disturbed. The Keewatin planning region covers a range of ecosystems including wetlands, sparse forests, tundra, rivers and oceans.³

The Keewatin forms part of three terrestrial ecozones. The Northern Arctic ecozone covers parts of the northeastern Keewatin and is one of the coldest, driest landscapes in Canada. Europeans once viewed the Southern Arctic ecozone, which extends on both sides of Hudson Bay, as the “barrens”. However, this zone has extensive vegetation cover and a variety of animal species. The Taiga Shield

also extends to both sides of Hudson Bay and is defined by two very large biophysical features – the Taiga forest and the Canadian Shield, which covers the northern part of the zone in the Keewatin.⁴

The Northern Arctic Archipelago marine ecozone is linked to the terrestrial ecozones of the region. It is largely ice-free during the two- to three-month summer and has landfast ice during the winter. The marine ecozone is used by migratory birds and is a major breeding ground for Arctic loons, whistling swans and snow geese. Marine wildlife includes walrus, seals (grey, harp, bearded, harbour and ringed) and whales (beluga, narwhal, sperm, northern bluenose and bowhead).⁵

The physical features of the Keewatin have largely been determined by glaciation. The glaciers deposited large amounts of sandy till, loose rocks and boulders, much of which was shaped into large eskers, drumlin fields, moraines and long ridges and furrows. After the glaciers melted, the sea covered some of the depressed land for a time. Marine fossils and beaches are common to an elevation of about 170 metres above the present sea level in the southern Keewatin.

The region’s rolling topography is formed by bedrock. In most areas this is granite or

³ Many outside observers have labeled the Keewatin as “the barrens.” This image of an empty, inhospitable land is in direct contrast to the Inuit perception of their homeland. For examples of these differing perspectives, see Christian Leden, *Across the Keewatin Icefields: Three Years Among the Canadian Eskimos, 1913-1916*. (Winnipeg: Watson & Dwyer Publishing Ltd., 1990) and *Recollections of Helen Paungat: A Life in the Keewatin*. Inuit Autobiography Series Number 4, (Eskimo Point, NWT: Inuit Cultural Institute, 1988). For an assessment of the effects on Inuit of outsiders’ perceptions, see Alan Rudolph Marcus, *Relocating Eden: The Image and Politics of Inuit Exile in the Canadian Arctic* (Hanover: University Press of New England, 1995), pp 11-36.

⁴ Agriculture and Agri-Food Canada and Environment Canada, *A National Ecological Framework for Canada*, Information from the Ecological Monitoring and Assessment Network, Environment Canada.

⁵ Harding, L. and H. Hirvonen, *Marine Ecological Classification System for Canada*, Environment Canada 1996, Information from the Ecological Monitoring and Assessment Network, Environment Canada.



*Successfully satellite-collaring a Qamanirjuaq caribou cow.
The Keewatin is home to large populations of caribou, polar bears, whales, seals and walrus.*

Photo by Robert Mulders

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granitic gneiss. However, volcanic greenstone belts underlie some areas. In the Thelon Game Sanctuary area, on Southampton and Coats Islands, and in several other smaller areas, younger sedimentary rocks have been deposited. Since tills and ice-contact materials (gravel and sand) often cover the bedrock, the number of bedrock outcrops varies from place to place.

Climate

Long, cold winters and short, cool summers characterize the climate. Spring and autumn are short. January is the coldest month, with a mean high temperature of -28°C and a mean low of -36°C . July is the warmest month of the year, reaching a mean high of 14°C . Frost is common during the summer. Except in the

southwest corner, the entire region is subject to continuous permafrost. The total annual precipitation for the region is under 30 centimetres. The Keewatin is also known for high winds, which are due in part to the broad, flat, uninterrupted expanses offered to moving air masses.

Vegetation

Vegetation falls within two regions: the subarctic forest tundra transition zone and the low arctic tundra zone. Differences in the moisture conditions and substrate within each region determine the specific vegetation in an area.

Most of the Keewatin is above the treeline and is in the low arctic tundra zone. Although the summer temperature in the central

Keewatin is warm enough for trees, a combination of low precipitation, high winds and extremely dry winters prevents tree growth. Instead, dwarf shrubs and grasses flourish; these include ground birch, Labrador tea, purple Lapland rhododendron, bearberry, white heather, bilberry, alpine cranberry sedges and cottongrass. The ground under and between the dwarf bushes is covered with lichens and mosses. In drier and better-drained areas, lichen and moss heath dominate, while extensive grasslands flourish on the flats near river mouths. In some southern parts of the region, along streams, on south-facing slopes and on the sheltered shores of lakes where protection from wind and the accumulation of snow is guaranteed, willows, alder thickets and herbs are found. However, alder does not extend far north of the treeline and willow thickets require a great deal of water in the summer.

The southwest corner of the region, which falls within the treeline, is in the subarctic forest tundra transition zone. Coniferous species are present in scattered and stunted stands. They are best developed on poorly-drained soil with an adequate supply of moisture throughout the growing season. Black spruce and tamarack usually inhabit these areas, while white spruce prefers better-drained areas. There are also extensive areas of low arctic tundra in the region.

Although white heather, lichens and peat are no longer an important source of fuel for Inuit, and no woody species is large enough

for construction use, arctic vegetation plays an important role in the food chain. Nearly all sedges, grasses and fruticose lichens, as well as many herbaceous and woody plants, provide food for grazing animals. Birds and small rodents, that in turn become the food of fur-bearing carnivores, consume seeds, winter buds and the roots of many species.

Renewable Resources

Wildlife

The Keewatin is home to large populations of caribou, polar bears, whales, seals and walrus. It also supports important nesting and staging areas for millions of waterfowl and has thriving fresh- and saltwater fish populations. Inuit rely on country food for much of their diet and basic needs, a fact which has important cultural, health and economic implications.

Renewable Resources and the Inuit Economy

For millennia, Inuit fortunes were linked to the animals they hunted. Today, a healthy wildlife population remains vital to Inuit social, cultural and economic well-being. Not long before the establishment of Nunavut, the GNWT stated that renewable resources had a value to the territorial economy in the order of \$55 million to \$60 million annually. Over 70% of NWT Aboriginal households hunted and fished, and more than 90% consumed food from this harvest.⁶

The contemporary Inuit economy has been described as mixed because it has two components, each dependent on the other:

⁶ RWED, GNWT, *Tradition and Change: A Strategy for Renewable Resource Development in the Northwest Territories*, 1994, p. 1.

harvesting from the land and wage employment. Wage earnings are used to supplement hunting activities; hunting provides food that, among other benefits, replaces expensive imported items. These are also called the “informal” and “formal” sectors.

... [T]here are actually two sectors of the economy, one formal and another informal. The formal sector is easily comprehensible to those of us immersed in western industrialized life.... The informal sector is, by definition, difficult to measure. Generally based on non-monetary exchange, private ownership of modes of production, and family, informal economic activities have been defined as those transactions which provide for subsistence and do not increase profits or accumulate capital for its own sake.... In many native communities of the North American Arctic and Sub-Arctic, the informal sector is based largely on subsistence hunting and traditional uses of wild foods ...⁷

Although harvesting is a part-time activity for most people, production per hunter is high. The average hunter in the Arctic takes 1000 to 1500 kilograms of meat and fish each year.



Many Inuit artists draw on skills and inspiration arising from a common part-time activity: hunting.

This food has an imputed value of \$10,000 to \$15,000. These harvest levels are not restricted to a few smaller communities like Broughton Island, Pelly, Baychimo [sic], and Paulatuk. They occur also in such larger centres as Baker Lake, Pond Inlet, and Coppermine.⁸

Country food replaces expensive store-bought food, which can only be purchased with cash. “Numerous studies since the mid-1970s have reported that harvesting consistently provides a higher yield of food per dollar spent than can be bought with money earned from wage labour.”⁹ Wild food is also a better source of nutrients, such as iron, magnesium and calcium, than imported food. Seal meat, for

⁷ Gary Kofinas, “Subsistence Hunting in a Global Economy: Contributions of Northern Wildlife Co-Management to Community Economic Development”, *Making Waves: A Newsletter for Community Economic Development [CED] Practitioners in Canada*, vol. 4, no. 3 (August 1993).

⁸ P.J. Usher and Frederick H. Weihs, *Towards a Strategy for Supporting the Domestic Economy of the Northwest Territories*, Ottawa, 1989, p. 11.

⁹ Environment Canada, *The Inuit Economy – Sustaining a Way of Life: A State of the Environment Fact Sheet*, p. 6.

example, has six to ten times the iron content of beef.¹⁰

Of prime importance is the abundance of caribou, the main food staple of Inuit, which, in the Keewatin, are taken primarily from the Qamanirjuaq herd. This herd's range covers much of the southern Keewatin and its population is estimated at a minimum of 390,600 animals.¹¹ The Beverly herd, which numbers around 276,000 animals, is hunted mostly by the Dene of northern Saskatchewan, western NWT and northern Manitoba. The only Inuit who hunt this herd are from Baker Lake.¹²

Southampton and Coats islands also support caribou populations. Compared to their mainland relations, caribou on Southampton Island do not appear to undertake significant seasonal movements, although in the winter they can be found on the coastlines. In summer they tend to move further inland. Caribou were reintroduced to Southampton Island in 1967 and since that time the population has rapidly increased.¹³ A 1987 survey estimated there were between 3400 and 4700 caribou on the island.

In 1984, a different survey estimated the Coats Island caribou population to be around 2100 animals. Coral Harbour is the only community that harvests caribou on the

island. (The present quota is about 300 animals per year.)¹⁴

Non-Renewable Resources

The Keewatin is considered to have excellent mineral potential. For example, the Rankin-Ennadai-Kaminuriak (Qamanirjuaq) greenstone belt in the central Keewatin is comparable to the Abitibi greenstone belt in Ontario and Quebec for copper, gold, lead, nickel, platinum, silver and zinc. The Thelon Basin is comparable to the Athabaska Basin for uranium potential. The Woodburn and Prince Albert Groups, extending from central Keewatin to the Melville Peninsula, contain high-quality soapstone occurrences as well as potential for copper, gold, nickel and platinum.

Two mines operated for brief periods in the Keewatin: the North Rankin Nickel Mine in the late 1950s, and the Cullaton Lake Gold Mine in the early 1980s.

There has been prospecting in the Keewatin for decades. A uranium prospecting rush in 1969 led many other companies to begin searching for minerals in the Keewatin. As well, government survey parties have been active over the years. Due to changing market forces and the cost of overland transportation, base metal exploration has been focused near tidewater, while the search for uranium, gold and diamonds remains broader.

The extent of these activities led some residents of the region to perceive that wildlife was endangered and that the land was being polluted. The touchstone of this perceived land use conflict has been in the vicinity of

¹⁰ The Inuit Economy, p. 7.

¹¹ Mulders, Robert. *Qamanirjuaq calving ground survey*, June 4-14 1994. (Yellowknife: RWED, GNWT, 1995).

¹² Williams, T.M. *Beverly calving grounds surveys* June 5-16 1993 and June 2-13 1994. (Yellowknife: RWED, GNWT, 1995).

¹³ Gates, p. 137.

¹⁴ Gates, pp 138-139.

Baker Lake, where mineral exploration led to the Baker Lake court decision¹⁵ in the late 1970s. In 1978, the West German corporation Urangesellschaft Canada Ltd. was “seriously considering developing a uranium property in an area where caribou appeared to be in decline.”¹⁶ As this case worked its way through the courts, the federal government responded to local concerns by establishing caribou protection measures and setting up the inter-jurisdictional Beverly and Qamanirjuaq Caribou Management Board.¹⁷

While the original Keewatin plan was being drafted, Urangesellschaft was again planning to develop a uranium mine at Kiggavik near Baker Lake. These plans continued to cause a great deal of controversy. In 1989, the Federal Environmental Assessment and Review Office (FEARO) set up an Environmental Assessment Review Panel to review the project proposal. A plebiscite in Baker Lake the following year showed that 90% of the local population opposed the project. In early July 1990 the project proponent asked FEARO to delay the public hearings indefinitely.

People in Baker Lake continue to oppose uranium development, and the terms of the revised plan reflect public sentiment on this issue.

Although the Urangesellschaft project never went ahead, there is continued interest in uranium exploration in the region. Cogema Resources Inc. has taken over Urangesellschaft’s Keewatin properties at Sisson Lake and elsewhere and resumed exploration. Each year for the past five years the company has drilled to expand and better define its reserves. Company representatives have made several visits to Baker Lake during the last few years to update the community on the work. The people of Baker Lake continue to evaluate the implications of uranium exploration and mining.¹⁸ The new co-management regime established under the NLCA will require a thorough environmental assessment of any potential uranium development proposal.

As well, Cameco Corp. has been prospecting and doing geological work north of Aberdeen Lake, west and north of Cogema’s properties, for the last two years.

Other mining and exploration activities are less controversial. Many residents support other types of mining if it is done with due regard to the environment and to wildlife. In fact, Nunasi Corporation, acting on behalf of Inuit, was a partner for a time in the Cullaton Lake Mine. In 1996, other companies active in the region included Comaplex Minerals, Cumberland Resources, Inco, Midasco Gold, Phelps Dodge, McChip Resources and WMC International.¹⁹

There was some oil and gas exploration in Hudson Bay in the 1980s, although no discoveries were made. While there are no current applications for new exploration

15 *Baker Lake v. Minister of Indian Affairs and Northern Development*, [1980] 1 F.C. 487. (This was a landmark decision because it marked the first time a modern Canadian court recognized unextinguished Aboriginal rights.)

16 Robert Page, *Northern Development: The Canadian Dilemma*, (Toronto: McLelland and Stewart, Ltd. 1986), p. 246.

17 L. Mychasiw, *Five Year Review of the Beverly and Kaministiquia Caribou Protection Measures* (Yellowknife: NWT Wildlife Service, 1984).

18 A number of people from the community have gone on company-sponsored fact finding trips to Northern Saskatchewan to communities where uranium mining takes place.

19 Canada, DIAND, NWT Geology Division, *Exploration Overview 1996: Northwest Territories. Mining Exploration and Geological Investigations* (Yellowknife) January 1997, pp. 2-11 – 2-13.



Abvarii'juaq, a traditional offering place near Arviat. Thousands of heritage sites are spread across the Keewatin, and many contain artifacts.

Photo by Luke Suluk

licences, Hudson Bay retains some potential for hydrocarbons, as do parts of the Foxe Basin and the waters around Southampton Island. Existing exploration permits around Southampton Island are inactive and subject to a moratorium. Their continued existence reflects a right to negotiate a new exploration licence by the rights-holder if and when exploration is again permitted. Such exploration licences may be issued in the future, depending on industry interest and after consultation with the communities.

Heritage Resources

The Keewatin is part of the Inuit homeland, and Inuit comprise the majority of the population. For hundreds – and perhaps

thousands – of years, Inuit have used the land and resources of the region. Dene and other First Nations peoples have also traditionally used some of the planning region, most notably in the southwest. Thousands of heritage sites, many of which contain artifacts, are located throughout the region. The newest arrivals in the region – European and American whalers, explorers, traders and prospectors – also left their mark, and there are a number of important historic sites related to their activities in the region.

During the 1996 plan review, many people told the NPC that they wanted to see better protection for important historic and cultural sites. People in the region also wanted to retain and use Inuit names for geographic

features. The NPC will work with communities to map Inuit place names.

Community and Political Development

The Caribou Inuit of the Keewatin interior have inhabited their homeland for centuries. They were among the last Inuit in the Canadian Arctic to have had sustained contact with outsiders. Inuit families lived throughout the Keewatin region as semi-nomadic hunters and gatherers for centuries, a pattern undisturbed until the 1950s, when most Inuit were relocated to communities on the coast.²⁰

Most of these communities – Baker Lake, Arviat, Repulse Bay, Coral Harbour, Chesterfield Inlet, Whale Cove and Rankin Inlet – have grown around Hudson's Bay Company trading posts and church missions established in the early part of this century. Rankin Inlet grew quickly in the late 1950s as Inuit from the Keewatin, and people from outside the region, were attracted by the development and operation of the North Rankin Nickel Mine.

The establishment of settlements led to a change in land use that favours more coastal use. However, the interest of Inuit in their ancestral lands remains strong. Inuit have a great deal of detailed knowledge of the land and animals of the Keewatin. Their aboriginal rights to the land and resources are defined and guaranteed in the land claims agreement.

Over the years, the hamlet councils have taken on increasing responsibility for local matters, and the size of municipal areas has grown. In 1995, responsibility for administering Commissioner's lands was transferred to the hamlets from the GNWT. The hamlet councils have also been used as a point of contact by many government agencies for matters that are often beyond what would normally be considered municipal in nature.

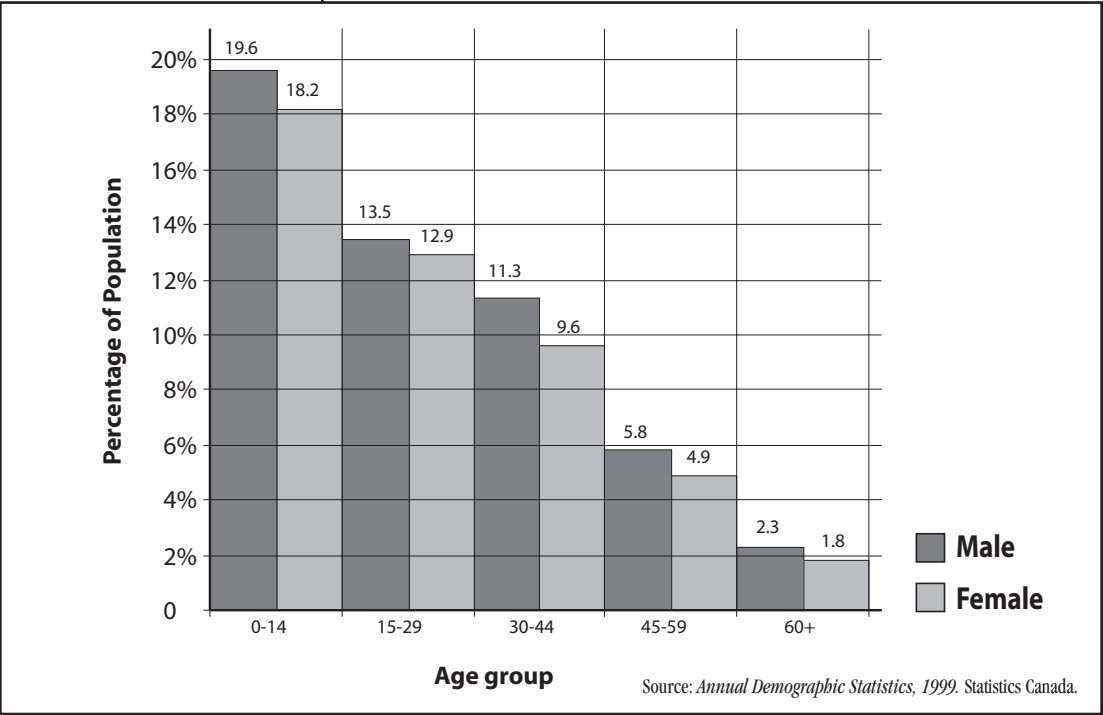
After 15 years of negotiating, Inuit of the Eastern Arctic reached a tentative land claims settlement with the Government of Canada in April 1990. The final *Nunavut Land Claims Agreement* was signed in 1993. The *Nunavut Political Accord* was signed in 1992 and led to legislation that made Nunavut a separate territory within Canada in 1999. Meanwhile, the devolution of powers and responsibilities continues from the federal government to the GN. All of these processes have combined to result in greater control by Northern people over their lives.

Transportation and Regional Infrastructure

Transportation in the Keewatin is vital to the health and well-being of residents, as well as to future economic growth. The relatively late settlement of the region, coupled with its geography, low population density and wide distribution of communities, has meant that the transportation infrastructure has developed differently from that part of Canada below the treeline. Air and marine transportation systems are used to move goods and people over long distances. Within

²⁰ See Marcus, especially Part III. One of the first studies on the effects of relocation in the Keewatin and other regions of the Arctic is found in Robert G. Williamson and Terrence W. Foster, *Eskimo Relocation in Canada* (DIAND, Social Research Division, 1974).

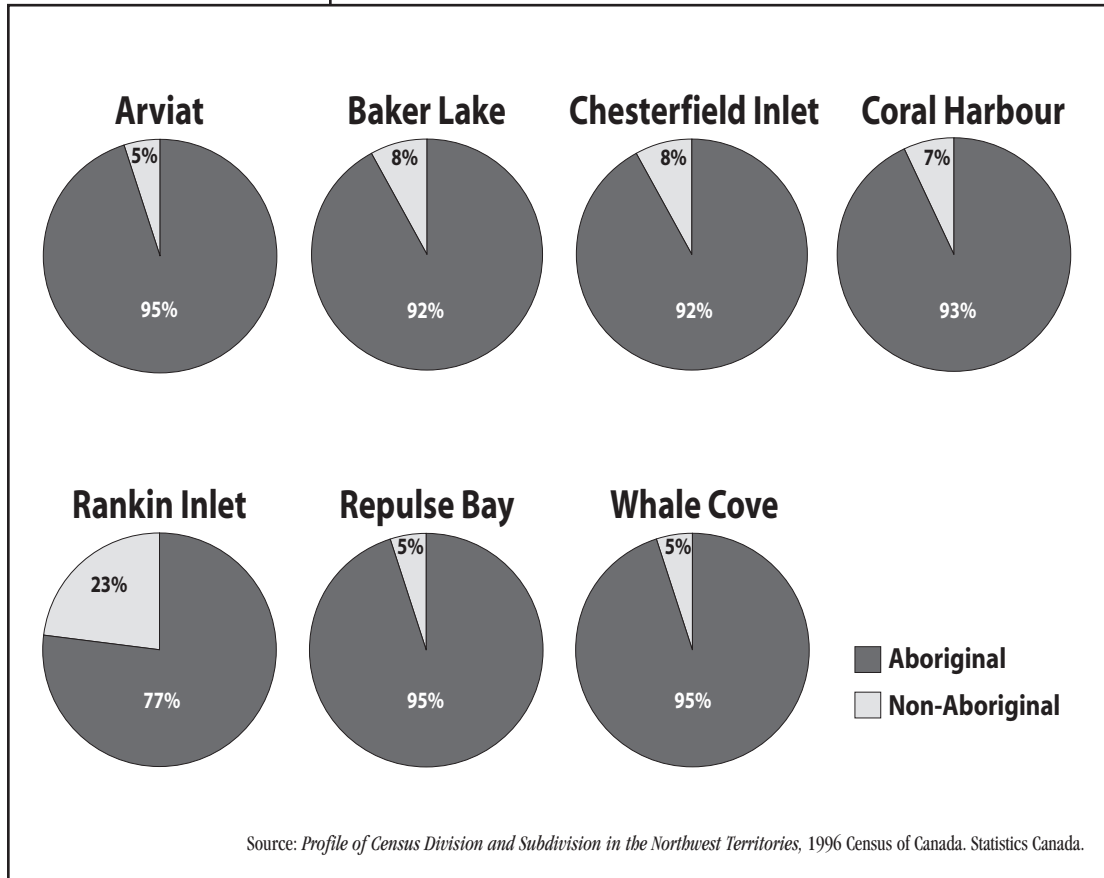
FIGURE 1: POPULATION DISTRIBUTION (1999)



communities, snowmobiles and all-terrain vehicles are the most popular means of transport, although cars and trucks are becoming more numerous. Community supplies normally come from Churchill by barge or from Montreal by ship in the summer months. People normally travel by air between communities and outside the region. There are no highways or railroads in the Keewatin, though at least two possible overland routes have been mentioned in the past. In February 2000, the premiers of Nunavut and Manitoba signed a Memorandum of Understanding pledging to study ways to achieve several long-term major goals, including building a road linking Keewatin communities to southern Canada via Manitoba, and extending a hydro line from

Churchill to Rankin Inlet. Prefeasibility studies were undertaken earlier by the government of Manitoba. Any such proposal would have to meet the conformity requirements outlined in Chapter 6, as well as Appendices I and J.

Several years ago, the federal government improved northern defence facilities. The airport at Rankin Inlet was selected for upgrading as a Forward Operating Location for Canadian and American interceptors. The airport runway was extended to 6,000 feet and paved. In addition, facilities including hangars, an equipment storage building and an accommodation building were constructed.

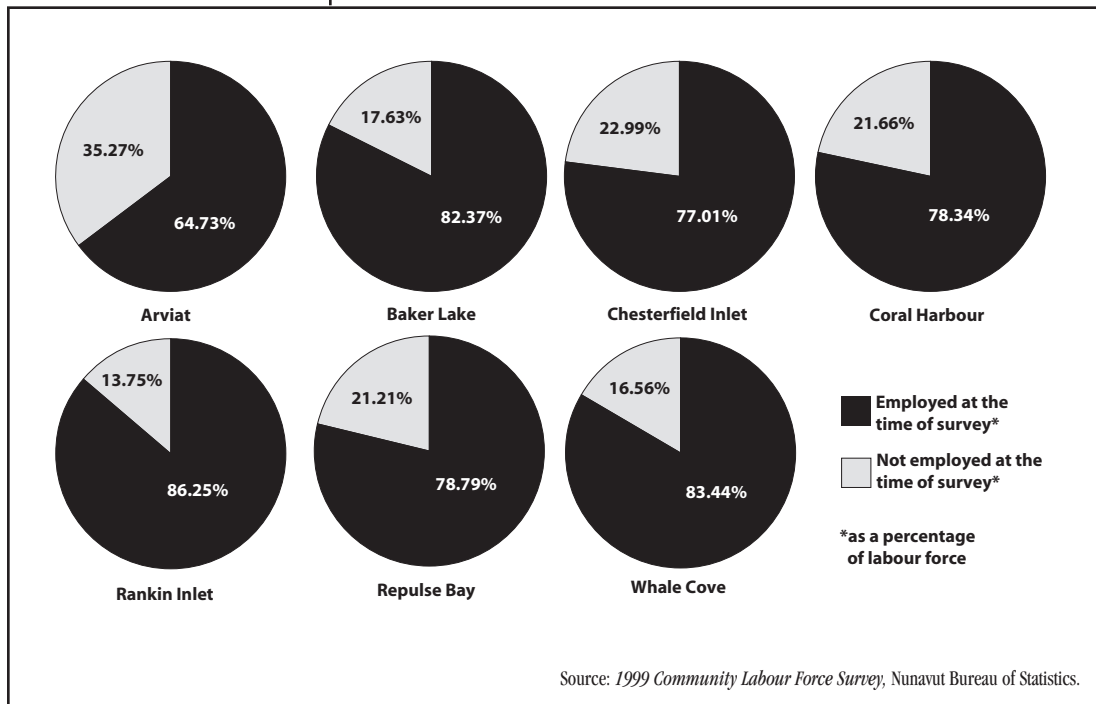
FIGURE 2: ETHNIC COMPOSITION OF KEEWATIN COMMUNITIES (1996)

Demographic Profile

The following material is designed to provide a snapshot of the Keewatin from a demographic and economic perspective.

Figure 1 shows that what is true for Nunavut as a whole is true for the Keewatin in particular – the majority of the region's population is young. In this case, 67% of the people in the region are age 29 or under. As Figure 2 indicates, the vast majority of the Keewatin population is Inuit, with Rankin Inlet having the only significant non-Aboriginal populations.

According to the 1999 *Nunavut Community Labour Force Survey*, released by the Nunavut Bureau of Statistics, the unemployment rate in the communities ranged from 13.7% (Rankin Inlet) to 35.3% (Arviat), according to the 'National Criteria' definition of unemployment. This compares with 20.7% for Nunavut and 8.5% for Canada for the same period. The 'National Criteria' definition pegs the unemployment rate as the percentage of the labour force who are unemployed – that is, persons available for work during the week prior to the survey who: 1) were without work and had actively

FIGURE 3: LABOUR FORCE ACTIVITY (1999)

looked for work in the previous four weeks, 2) had been on temporary lay-off, or 3) had definite arrangements to start a new job within the next four weeks.

The Keewatin economy relies heavily on government support and government jobs. The government sector has not grown much in the last few years. However, the job opportunities provided through the implementation of the land claims agreement and the establishment of the new territory of Nunavut should have a positive effect on employment in the region.

Other sectors that offer potential growth are mining, tourism and services. It is possible that renewable resources such as fish and wildlife can be commercially exploited. Country food provides significant economic

benefit by greatly reducing the need for imported food.

The disproportionate number of unemployed Inuit will likely be exacerbated by the rapid population increase in the region. According to Figure 4, the population of the Keewatin will increase by 60% between 2000 and 2020.

It is unlikely that all of these young people will be accommodated in the regional job market over this period. While the new territory of Nunavut is bringing with it training and jobs for Inuit, many people continue to look to the private sector for opportunities. A small number can expect to find seasonal work in the tourism sector. Others will look to the mining industry for important training and exploration work. Many people in the



*Finetuning computer skills at Baker Lake's Rachel Arngnamaktiq School.
Like the rest of Nunavut, young people make up the majority of the population in Keewatin communities.*

Photo courtesy of Caribou News

20

Keewatin want skills that will allow them to work for part of the year in the wage economy and continue to harvest wildlife and live off the land at other times.

There is a correlation between education and income. Rankin Inlet and Repulse Bay have the highest percentages of people who have completed post-secondary education, or have some post-secondary education. In Rankin Inlet, the rate is 52.5%, while in Repulse Bay, the rate is 48.3%. (Source: 1996 Census of Canada.)

Figure 5 illustrates the wide disparity in average personal income when Rankin Inlet is compared to other communities in the region. This is due in part to the fact that Rankin Inlet is larger than the other communities and has a much greater number of higher-paying jobs, primarily in government, than do the other communities.

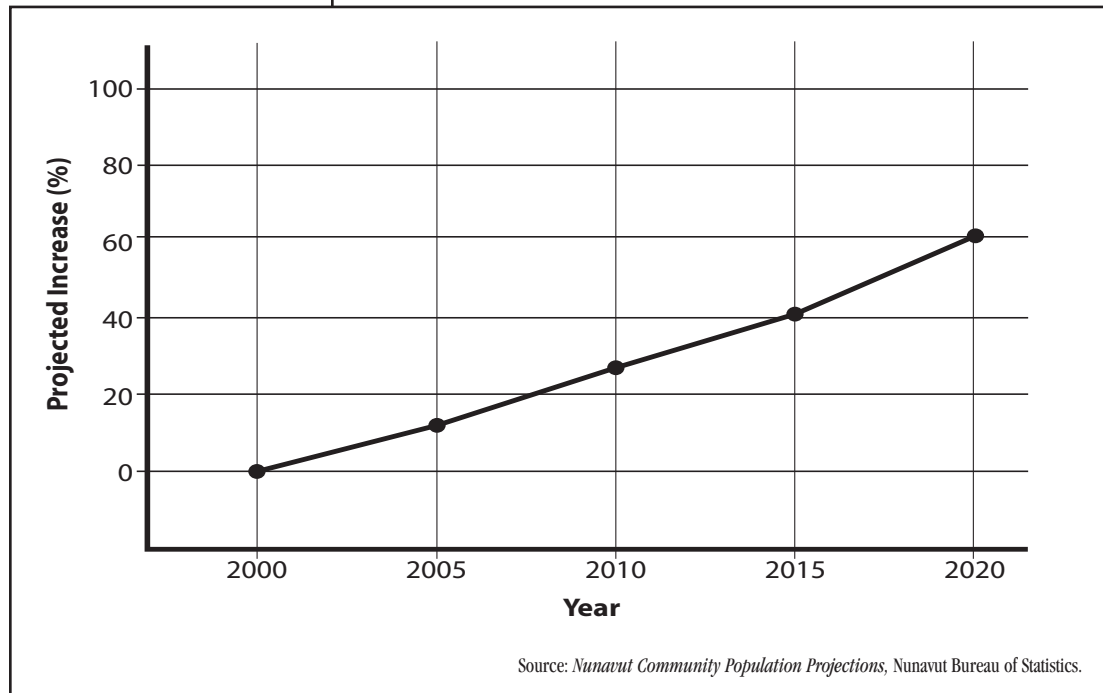
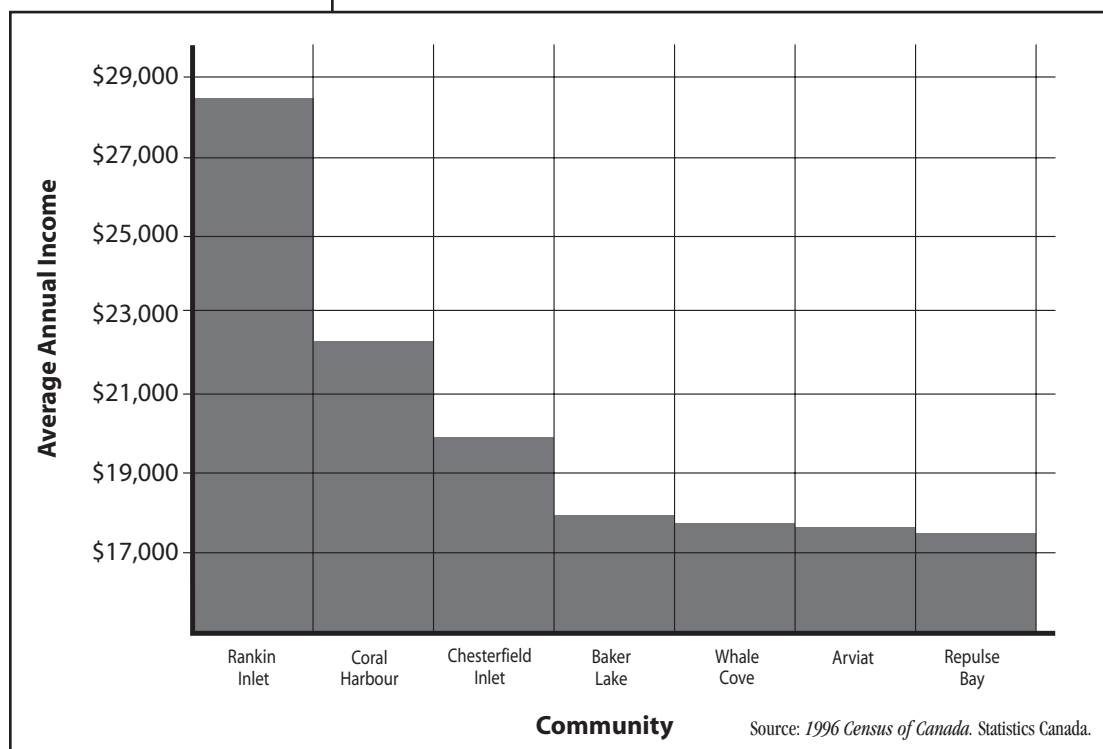
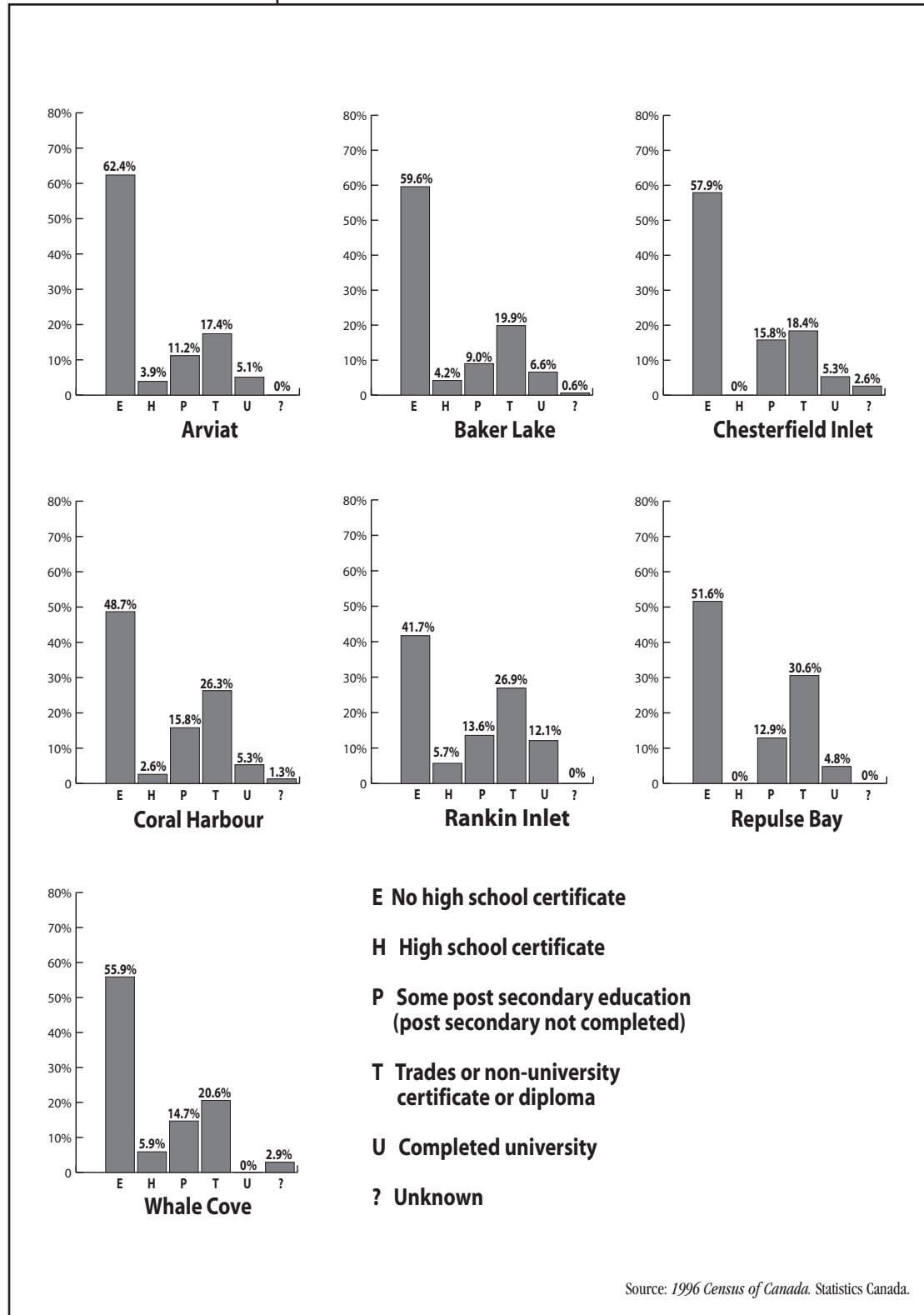
FIGURE 4: PROJECTED POPULATION INCREASE (2000-2020)**FIGURE 5: AVERAGE ANNUAL INCOME BY COMMUNITY (1996)**

FIGURE 6: EDUCATION LEVELS OF PEOPLE 15 YEARS OF AGE AND OLDER (1996)

Source: 1996 Census of Canada. Statistics Canada.

CHAPTER 4

THE PLANNING AND REVIEW PROCESS

Introduction

The NPC is established under the NLCA, and the federal law called the *Nunavut Land Claims Agreement Act*. Under the NLCA, the NPC is responsible for land use planning in the NSA. When the NPC talks about “land” use, it is also talking about the use of water, wildlife and other resources on the land, as well as the offshore.

Land use planning means planning for how the land, water and resources should be used in the future. The NPC is responsible for preparing a land use plan in each of the planning regions in Nunavut.

Land use planning under the NLCA is only one part of the land and water management system set up by the Agreement. In addition to this planning commission, there is also an Impact Review Board, for example, whose job is to screen every development project that could have significant impacts on the region, soon after the project is proposed. Land use planning gives its participants the advantages of future-oriented, big-picture decision making; screening and review offers the advantages of relatively concrete information and specific judgment calls. There is also a Water Board, a Surface Rights Tribunal and a Wildlife Management Board. Each part of the land and water management system does the job it was

designed to do and cooperates with the other parts so that the system works effectively.

Authority Under the NLCA

The required contents of a land use plan are set out in s. 11.3.1 of the NLCA:

A land use plan shall be a document containing text, schedules, figures and maps for the establishment of objectives and guidelines for short-term and long-term development, taking into account factors such as the following:

- (a) demographic considerations;
- (b) the natural resource base and existing patterns of natural resource use;
- (c) economic opportunities and needs;
- (d) transportation and communication services and corridors;
- (e) energy requirements, sources and availability;
- (f) community infrastructural requirements, including health, housing, education and other social services;
- (g) environmental considerations, including Parks and Conservation Areas, and wildlife habitat;

- (h) cultural factors and priorities, including the protection and preservation of archaeological sites and outpost camps; and
- (i) special local and regional considerations.

The required purpose of a plan is stated as follows, in s. 11.3.2:

The purpose of a land use plan shall be to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, taking into account the interests of all Canadians, and to protect, and where necessary, to restore the environmental integrity of the Nunavut Settlement Area.

The NLCA also states that a land use plan shall contain an implementation strategy (s. 11.3.3).

It is important to note that the NPC's mandate under the NLCA is not only based on public policy, it is also based on the recognition of the treaty rights of Inuit. The Agreement says that all of its sections have to be read together, and that the Agreement is based on the principles stated in its preamble. Two key sections of the preamble read:

[T]he *Constitution Act, 1982*, recognizes and affirms the existing aboriginal and treaty rights of the aboriginal peoples of Canada, and treaty rights include rights

that may be acquired by way of land claims agreements;

...

[T]he Parties have negotiated this land claims agreement based on and reflecting the following objectives:

to provide for certainty and clarity of rights to ownership and use of lands and resources, and for rights of Inuit to participate in decision-making concerning the use, management and conservation of land, water and resources, including the offshore;

...

to encourage self-reliance and the cultural and social well-being of Inuit.

Purpose of the Review

The original *Keewatin Regional Land Use Plan* was developed between 1989 and 1991, before the NLCA came into effect. When Inuit signed the land claims agreement, they also signed a contract to implement the agreement. The implementation contract tells the NPC what to do with the Keewatin plan and the other plan (for Lancaster Sound) that was approved before the land claim became law in 1993. The contract says that these plans “have already been completed, and will require review” by the NPC.²¹

The general purpose of the review was to ensure that the *Keewatin Regional Land Use Plan* reflects the priorities and values of the people of this region. Its specific purpose is to make sure that this document meets the

²¹ Canada, DIAND, *A Contract Relating to the Implementation of the Nunavut Final Agreement* (Ottawa: Minister of Supply and Services, 1993).



A regional workshop in Rankin Inlet, March 1989. Two years later, the first Keewatin Regional Land Use Plan was ready for government approval.

Photo by Arthur Boutilier

requirements for a land use plan under the NLCA. The NPC used what it heard during a public review in Arviat, together with the information and advice that it gathered at pre-hearing meetings and from written submissions, to decide what changes to recommend to the Ministers in order to achieve this purpose.

Since the Keewatin plan was prepared under terms of reference that were put in place before the NLCA was reached, the NPC expected that some changes to the plan would be necessary in order to meet the NLCA's requirements.

Brief History of the *Keewatin Regional Land Use Plan*

The *Keewatin Regional Land Use Plan* was submitted by the former NPC to the governments of Canada and the NWT in September 1991, following more than two years of consultation with communities, Inuit organizations, government, industry and other bodies. The federal government approved the plan in late 1994; the territorial government did the same in early 1995.

This regional land use plan is not like a municipal plan that allocates restrictive uses to specific land areas. Given the regional nature of the plan, and given the level of actual development and of resource data at the time, the former planning commission –

which was created for the purposes of carrying out this work – decided that this method of resource and land use allocation for the Keewatin region was inappropriate. The NPC dealt with the major land and resource issues that were raised by the communities, government and industry by proposing a series of recommended actions to be taken by governments, communities and land users. Many of these recommendations have already been acted upon; others remain as yet unfulfilled.

The development of the Keewatin plan was guided by the following principles, which are in the first chapter of this document:

- the planning principles outlined in the NLCA;
- compliance with the NLCA;
- using traditional and local knowledge;
- land use planning on IOL;
- relationship to municipal plans;
- the principle of sustainable development;
- dealing with the issue of overlap, by which the previous Commission recognized that some non-residents have interests in the Keewatin planning region. Every effort was made during the preparation of the plan to identify these interests and to reflect them.

While the NLCA recognizes the pre-existing land use planning process, the review was needed to bring the Keewatin plan under its “umbrella”.

Steps in the Process for Reviewing the *Keewatin Regional Land Use Plan*

August 1996: At its inaugural meeting, in August 1996, the NPC decided to initiate a process to bring both existing land use plans under the terms of the NLCA. At that time it was decided to begin with the *Keewatin Regional Land Use Plan*. A review of the *Lancaster Sound Regional Land Use Plan* was scheduled for mid-1997. Instructions were given to begin drafting rules and procedures that would be reviewed by all interested parties and used to guide the hearing process.

The NPC directed that these rules and procedures recognize, in particular, that the principles and objectives found in Part 2 of Article 11 of the Agreement stress the dynamic nature of the environment and the need to have active and informed participation. The NPC also directed that the review process be open, be fair, and respect the Cabinet and Executive Council approvals already given to these plans.

September 1996: The NPC reviewed draft rules and procedures. At the same time, it discussed the importance of conducting a series of “pre-hearing” meetings in all Keewatin communities. These meetings would include hamlet council members, CLARCs, HTOs and other interested people to ensure that there was widespread understanding of why the review was being carried out and the importance of local Inuit participation.

On September 19, 1996, a letter was sent to all DIOs, hamlets, CLARCs, HTOs, government, industry and other interested parties. The letter outlined draft procedures for bringing the two plans under the terms of the final agreement and requested comments by October 14.

October 1996: Redrafting of procedures followed the receipt of comments. All comments were published and made available on the NPC website (npc.nunavut.ca).

On October 21, a letter was sent to all interested parties in the Keewatin, advising them that the NPC would hold an informal hearing to review the Keewatin plan in Arviat, from November 26 until December 2, 1996. The letter invited all interested parties to attend the hearing and make an oral presentation. Written comments were requested by November 20, 1996.

The same letter also advised that the NPC planned to hold a series of informal, “pre-hearing” meetings on the review process in Rankin Inlet, Arviat, Whale Cove, Repulse Bay, Chesterfield Inlet, Baker Lake, Coral Harbour, Yellowknife and Ottawa. A tentative schedule for these meetings was included with the letter, and this schedule was published in *Nunatsiaq News*, *Kivalliq News*, and on the NPC website.

November 1996: Two NPC board members and staff met with representatives of the KIA to discuss land use planning issues in the Keewatin.

The pre-hearing meetings were conducted in the communities from November 6-21, 1996. All meetings were conducted in Inuktitut. The NPC board members also advertised the hearings through local radio phone-in programs. A representative of the KIA attended most of the meetings with the NPC members.

November 26 – December 2, 1996: Informal public hearings were held in Arviat.

December 31, 1996: All written submissions to the NPC concerning the Keewatin plan review were received.

January – March 1997: the NPC reviewed submissions and revised the plan.

April 1997: The revised *Keewatin Regional Land Use Plan* was made public and sent to the ministers of DIAND and RWED for approval.

July 1998: Comments on the revised plan were received from the Government of Canada.

October 1998: Comments on the revised plan were received from the GNWT.

November 1998: Following the NPC’s reconsideration of the revised plan in light of the comments received, the plan was resubmitted to the ministers for consideration. At the same time, the NPC

made public both government comments and the resubmitted version of the plan.

October 1999: Comments on the resubmitted version of the plan were received from the GN.

June 2000: Following the NPC's non-substantive edit of the resubmitted plan in

light of the comments received from the GN, the ministers of DIAND and DSD accepted the plan and sought Cabinet and Executive Council approval and commitment. The Government of Canada and the GN then approved the resubmitted plan.

CHAPTER 5

RESPONSIBILITIES

The Environment, Renewable Resources and Conservation

KIA is the DIO responsible for the management of IOL within the region. Its role is to safeguard, administer and advance the rights and benefits of Inuit of the Keewatin Region.

There are five Institutions of Public Government, or co-management bodies, established under the NLCA. Each has responsibilities when it comes to land use planning.

1. The **NPC** works with the people of Nunavut, the HTOs and other community-based groups, government, industry and other stakeholders to develop land use plans that guide and direct resource use and development in Nunavut. The NPC recommends land use plans to the Ministers of DIAND and DSD. It also determines whether project proposals conform to approved regional land use plans. Members of the NPC are nominated by Inuit organizations and the governments of Canada and Nunavut. The size and makeup of the membership of the NPC may vary, but the federal government and the territorial government each recommend at least one member and the DIO nominates a number of members equal to the total number recommended by government. A further member is appointed as Chairperson from nominations provided by the NPC.

2. Under the NLCA, the **NWMB** is the main instrument of wildlife management in the NSA and the main regulator of access to wildlife, subject only to the government for wildlife management. As a co-management body, the NWMB is dedicated to enabling and protecting the beneficial use of Nunavut's wildlife for and by the beneficiaries of the NLCA, and other residents, consistent with the sound principles of conservation, sustainability and integrity of the ecosystem. The NWMB consists of four members appointed by the DIOs, four members appointed by government, and a Chairperson appointed from internal nominations. The NWMB has discretionary powers related to the management and protection of wildlife and wildlife habitat and the direction of wildlife research. Under the NLCA, s. 5.2.34, the NWMB may approve the establishment of wildlife reserves and protection programs.

3. **NIRB** is responsible for environmental assessment in the NSA. The mandate of NIRB is to use both traditional Inuit knowledge and recognized scientific methods in ecosystem analysis to assess and monitor, on a site-specific and regional basis, the environmental, cultural and socio-economic impacts of those proposals over which it has responsibility. The task of the board is to determine whether proposals should proceed to development

and, if so, under what conditions. NIRB is required to: screen project proposals; define the extent of regional impacts; review environmental and socio-economic impacts of project proposals; and determine whether or not projects should proceed and under what conditions. NIRB also recommends specific terms and conditions for land use permits. NIRB is composed of nine members, four appointed by the DIO, four from government, and a Chairperson appointed from nominations provided by NIRB.

4. The **NWB** has responsibilities and powers over the use, management and regulation of water in the NSA. According to the NLCA, all water uses and waste disposal, except for domestic or emergency purposes, are to be approved by the NWB. The NWB holds a public hearing before approving any water licence application, but it may waive this requirement when there is no public concern expressed. The NWB issues and administers water licences in Nunavut. The NWB seeks advice from government agencies, including DIAND, the GN, and Aboriginal organizations when it drafts water licences. DIAND also provides inspection services to the NWB. The NWB is composed of nine members, four appointed from nominations submitted by the DIO, four from government, and a Chairperson appointed from nominations provided by the NWB.

5. The **Nunavut Surface Rights Tribunal** is a dispute-resolution body that is activated upon application when the parties cannot

agree on access to the surface of the land or on compensation for wildlife. The Tribunal's role is one of an arbitrator of disputes. It is a quasi-judicial body, independent of the influence of any party, including government, Inuit organizations and industry. Its responsibilities include:

- (a) issuing entry orders subject to the payment of an entry fee;
- (b) holding hearings to determine compensation payable to surface rights holders;
- (c) periodically reviewing the level of compensation payable under an entry order;
- (d) terminating an entry order, after a hearing, where lands are no longer being used for the purpose authorized; and
- (e) settling disputes for claims for wildlife compensation.

DIAND, on behalf of the federal government, is the manager of Crown land. Commissioner's land – which is mostly within municipal boundaries and does not include the subsurface – has been transferred to the hamlets in the Keewatin.

DIAND uses a number of tools to manage Crown land, including land use permits, quarrying permits and surface leases. DIAND issues mineral rights on Crown land, and on IOL where the Crown retains ownership of the subsurface. DIAND also administers the beds of waterbodies. DIAND is responsible for conducting land use inspections as an important element of monitoring and environmental management. The Department's

waste management program is responsible for the cleanup of abandoned wastes. DIAND seeks advice from other federal government departments, from the GN and from Aboriginal groups. The Arctic Waters Advisory Committee, which has members from the federal and territorial governments and Aboriginal groups, provides advice as requested to DIAND on the environmental consequences of marine industrial activities in Arctic waters. The GN uses similar tools on Commissioner's land.

Environment Canada has a general mandate to preserve and enhance the quality of the natural environment.

The **Environmental Protection Branch** is responsible for the protection of the environment both through legislation and through a number of programs. The Branch is responsible for the administration of the *Canadian Environmental Protection Act*, including ocean disposal provisions, and s. 36 of the *Fisheries Act*. Environmental protection programs include enforcement, assessment and pollution prevention, as well as environmental emergency protection, preparedness and response.

The **CWS** oversees wildlife matters that are the responsibility of the federal government. These include the protection and management of migratory birds, nationally significant habitat and endangered species, as well as work on other wildlife issues of national and international importance. In addition, the CWS does research in many fields of wildlife biology. The CWS is also responsible for protecting other migratory

animals, such as polar bear and caribou. It cooperates with the provinces, territories, and Parks Canada in carrying out wildlife research and management projects within their jurisdictions.

The **Environmental Conservation Branch** is responsible for conserving migratory birds and endangered wildlife in Canada and managing migratory bird sanctuaries and national wildlife areas.

The **Atmospheric Environment Branch** is responsible for providing climatological and hydrometric data for planning purposes, and observations and forecasts of weather, ice, sea state and air quality.

CEAA is responsible for the *Canadian Environmental Assessment Act*. This is a self-assessment process that requires the federal government to complete an environmental assessment where projects involve federal lands, money or regulatory authorities, or where the federal government is a proponent itself. Environment Canada, DIAND and other licencing/reviewing agencies meet their environmental assessment obligations through close consultation with NIRB, and they provide advice in a technical capacity to ensure that comprehensive environmental screenings of all projects are conducted.

DFO, which now includes the CCG, manages Canada's oceans and navigable waterways. It also ensures the sustainable use of fisheries resources and facilitates, marine trade and commerce. The management and protection of fish and marine mammals and their habitats is achieved primarily through the *Fisheries Act*. This Act contains provisions

to protect fish habitat and to prevent pollution of habitat (the latter responsibility is administered by Environment Canada on behalf of DFO), and through the environmental assessment process described above. Under the NLCA, DFO co-manages fish, marine mammals and marine resources through the NWMB. The department is responsible for the protection of marine ecosystems under the new *Canada Oceans Act*. This includes the establishment of marine protected areas.

Although Environment Canada is responsible for managing migratory birds, and DFO is responsible for fish and marine mammals, **DSD** manages, regulates and encourages the sustainable use of all other wildlife species. Several federal agencies are responsible for regulating pollution of Arctic waters through the *Arctic Waters Pollution Prevention Act*. These include DFO for shipping activities and DIAND for non-shipping activities.

The **Geological Survey of Canada** is part of **Natural Resources Canada**. It maps bedrock and surface geology, conducts research on the natural environment, permafrost, mineral technology and the impact of development on northern ecosystems. It is also responsible for carrying out Mineral and Energy Resource Assessments, in consultation with other government departments, when withdrawals of federal Crown lands for national parks are being seriously considered.

The **NEB** issues authorizations for oil and gas drilling and controls pollution from offshore oil and gas exploration and

development. The NEB also ensures that onshore operations are safe and environmentally sound, including technical approvals of drilling programs, seismic surveys, and pipeline construction. It is responsible for making sure that the requirements of the NLCA and CEAA are fulfilled prior to making regulatory decisions.

Transport Canada is responsible for regulating the transport of dangerous goods. A number of federal and territorial agencies have responsibilities for preventing, containing and cleaning up spills of hazardous substances on land and in water. These include the CCG, DIAND, DFO, Environment Canada and the NEB on federal lands, and the GN on Commissioner's land.

DSD is responsible for three inter-related aspects of healthy community life in Nunavut. DSD directs its efforts through its programs and services to:

- provide the support needed for *people* and Inuit organizations to use their capacities and participate fully in decisions on development;
- provide the support needed for people to pursue sustainable livelihoods both in the traditional and wage *economy*;
- ensure the wise use of our resources in a manner that will protect and enhance our *environment* now and for future generations.

DSD's responsibilities include:

1. Working in partnership with industry, government and non-government agencies to foster sustainable economic activities in our communities in sectors that include:

- community economic development;
 - parks and tourism;
 - mining (oil and gas);
 - fisheries;
 - arts and crafts;
 - manufacturing;
 - trade and services;
 - wildlife harvesting and household production;
 - transportation, communications and information technologies;
 - construction;
 - public sector; and
 - third sector.
2. Co-managing our wildlife and habitat with Institutions of Public Government through a balanced effort of monitoring, good science, Inuit qaujimagatuqangit and agreements with those with whom we share our wildlife.
 3. Providing and maintaining a quality system of parks and conservation areas.
 4. Managing the environment through public education and the *Environmental Protection Act* and *Environmental Rights Act*.
 5. Providing leadership when there is conflict over resource use.

DSD legislation includes:

- *Wildlife Act*
- *Nunavut Development Corporation Act*
- *Nunavut Business Credit Corporation Act*
- *Environmental Protection Act*
- *Environmental Rights Act*
- *Travel and Tourism Act*
- *Co-operative Associations Act*
- *Credit Unions Act*

Mineral Development

DIAND currently has the major responsibility for managing mineral exploration and development on Crown lands, subject to the environmental protection responsibilities outlined above. **NTI** manages mineral exploration and development on subsurface IOL. NTI is responsible for issuing exploration licences, concession agreements and leases on subsurface IOL. KIA is responsible for issuing Inuit land use permits, leases and other surface instruments as they pertain to the surface estate of IOL.

DIAND is responsible for issuing prospecting permits, for registering mineral claims and mineral leases on Crown land, and for granting exploration rights for oil and gas.

Transportation and Regional Infrastructure

The GN Department of Public Works and Services took over Arctic sealift operations from the CCG, an agency of DFO, in 2000. However, the CCG is still responsible for providing marine services in Arctic waters, including ice-breaking, navigational aids, search and rescue, boating safety, vessel traffic management, the Arctic ports infrastructure program, and environmental response. **Transport Canada** and the **CCG** share responsibility for coordinating response to marine spills. **Environment Canada** chairs the Arctic Regional Environmental Emergencies Team, which provides co-ordinated information and advice concerning environmental impacts, resource sensitivities, environmental forecasting,

cleanup techniques, and priorities for responding to environmental emergencies.

Transport Canada is responsible for the development and regulation of a safe and efficient national transportation system, and it has a particular mandate to regulate air and sea transportation in the North.

The GN Department of Community Government and Transportation has the mandate to plan, design, build, operate and maintain public transportation infrastructure in Nunavut. This includes community airports, docks and roads. **DIAND** retains responsibility for the construction of highway systems outside of municipal boundaries.

Nunavut Power Corporation is responsible for providing power to communities.

Heritage Resources

Archaeological sites are protected in a number of ways. The NWT Archaeological Sites Regulations apply throughout the territories. The Territorial Land Use Regulations apply on federal Crown lands. The *Historical Resources Act* pertains to Commissioner's land.

CLEY issues archaeological permits to qualified individuals to conduct investigations of archaeological sites that may include the systematic recovery of artifacts. It is also responsible for ensuring that sites are

investigated, recorded and salvaged prior to any development. **CLEY** also reviews all project proposal applications and advises NIRB on conditions necessary to preserve archaeological sites within the permit area.

Parks Canada is responsible for establishing and managing national parks and national historic sites and monuments. It consults and gets advice from the Institutions of Public Government, especially the NWMB and the NPC.

DSD has the mandate to establish territorial parks. **Parks Canada** administers the national secretariat for the **Canadian Heritage Rivers Board**, while responsibility for the Heritage Rivers program falls jointly to **DIAND** and **DSD**.²²

Scientific Research

All researchers require permits before conducting research. **CLEY** issues permits to archaeologists under the NWT Archaeological Sites Regulations. **DSD** issues permits to scientists researching wildlife (except for research into migratory birds, which is regulated by **Environment Canada**, and fish and marine mammals, which is regulated by **DFO**).

The **NRI** licences all other researchers. Permits are also required for non-beneficiaries who want access to national wildlife areas or migratory bird sanctuaries.

²² Responsibilities assumed by DSD after April 1, 1999.

CHAPTER 6

THE PLAN

FOR THE FUTURE

Please note that each planning term developed in this chapter is followed by a code which indicates its legal status. [A] refers to "actions", or measures that are required to be taken either by government or the NPC pursuant to s. 11.5.9 of the NLCA. [CR] refers to "conformity requirements" that will be applied by the NPC in determining the conformity of project proposals with the plan under s. 11.5.10 of the NLCA. [REC] refers to "Recommendations", or, in other words, NPC proposals. Recommendations are not legally binding. In particular, Cabinet and Executive Council approval of this plan does not make the plan's recommendations legally binding, and does not signify that government adopts them. Rather, such approval indicates that government is prepared to consider the recommendations.

Statements followed by more than one code have more than one status.

1. Community Use Areas and Local Authority

Objectives

- ✓ RESIDENTS SHOULD KNOW WHAT OTHERS ARE DOING – OR ARE PLANNING TO DO – IN THE AREA USED BY THEIR COMMUNITY, INSIDE AND OUTSIDE OF MUNICIPAL BOUNDARIES.
- ✓ RESIDENTS SHOULD HAVE SIGNIFICANT INPUT INTO THE REGULATION AND MANAGEMENT OF THESE ACTIVITIES.

Issues

Although applications for land use permits are widely circulated by DIAND, many residents feel that they are poorly advised of land use activities by both industry and government within their community land use areas. Often they discover people working on

the land during their travels. Specific concerns relate to mineral exploration and mining activities, scientific research and military activities.

Residents also maintain that they should have more control over land use activities within their community use area.

The plan must consider future community development. Although many of the Keewatin community boundaries have recently been enlarged, some areas that may become important for expansion or development may still be within the jurisdiction of the regional plan – for example, sites needed for garbage dumps, airstrips or fuel storage. Access to a supply of gravel is a major problem in some communities. Communities are concerned that gravel sites should be identified and conserved for community use. Some communities are concerned with the unregulated growth beyond the municipal limits in the number of cottages, cabins and camps, and the associated problems with garbage and pollution.

Concerns were raised during the review about activities that have a deleterious effect on important historical and cultural sites.

Analysis

The former NPC, established under the Northern Land Use Planning Program, met with hamlet councils to discuss the mandate and workplan of the NPC. Community Planning Teams, which included representatives from the hamlet councils, were set up. These teams mapped cottage, cabin, camp and building sites. Information on other sites, such as quarries and dumps, was obtained from government agencies. The present NPC and members of the community

are now updating this mapping work. KIA and other agencies are also involved in this work.

Through these consultations, the former NPC determined that hamlet boundary expansions would provide each community with enough land and resources for future growth. The NPC noted that while the boundaries are sufficient for municipal purposes, the interests of community residents go far beyond even the expansion areas. Hamlets have recently taken responsibility for Commissioner's land that used to be administered by the GN Department of Community Government and Transportation (CG&T). While the NLCA states that municipalities are responsible for developing municipal plans, it also gives the NPC land use planning authority throughout the NSA,²³ with specific responsibility for documenting cleanup sites whether they be on Inuit Owned, Crown, or municipal lands.²⁴ Thus the NPC will be reviewing for conformity with the plan any proposal inside a community that has a potential impact outside its boundaries.

Hamlet councils are often used as the point of contact for consultation on land and resource matters beyond hamlet boundaries and, therefore, outside of their jurisdiction. Various fish and wildlife management agencies, and industry, consult the HTOs. The NPC is of the opinion that the councils are in danger of being overwhelmed by requests from government agencies. For example, it is difficult for hamlet councils to respond in a timely manner to requests from DIAND to review land use permit applications. With the

²³ NLCA, s. 11.4.1 assigns the NPC "the major responsibilities to: ... (b) develop, consistent with the other provisions of this Article, land use plans that guide and direct resource use and development in the Nunavut Settlement Area".

²⁴ The NLCA also requires that the NPC "give great weight to the views and wishes of the municipalities in the areas for which planning is being conducted" (s. 11.7.3) and "... cooperate to ensure that regional and municipal land use plans are compatible." (s. 11.7.4)

land claim settlement, much of the land used by each community falls under Inuit ownership. This fact, combined with the land and resource management regime established under the settlement, has required significant changes to land and resource management structures and procedures.

Community Land Identification Planning Teams worked on land selection in the land claim process, and Community Planning Teams helped prepare the original plan. Both were very successful in providing advice and direction to the TFN (now NTI) and the planning commission, as well as in keeping their communities informed. Part of the reason for this success was that these committees represent the broadest range of community interests. As well, both committees functioned with a minimum of administrative overhead. This led to the former NPC recommending the creation of Community Land and Resource Committees (CLARCs).

For that reason, the NPC ensured that the first stage of the plan review involved informal meetings with hamlet councils, HTOs and the CLARCs in each community. These meetings were useful in identifying many of the issues dealt with at formal hearings held in Arviat in November 1996, and representatives of these organizations played an important role in the review.

In the original plan, land use permit and mineral prospecting permit and claim procedures were reviewed to determine how

adequate information can be given to community authorities about land use projects in their vicinity. It was found that while government agencies were acting with the best intentions and attempted to communicate with the communities, the method by which the information was transmitted was often inadequate. For example, information tends to be overly technical and often is not translated into Inuktitut. This is still the case, although the NPC would like to note that a number of the agencies that participated in the review submitted translated versions of their submissions. Others submitted translations following the hearings, which made them of limited use to people in the communities.

Government agencies and land users should make better efforts at communicating with the communities in Inuktitut. This is not only courteous, but would help to ensure that information gets to many residents who do not speak or read English. Short, summary communications in Inuktitut would be sufficient in most cases.²⁵

The NPC has also noted concerns from several communities that cabins, shacks and other more or less permanent structures are being erected by residents in a number of locations without any kind of approval. Garbage and proper sewage disposal are often problems. The NPC is not in favour of uncontrolled development and will ensure that all land-based activities are guided by the principle of sustainable development and the additional planning principles listed in Chapter 1.

²⁵ However, the NPC has adopted a policy requiring government agencies, industry and other parties to translate all documents submitted to a formal hearing process. Presentations from individuals are exempted from this policy (see Appendix K). It is not the NPC's policy to translate submissions.



Caribou, the main food staple of Inuit, replaces expensive store-bought food and is more nutritious. Protection measures help safeguard the vast Beverly and Qamanirjuaq herds.

Photo by Arthur Boutilier

Terms

- 1.1 The maps provided by the NPC that summarize information on the land and resource values of the community use areas shall be referred to and updated by KIA and the responsible government agencies on an ongoing basis. The NPC shall reproduce the updated maps as required. [A]
- 1.2 All buildings and structures (including permanent and seasonal camps) outside of hamlet boundaries, and the disposal of garbage or human waste associated with such buildings and structures, should be regulated:
 - a) by DIAND for Crown lands, through the process of applying for and issuing no-cost or low-cost leases and associated regulation, as well as the stricter enforcement of existing policies; and
 - b) by KIA for IOL, after consultation with the communities. [REC]
- 1.3 The NPC shall review, for conformity with this plan, proposals within a municipality that may have impacts outside the municipality. [A][CR]



At the Keewatin Meat and Fish Plant in Rankin Inlet. Keewatin residents are concerned about the cumulative impacts of neighbouring hydroelectric power developments on local fish, birds and marine mammals.

Photo by Lyn Hancock

2. Environmental Protection and Wildlife Conservation

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Objectives

- ✓ PEOPLE WANT A CLEAN AND SAFE ENVIRONMENT.
- ✓ THE ENVIRONMENT, WILDLIFE AND WILDLIFE HABITAT SHOULD BE PROTECTED AND CONSERVED FOR THE USE OF FUTURE GENERATIONS.

The environment, including the land, water and air, provide the basis for all life in the Keewatin. All Keewatin residents, and particularly Inuit, have expressed deep concern that the environment be protected from further harm and that existing polluted

sites be cleaned up. A healthy, clean and safe environment is crucial to the preservation of Inuit traditions and culture. It is also essential to the maintenance of healthy wildlife populations, especially terrestrial and marine mammals, fresh and saltwater fish, and their



Cleaning up the Arctic relates to broader environmental protection issues faced by indigenous peoples in circumpolar regions.

Photo by Luke Suluk

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habitats. The continued development of the tourism industry also requires a clean, healthy environment.

Issues

Compared to other parts of Canada, the Keewatin is not heavily developed or populated. But neither is it a pristine wilderness. For decades, government survey crews, mineral exploration and mining companies, and the military have ranged across the land. Inuit – the traditional users of the land and resources – are now settled in seven communities.

But even if the pattern of land use has changed and intensified, the Keewatin environment has not suffered the same kinds

of problems associated with many other areas of Canada. That is not to say there are not problems, but for the most part they are localized. The Keewatin is, however, susceptible to airborne pollution from outside the region due to the global pattern of air movement. For example, high levels of radioactive fallout occurred during the period of above ground nuclear testing in the 1950s and early 1960s, and, recently, residue from coal fires in China has been discovered near Chesterfield Inlet.

Keewatin residents are concerned with water quality. While there are few incidences of water contamination from within the planning region, there is significant potential for contamination from outside. For example,

people are concerned about the cumulative impacts on fish, birds and marine mammals from hydroelectric power development in Manitoba, Ontario and Quebec on Hudson Bay. The NLCA requires the NPC to work with DIAND to set up a monitoring program for the NSA. This program will be implemented in the Keewatin as soon as it is developed.

The residents are aware of the generally negative consequences for wildlife and wildlife habitat as settlement and development have proceeded elsewhere in Canada and in the world, and they have expressed deep concerns about history repeating itself in the North.

Local degradation of the environment by waste products has occurred, often in association with community growth as well as mineral exploration and development. Specific concerns exist about the proper disposal of garbage, particularly plastics and scrap metal, PCBs and other hazardous wastes, and raw sewage. The NPC will work with people in the region to develop a cleanup priority list, that will draw on local knowledge of abandoned waste sites, combined with information from government databanks. The importance of cleanup was emphasized during the review hearings and during the pre-hearing meetings in communities.

There is a lot of garbage in the Baker Lake area that I know of. I was wondering how we could clean up these areas. I know myself and a lot of hunters can



The Keewatin Regional Land Use Plan calls for development activities to be restricted near polar bear denning areas and walrus haul-outs.

Photo courtesy of DSD

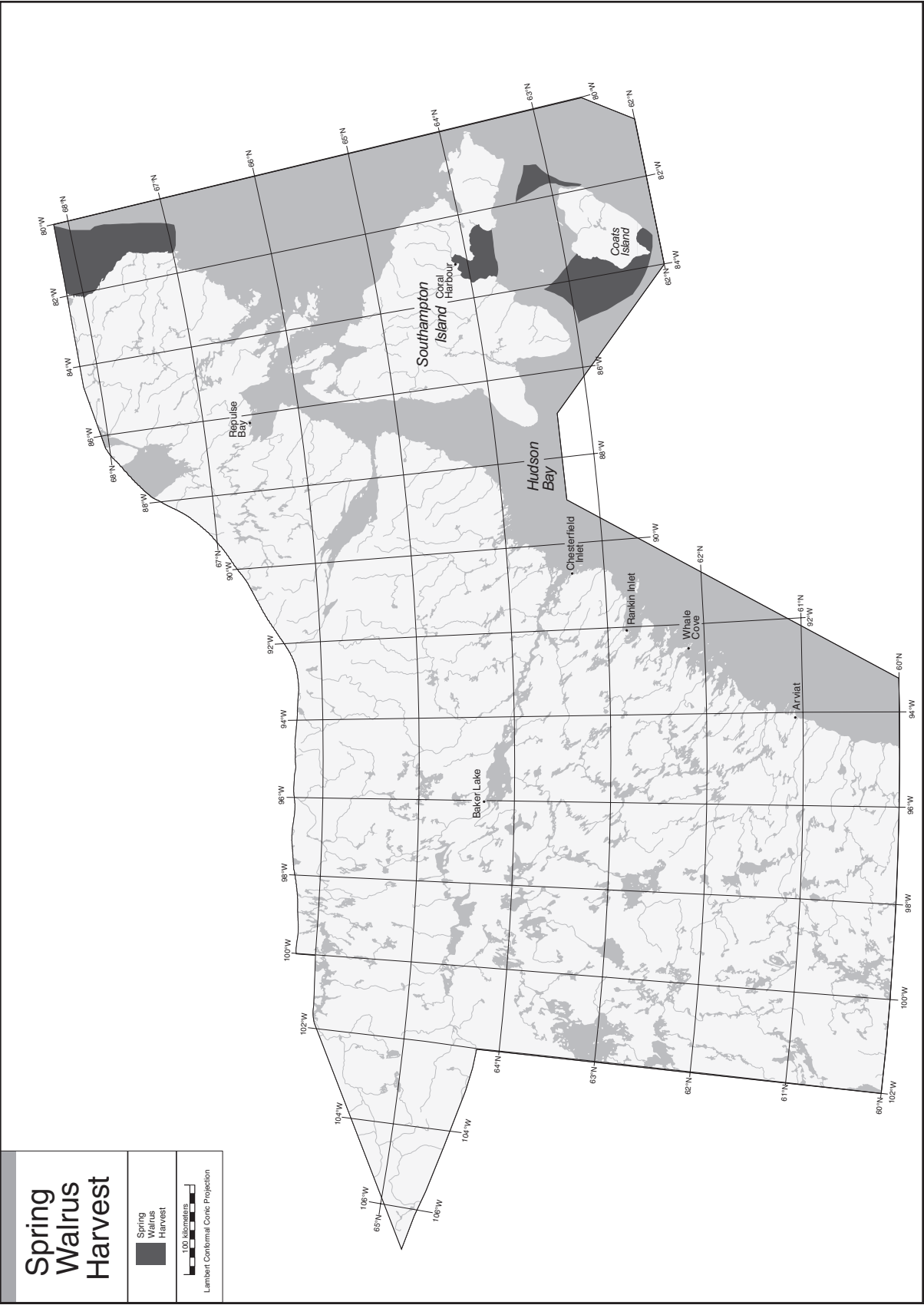
point out which areas should be cleaned up.²⁶

The safety of existing mining tailings at the Cullaton Lake and North Rankin mines is also of specific concern. As well, people are concerned with the long-range transport of contaminants, and the effects of climate change.

Residents want negative effects on wildlife and wildlife habitat to be minimized in future development. For example, conflict has arisen in the past among Inuit, government biologists, mining companies and the federal and territorial governments over the effects of mineral exploration on caribou. Concerns have also been raised regarding the disruption of fish habitat by mineral exploration practices.

The people of the Keewatin maintain that more economic benefits could be realized from the sustainable development of renewable resources, particularly wildlife. Ideas for possible employment and business

²⁶ NPC, Notes from a community meeting in Baker Lake, November 11, 1996.



opportunities include tanneries, garment manufacturing, handicrafts, and exports such as ivory, furs, water, and the produce from game and fish farms. However, it is recognized that there are biological limits to the exploitation of wildlife. The continued development of the local tourism industry, now based largely on the land and wildlife, should also be promoted and the tourist season extended beyond the summer months. In late 1996, Parks Canada commissioned a regional tourism study. The NPC urges that sustainable tourism practices continue to be explored by people in the communities as a potential source of increased revenue.

People also think that important ecological and wildlife sites and areas must be given adequate protection and be properly managed to ensure the health of the environment and wildlife.

Analysis

The NPC does not think that, overall, the environment, the wildlife or the wildlife habitats of the Keewatin are in imminent danger. However, this does not mean that consideration of protection and conservation measures is not needed; it only provides the opportunity and time to be able to do things right.

Nevertheless, protection of wildlife for present and future generations continues to be a major issue. Since the original land use plan was developed, the NWMB has assumed responsibility for wildlife management and conservation. According to the NLCA (s. 5.1.5), the principles of conservation are:

- (a) the maintenance of the natural balance of ecological systems within the Nunavut Settlement Area;
- (b) the protection of wildlife habitat;
- (c) the maintenance of vital, healthy, wildlife populations capable of sustaining harvesting needs as defined in this Article; and
- (d) the restoration and revitalization of depleted populations of wildlife and wildlife habitat.

The NWMB is also responsible for public health and safety (NLCA s. 5.3.3) and for the use of wildlife by Inuit and other specified Aboriginal harvesters for basic needs. This includes inter-settlement trade and marketing for consumption or use in the NSA, personal consumption by other residents, and commercial or sport operations. In general terms, it can be said that the NLCA establishes the following priorities for the use of wildlife in the NSA:

- a) conservation, public health and public safety;
- b) use by Inuit and other specified Aboriginal harvesters for basic needs, including use for inter-settlement trade and marketing for consumption or use in the NSA;
- c) personal consumption by other residents;
- d) use for continuing sports and other commercial operations;

- e) use for economic ventures sponsored by the HTOs and Regional Wildlife Organizations; and
- f) other uses.

The NPC and the NWMB are working closely with people in the communities to ensure that all land-based activities are sustainable and adhere to the principles laid out in the NLCA. The principle of sustainable development guides all of the planning decisions made in the Keewatin, and elsewhere in Nunavut.

As stated in Chapter 1, the NPC defines sustainable development, generally, as:

...the management of human relationships to the environment in such a way that economic, social and cultural needs are met, and ecological processes and natural diversity are maintained.²⁷

In the original plan, Community Planning Teams identified the most important ecological and biological sites and areas known to be necessary for the reproduction of various species. Such places include caribou calving grounds; bird nesting, marine mammal calving, and polar bear denning areas; and other areas of particular importance, such as caribou migration routes

and critical fish habitat. The NPC compared these identified sites with information made available by various government agencies and concluded that more protection was needed for certain areas.

There are a number of park and conservation area review processes now underway in the Keewatin. The CWS is reviewing the terms of the McConnell River, Harry Gibbons and East Bay Migratory bird sanctuaries. In keeping with the NLCA (s. 9.5.2), the Draft Management Plan for the Thelon Game Sanctuary prepared by the Akiliniq Planning Committee is being finalized by DSD, DIAND, KIA and the NWMB.

As well, in the future, there may be a need to develop a strategy for the protection of areas of importance throughout Nunavut. This strategy is likely to generate considerable interest from outside the North and it will be important for all parties involved to recognize the NLCA's authority over protected areas in Nunavut, and the important role the NLCA gives to local people in shaping their development.

For some years Wager Bay/Ukkusiksalik and Ford Lake have been under consideration for designation as a National Park. In August 1996, Parks Canada and KIA signed a memorandum of understanding expressing a commitment to begin IIBA negotiations. "The memorandum stated that final boundaries would be negotiated during the IIBA process."²⁸ In April 2000, KIA and the federal and territorial governments reached an agreement-in-principle on all major issues. Final minor technicalities are expected to be

²⁷ A more "technical" definition is found in the United Nations Environment Program's World Conservation Strategy (1980): "[T]he modification of the biosphere and the application of human, financial, living and non-living resources to satisfy human needs and improve the quality of human life. For development to be sustainable it must take account of social and ecological factors, as well as economic ones; of the living and non-living resource base; and of the long-term as well as short-term advantages and disadvantages of alternative actions."

²⁸ Parks Canada, *Submission of the Department of Canadian Heritage-Parks Canada to the Review of the Keewatin Regional Land Use Plan*, November 18, 1996, p. 4.

ironed out in the first half of 2001. When the IIBA negotiations have concluded, it may be advisable for related amendments to the plan to be put forward for NPC's consideration.

A Mineral and Energy Resource Assessment (MERA), conducted by the GSC in 1991, assigned moderate to high potential for lead, zinc, copper, nickel and gold west of 92° longitude where the study area intersects the Archean Prince Albert Group of supracrustal rocks. Moderate potential was assigned to the Wager Bay region because of anomalous lead, zinc, copper, nickel and barium values.

The study also stated that Wager Bay has significant value as a gateway to the interior as a port, and that provision for access to tidewater through the proposed park will be in the park establishment agreement and/or in the park management plan.

A subsequent MERA report published by the GSC for the Laughland Lake area reaffirmed and upgraded the resource potential in the Prince Albert Group, adding high potential for carving stone. A subsequent study commissioned by Parks Canada and including a team from Repulse Bay, confirmed the presence of carving stone in the Prince Albert Group, also known as the Committee Bay Belt. The NPC notes that there is considerable debate over whether an access corridor

should be allowed through the park to facilitate future mineral development outside the park boundaries. The issue of a corridor is being addressed through the MERA and the IIBA processes (see Corridor Guidelines in Appendices I and J).

An archaeological survey has identified 500 sites in the Wager Bay area, and Parks Canada worked with elders and other people from four communities in the Keewatin on an oral history project on the area. Designation as a National Park would provide protection to critical wildlife and marine habitat and provide economic benefits to the region.

In the original Keewatin plan, it was suggested that Coats Island, a very important area for walrus, polar bears and a variety of migratory birds, be examined for designation as a National Wildlife Area. Such a designation would present an opportunity for a flexible management regime to be negotiated with Coral Harbour. The NPC recognizes that the CWS, which would like to see a National Wildlife Area "on all or part of the island,"²⁹ has met several times with the people from that community, but no decision has been made on whether or not to establish a National Wildlife Area. The NPC continues to support the community's right to make the final decision on the proposal when it is ready to do so.³⁰

A process for reviewing the boundaries of the Thelon Game Sanctuary is outlined in the NLCA, (s. 9.5.2.). The Akiliniq Planning Committee in Baker Lake has developed the Thelon Wildlife Sanctuary Draft Management Plan. The draft plan was developed through

29 CWS *Submission to the NPC – Comments on the Keewatin Regional Land Use Plan*, November 12, 1996, p. 1.

30 Implementation Note: DFO has designated all walrus haul-outs as "Priority One", and recommends that these areas "receive the ultimate level of protection from impacts associated with non-renewable resource development." DFO states that, upon passage of the *Canada Oceans Act* and the development of a protocol for the establishment of Marine Protected Areas, efforts to include walrus haul-outs in a system of Marine Protected Areas will be accelerated. The Act came into force in December 1996. The NPC will monitor this process to ensure the federal government involves local people in the decision-making process.

public consultation in Baker Lake and, to a lesser degree, the Dene community of Lutselk'e. It identifies preferred management strategies, policies and initiatives related to:

- Special Management Areas;
- jurisdictional interests and management structures;
- legislative requirements; and
- land and visitor management.

There is IOL in the sanctuary (parcel BL – 44 / 66 C), and the people of Baker Lake have said they believe the area is a heritage site. Whether these lands are inside or outside the sanctuary has not been a major issue – people are more concerned that it receive the highest and most compatible level of protection. Gravesites and traditional campsites are well known in the area and require protection, either within the sanctuary or as a separate entity. The NPC urges that parties in this process work towards a resolution of outstanding issues in keeping with the spirit of the regional land use plan.

DSD has proposed that territorial parks be established on the Thelon River – a heritage river outside of the Thelon Game Sanctuary – and on the Kazan River, another heritage river, to provide tourism opportunities in the region. The NPC finds that this proposal conforms with the principles of this plan. National Historic Sites have been developed at Fall Caribou Crossing (near Baker Lake) and Sentry Island/Arvia'juaq (near Arviat). These are administered by Parks Canada. Development is also underway for a territorial park at Ijiraliq/Meliadine River (near Rankin Inlet).

Current land use outside of municipal boundaries in the Keewatin is generally extensive, with pockets of intensive use. This includes the harvesting activities of Inuit, the exploration activities of the mining industry and the migrations of caribou and other species. In the original plan, it was felt that restricting land use to one or two of these in defined areas was not appropriate. The NPC continues to support this approach. Land use patterns in the Keewatin do not require the kind of zoning approach one might expect to find in more densely populated and developed regions. Aside from restricting access to sites of important historical or cultural value, there has been no call from the people of the region to change the approach to land use planning. Further, the conformity requirements (coded [CR]) developed in this chapter ensure that the onus is on potential land users and developers to demonstrate that their activities will not harm the environment and wildlife or have a negative effect on life in the communities.

Protection measures for the Beverly and Qamanirjuaq caribou herds, which have been in place for more than 15 years, are examples of existing tools for wildlife protection. During that time the caribou herds have prospered. Although mines have not been operated within the established protection zones during this time, these measures are designed to affect future mining operations throughout the region. Depending on the location, application of the measures might result in the suspension, during the calving season, of activities at a mine and in limits to site access. Given the existing

level of knowledge, the NPC thinks that the existing caribou protection measures are adequate.³¹ However, these measures should be reviewed in the future as new knowledge about caribou behaviour becomes available. On the one hand, more protection might be considered if research indicates that it would be needed to maintain a healthy caribou population; on the other hand, future changes in mining technology may reduce the impact of mining activities on caribou.³²

Various government and international agencies have identified other areas that are unique and/or important for wildlife and heritage, but the NPC thinks that the existing regulatory structure provides sufficient protection for these areas at this time.

The existing bird and game sanctuaries serve to protect significant populations of wildlife. However, more research is required to assemble information that is detailed enough to determine whether the current boundaries are properly located. The CWS says this has been done. This plan also recommends that boundaries be subjected to public review. Habitat classification from satellite imagery is nearly completed for the McConnell River Sanctuary. Research has begun at the East Bay Sanctuary.

The NPC endorses the principle of multiple use for most of the planning region. However, this endorsement is conditional and subject to future review. The policy of sustainable

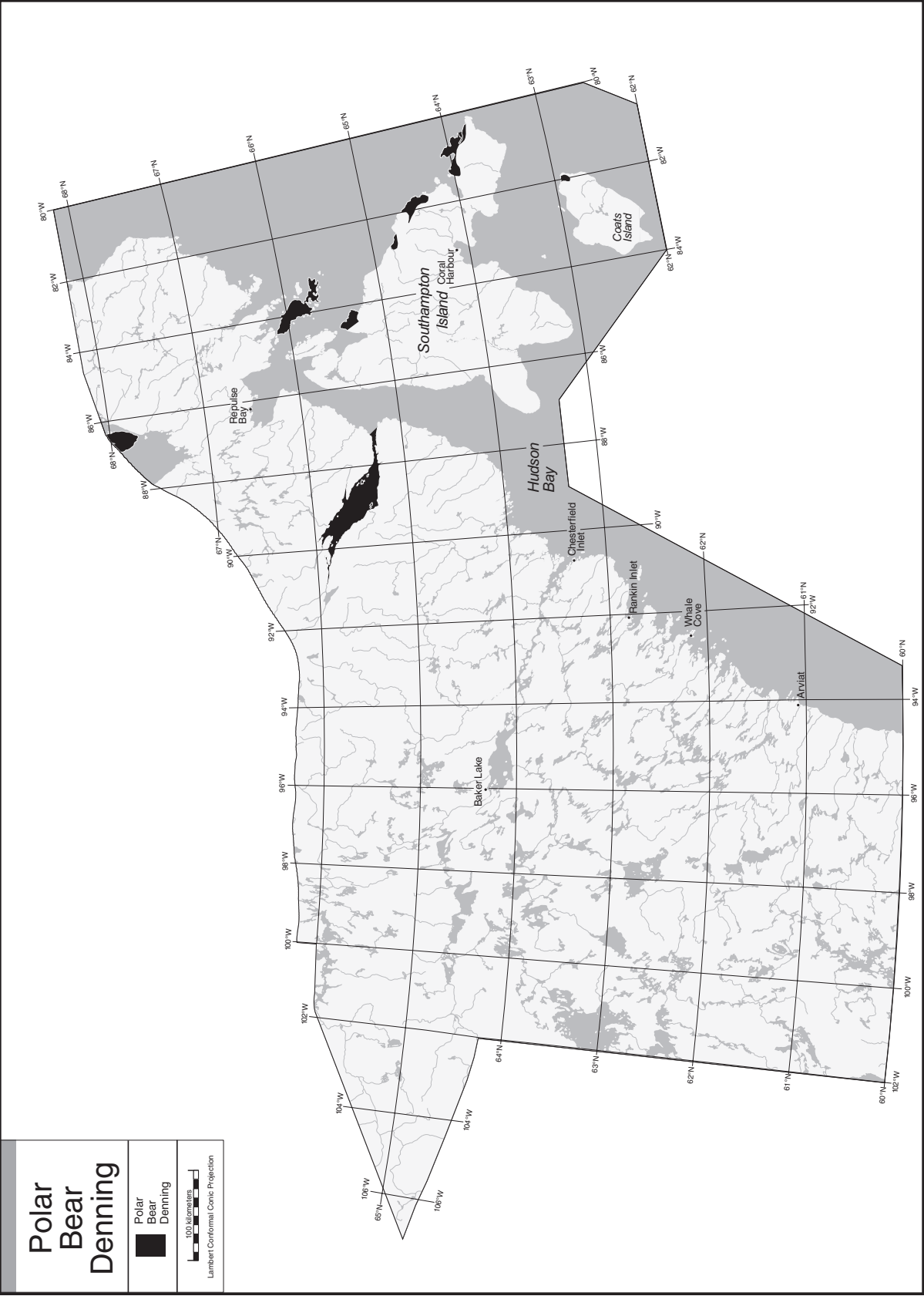
development should be applied to the Keewatin, and the current health of renewable resources should be maintained. To aid in implementing this policy, the NPC has prepared a series of maps outlining the renewable resource values of the region. This information forms a baseline against which future changes may be measured. The NPC will examine these changes in each subsequent review of the *Keewatin Regional Land Use Plan*. As well, s. 12.7.6 of the NLCA requires that DIAND and the NPC develop a plan to monitor cumulative environmental effects. This work is underway.

The NPC recognizes that there are biological limits to the contribution that fish, wildlife and other renewable resources can make to the Keewatin economy. Simply put, if renewable resources are over-exploited, they become unsustainable. The primary responsibility for these matters lies with the NWMB. As mentioned earlier, the NLCA has established priorities for renewable resource exploitation which favour domestic over commercial use.

With respect to environmental degradation, sites that are polluted by garbage, chemicals, fuel or hazardous waste should be cleaned up. The problem of abandoned waste is not unique to Nunavut. Cleaning up the Arctic is related to wider issues of environmental protection faced by indigenous peoples throughout the circumpolar region. The importance of the Arctic environment was recognized by eight circumpolar nations, including Canada, which signed the Arctic Environmental Protection Strategy in

³¹ The caribou protection measures are contained in Appendix H.

³² Further information on the management of the Beverly and Qamanirjuaq caribou herds can be found on the internet at www.arctic-caribou.com.



Rovaniemi, Finland, in 1991.³³ The strategy is a wide-ranging declaration on the protection of the Arctic that identifies the monitoring and assessment of contaminants as a major priority.

During land claim negotiations, Inuit demanded that the waste left on the land be cleaned up. This was especially important for sites that were on land that would fall under Inuit ownership. Inuit also demanded a right to participate in the decision-making process that will eventually lead to the cleanup of their region. The issue of waste site cleanup is addressed in the NLCA (s. 11.9.1).

The NPC shall identify and prioritize the requirement to clean-up waste sites in the Nunavut Settlement Area, including hazardous waste sites, inactive mining sites, abandoned DEW Line sites, and non-hazardous sites near communities. The NPC shall consider waste sites in the Kitikmeot region on a priority basis. To the extent possible, this initiative shall be co-ordinated with the development of land use plans.³⁴

While the NLCA requires that the NPC make the Kitikmeot the priority region for cleanup, there are long-standing problems in the Keewatin which must also be addressed. As part of its ongoing mapping work, the NPC is conducting a community consultation and

information-gathering exercise similar to the process that took place in the West Kitikmeot. The goal of this process is to develop a Keewatin inventory of waste sites that will form the basis of a cleanup priority list. The first step is to gather information from residents on the location of waste sites. Government records will also be used to develop a database. Included will be information on location, kinds of waste, who created the site, who is responsible for cleanup, and whether the site is on IOL or Crown land. Out of this process will come a revolving list of waste sites on IOL, Crown, and hamlet lands. This inventory will be public and will be updated continually as new information is gathered and as old sites are cleaned up. The NPC recognizes that the systematic cleanup of these sites will take many years, that the main responsibility for cleanup lies with government, and that the task is expensive. When the inventory is compiled, the NPC will co-operate with government to ensure the accuracy of the information about the sites and their contents. The NPC will also work with government and other interested parties to maintain and update the inventory and to develop an NSA-wide short list of priority sites for cleanup. The listed sites can be classified as requiring priority cleanup through an amendment to this plan.

In the meantime, no new occurrences of environmental degradation should be allowed. For example, some communities have reported that there are still problems with the removal and/or disposal of fuel

³³ The eight nations were: Canada, Denmark, Finland, Iceland, Norway, Sweden, the Union of Soviet Socialist Republics and the United States of America.

³⁴ While the Agreement identifies the Kitikmeot as a priority area, the process used to identify waste sites in that planning region has been designed to be applied in the rest of the NSA as well.

drums. While government agencies and industry may, in fact, properly manage fuel caches, including the eventual removal of drums, the communities want to be made aware of the location of these sites. Cleaning up polluted sites could be accomplished more expeditiously and at lower cost with the involvement of local residents. For example, it is likely that more fuel drums could be collected by snowmobile than by helicopter for the same expenditure.³⁵

Over the years there has been controversy surrounding potential hydroelectric development in Northern Quebec. Although there are no projects being developed at this time, the west coast of Hudson Bay is an important part of the Keewatin planning region. Residents have been concerned about the effects that any massive new hydroelectric development would have on the fish, birds and marine mammals of Hudson Bay. Of particular concern is the cumulative impact of hydroelectric development in Quebec, Ontario and Manitoba on the water quality and flow patterns in Hudson Bay, James Bay and Hudson Strait.

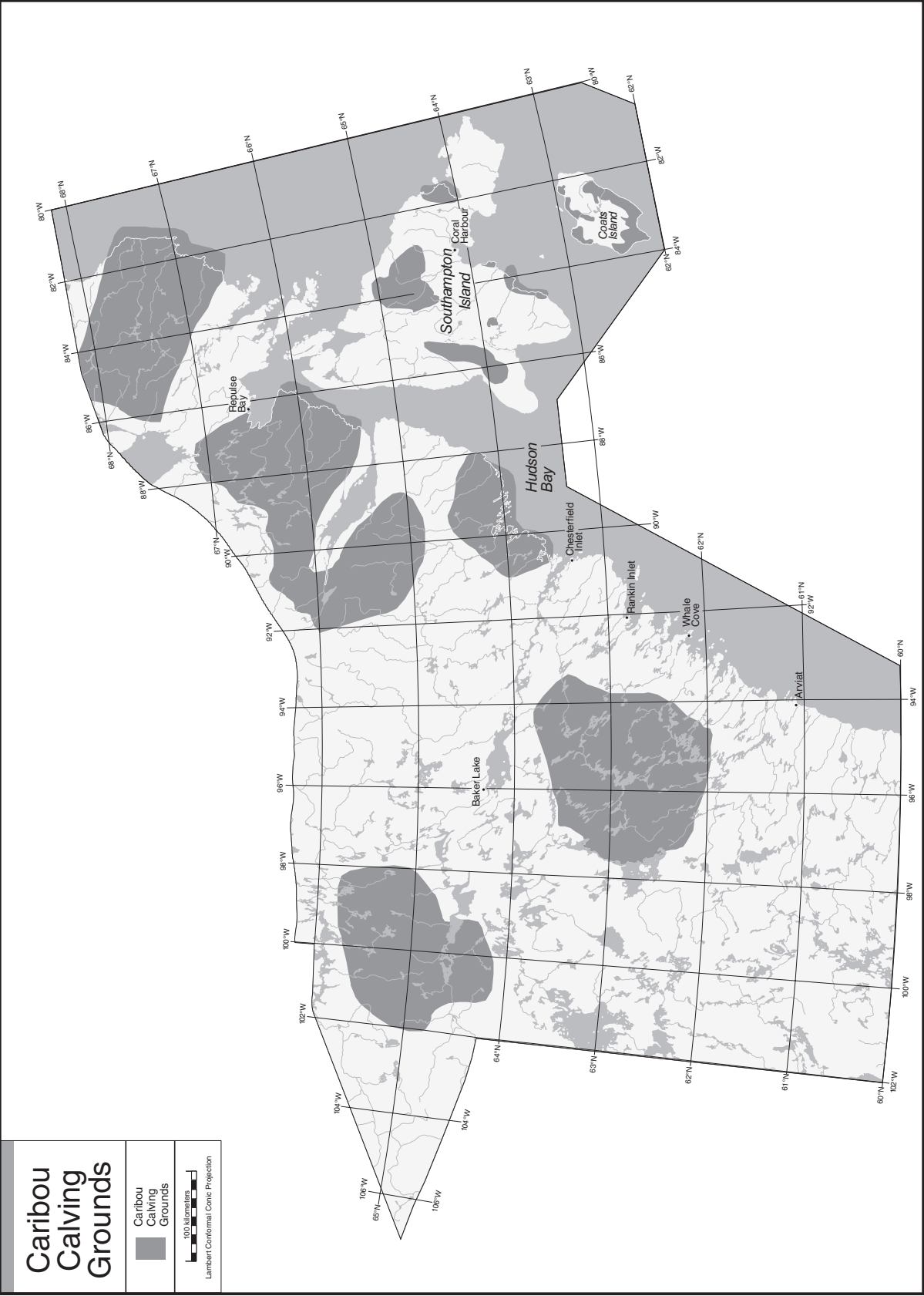
Some issues are beyond the mandate of the NPC. The proper disposal of sewage is, for the most part, a municipal matter. For sites outside of hamlet boundaries, the NPC finds the existing regulation by land use permit and water licence to be adequate. Concerns related to the long-range airborne transport of contaminants and climate change are valid,

but these issues are beyond the scope of a regional land use plan.

Terms

- 2.1 The existing Conservation Areas, the Thelon Game Sanctuary and the McConnell River, Harry Gibbons and East Bay migratory bird sanctuaries shall retain their current status. Development activities shall continue to be prohibited within the Game Sanctuaries. [A][CR]
- 2.2 The review processes now underway in the region, including changes to the Thelon Game Sanctuary and possible changes to the boundaries of bird sanctuaries, shall be brought to a satisfactory conclusion after sufficient public consultation with the people of the region. The review processes must also recognize the mandate and authority of the Nunavut co-management bodies, especially the NWMB. Once any of these processes are concluded, the NPC shall consider applications for appropriate amendments, if required, to the plan. [A]
- 2.3 (a) The area surrounding Wager Bay and Ford Lake that has been withdrawn for the purposes of a national park should become a park, subject to the successful negotiation of an IIBA. This development process must continue to involve public consultation with the residents of

³⁵ Implementation Note: Since the original plan was drafted, marine operators who cause pollution are required to report the incident in accordance with the *Arctic Waters Pollution Prevention Act* and the *Canada Shipping Act*. Annual notices to mariners are published to draw attention to regulations under these acts.



the region, DSD, KIA, the NPC, DIAND and other interested parties.

(b) In establishing the park, inclusion of the waters of Wager Bay and Ford Lake as a marine component should be considered.

(c) Shipping should be permitted within the park. Inuit shall have the free and unrestricted right of access to all lands, water and marine areas within the park for the purposes of harvesting for basic needs, as outlined in the NLCA. The parties to an IIBA or any other agreement affecting the matter should consider prohibiting commercial fishing, except by Inuit for the purposes of inter-settlement trade and marketing for consumption and use in the NSA. [REC]

2.4 Coats Island, in whole or in part, and adjacent islands, shall continue to be considered by the CWS for designation as a National Wildlife Area. While navigational aids now on the island could remain in place, the need for the existing airstrip and its location shall be reviewed. Any such designation shall be conditional on the approval of the people of Coral Harbour. [A][CR]

2.5 DSD should establish territorial parks on the basis of a Territorial Park Program and a Parks System Plan. Two possible locations are the Thelon

Heritage River outside the Thelon Game Sanctuary – following approval by the community of Baker Lake – and on the Kazan Heritage River, following the approval of the communities of Baker Lake, Arviat and Whale Cove. Other territorial parks may be established with community support and included as an amendment to the plan. [A][REC]

2.6 Development activities shall be prohibited on all public lands and waters within all caribou calving areas during calving season and within caribou water crossings in the Keewatin, in accordance with the terms of DIAND caribou protection measures contained in Appendix H. Development activities shall be prohibited on IOL within all caribou calving areas during calving season and within caribou water crossings in the Keewatin, in accordance with the KIA caribou protection measures (an example of which is contained in Appendix H). These measures shall be enforced throughout the region by DIAND, KIA and DSD, to the full extent of their respective jurisdictions. [A][CR]

2.7 Development activities shall be restricted near polar bear denning areas and walrus haul-outs. With the establishment of a national park in Wager Bay, some of these critical areas may receive protection subject to finalization of the park boundary.



Prospecting at the West Meliadine gold site. The NPC encourages further mineral exploration, provided development occurs in a sustainable and responsible manner.

Photo courtesy of WMC Limited

- 2.8 The designation of Coats Island and adjacent islands as a National Wildlife Area would protect another extremely significant area. Other denning areas and haul-outs on the Hudson Bay coast and on Southampton Island shall continue to be protected by DIAND and DFO. [A]
- The NPC shall work with communities, DIAND, KIA, industry and other interested parties to develop an inventory of waste sites and a short list of cleanup priorities in keeping with the NPC's responsibilities assigned in the NLCA s. 11.9.1.

- a) Once an inventory of the sites is complete, the NPC shall work with government and other interested parties to maintain and update the inventory and to develop an NSA-wide short list of priority sites for cleanup. [A]
- b) Community residents in particular, and all land users in general, shall be actively involved in planning and conducting cleanup operations, whenever possible and practicable. [A][CR]
- c) Refuse, such as fuel drums and scrap metal, shall be recycled where possible. [A][CR]



A local taxi at the West Meliadine gold exploration camp near Rankin Inlet. Keewatin residents want to seize business opportunities that will arise from supporting the non-renewable resource sector.

Photo courtesy of WMC Limited

54

- d) Sites containing toxic materials shall be given priority for cleanup, and the location of these sites shall be widely publicized to warn residents. [A] [CR]
 - e) Sites within or near caribou calving grounds, near water and near communities shall also be given priority for cleanup. [A] [CR]
 - f) The requirement to clean up any Keewatin region sites enumerated on the NSA-wide short list shall be contained in an amendment to this plan. [REC]
 - g) Mining and exploration companies are particularly encouraged to report old waste sites which they may come across on the land, and which may not be on the inventory list and maps. [A] [REC]
- 2.9 New occurrences of pollution, garbage and contamination caused by anyone shall be prevented. Land users shall ensure that all drums are safely recovered. [A] [CR]
- 2.10 The principle of “the polluter pays” shall apply to a strategy for cleaning up the environment. Where it is possible to identify the person, company or agency responsible for creating an abandoned or inactive waste site, they shall be made responsible for the cleanup and restoration of the site. [A] [CR]

- 2.11

Where identification is not possible, the government agency (or its successor) that had regulatory responsibility for the site at the time it was active shall be responsible for site cleanup and restoration. [A] [CR]
- 2.12

When a land use permit is issued, land users shall be given details by DIAND or KIA of the important renewable resource values in the area of land in which they operate. Government shall ensure their assistance in maintaining and reporting on these values. [A]
- 2.13

The possible cumulative impacts of additional hydroelectric power
- 2.14

development in Manitoba, Ontario and Quebec on the ecosystem of Hudson Bay, James Bay and Hudson Strait must be examined before more hydroelectric development proceeds. [A] [CR]
- 2.15

DIAND, in co-operation with the NPC and other appropriate agencies, shall complete the design and implementation of the monitoring program outlined in s. 12.7.6 of the NLCA. [A]
- All land users shall follow the Code of Good Conduct contained in Appendix G. [CR]

3. Mineral, Oil and Gas Exploration and Development

Objectives

- ✓ NON-RENEWABLE RESOURCE DEVELOPMENT SHOULD HAVE NO SIGNIFICANT ADVERSE EFFECTS ON THE ENVIRONMENT, WILDLIFE OR WILDLIFE HABITAT.
- ✓ NON-RENEWABLE RESOURCE DEVELOPMENT SHOULD PROVIDE BENEFITS TO LOCAL RESIDENTS AS WELL AS TO CANADA AS A WHOLE.

Keewatin residents feel strongly that land use activities directed towards the development of non-renewable resources should not cause significant damage to the environment, nor should they harm wildlife or wildlife habitat. Mineral exploration and development should provide economic and employment benefits to local residents.

Issues

Residents want to become more knowledgeable about the mineral potential of the various areas of the Keewatin. Local residents feel that they have missed out on many of the potential economic benefits arising from exploration activities. They think there are possible employment and business

opportunities based on supporting the non-renewable resource sector, such as expediting, catering, surveying and guiding.

In preparing the original plan, Keewatin residents made it clear that they want to be better informed about current exploration activities and to have input into the regulation of these activities. Now that the NLCA is in place, Inuit own surface and subsurface title to a significant part of the Keewatin. This makes them major players in any development in the region, and gives them the power to control what happens on their land.

Residents believe that mineral development can take place, but that all phases of each development should be considered, planned and carefully controlled. This includes not only environmental, social and economic planning for a mine operation, but also planning for the eventual closing of mines, where issues such as land restoration, tailings pollution and economic and social readjustment need to be considered.

Most residents of the Keewatin consider uranium mining and exploration to be separate from other types of mineral development. Uranium mining and uranium usage raise environmental, health, moral and political questions that are quite distinct from other types of mining. A number of people from the region have gone on company-sponsored fact-finding trips to Northern Saskatchewan communities where uranium mining takes place. Many residents believe that there should be a complete ban on all uranium exploration and mining.

The NLCA grants Inuit exclusive rights to carving stone. People would like to see continued cooperation from the governments and the mining industry in identifying deposits so that they can be conserved for future community use.

Analysis

The NPC regards it as crucial to the economic development of the planning region that mineral development occur in both a sustainable and responsible manner. A significant growth in wage employment will depend on mineral development, parallel growth in the service sector, and the further development of regional infrastructure. The NPC therefore encourages further mineral exploration and the growth of a healthy mining industry in the Keewatin.

The NPC has reviewed the data on mineral potential in the Keewatin. The data reflect the current level of knowledge of the geology of the region as well as the location of known mineral deposits and current holdings and interests. The data have been compared to other sets of information on the environment, wildlife and other land uses to ascertain which areas and uses could be in conflict. The NPC continues to think that, by providing protection to certain critical areas, the majority of the planning region can remain open to exploration and development. However, such work will only be allowed if it conforms to the criteria in Chapter 8.

This is not to say there will not be conflicts or problems. However, the NPC is encouraged

by the willingness of the mining industry to resolve problems and to consider other points of view. The NPC also applauds the environmental policy adopted by the mining industry. With this in mind, the NPC believes that the industry – and all other land users – will have no difficulty complying with the terms in this plan and that the required terms contained in the Code of Good Conduct (attached as Appendix G) will also be adopted voluntarily by industry. It is worth noting that the Whitehorse Mining Initiative, which has been signed by government and industry, also addresses this issue.

During the NPC's 1996 pre-hearing community meetings, people raised concerns about the lack of local hiring related to mineral exploration work in their region. "It should be noted that, let's say that a mine opened up near Chesterfield Inlet, then the residents of Chesterfield Inlet should be given first crack at jobs ..."³⁶

The concerns in the Keewatin over local hiring have been expressed elsewhere in Nunavut as well. An earlier report on land and resource management in the West Kitikmeot noted the following:

The large increase in population in Inuit communities, combined with the downsizing now taking place at all levels

of government, emphasizes the need for a continuing, stable source of wage employment. While the vagaries of international metals markets tend to make the mining industry volatile, there are few other sources of income on the horizon. For example, the regional tourism industry can only support a small number of operators.

Even at the exploration stage, mining provides considerable benefits to the local economy ...³⁷

A list of matters that can be negotiated under an IIBA is included in the NLCA. Inuit training and "Inuit preferential hiring" are included on this list, as are business opportunities for Inuit.³⁸ An IIBA is to be negotiated prior to a development project taking place. At the exploration stage, Inuit have to depend more on moral suasion with companies. However, mining companies should also recognize that it is in their interest to develop a trained, stable local workforce.

The consensus on mine closures, as articulated in the original plan, continues to hold. Proposals for mining developments should include plans for the eventual mine closure and the restoration of the site. These issues are being examined in a DIAND consultation paper.³⁹

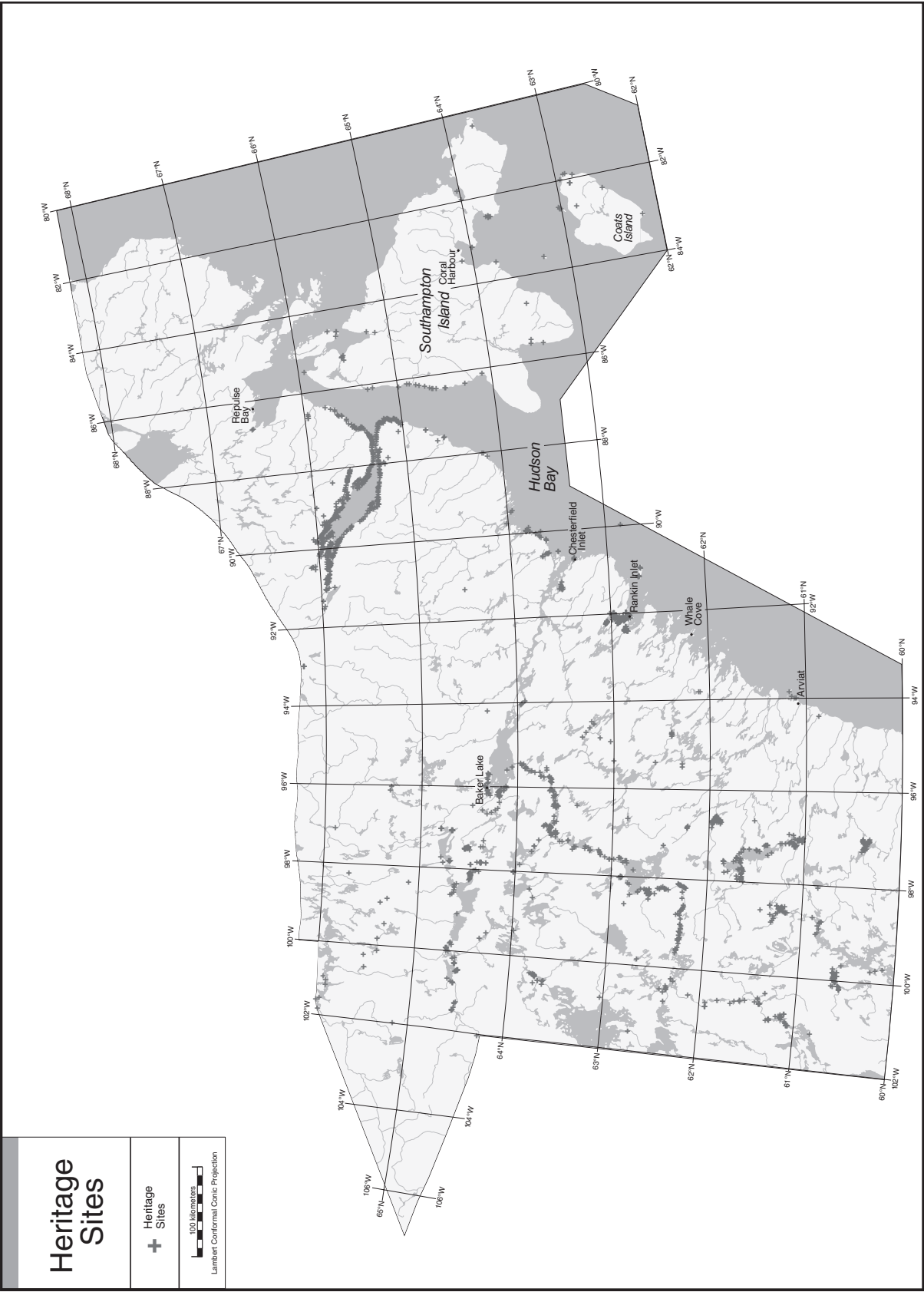
Currently, owners are required to clean up exploration camps. Where the owners are unknown or unable to clean up the sites, DIAND assumes the responsibility. New

36 NPC, Notes from a community meeting in Chesterfield Inlet, November 13, 1996.

37 NPC Transition Team, *Final Report on Resource Management Planning in the West Kitikmeot*, 1996, p. 78.

38 NLCA, Schedule 26-I.

39 DIAND, *Consultation Document: Mine Reclamation Policy for the Northwest Territories*, 1997.





Admiring traditional clothing during Cultural Days in Arviat. In land use planning consultations, Inuit spoke strongly about the need to protect important cultural and historical areas.

Photo by Doug McLarty

measures are needed to better ensure that when DIAND does act to clean up a site, the principle of “the polluter pays” is maintained, and there is no cost to the public. Cleanup will be enhanced by development of the Keewatin cleanup priority list, referred to in the previous section.

The original *Keewatin Regional Land Use Plan* reflected the controversy of the 1980s over whether or not uranium mining should be permitted in the region. Some people suggested that uranium exploration and mining should be banned, while others suggested imposing a moratorium until a number of questions and concerns could be

answered. Still others believe that uranium should be treated like any other mineral, and that the rules that apply to any mineral development also apply to uranium. There was hope that a federal Environmental Assessment Review Panel (EARP), established to review the application by Urangesellschaft to develop a uranium mine near Baker Lake, would have published its report and made recommendations regarding environmental and health matters before the original plan was finished. This review was never completed because the company dropped its development plans. Many of the questions the EARP would have addressed remain

unanswered. The NPC believes that the completion of a review is necessary before any development takes place. If another company comes forward with a proposal, then, as indicated in s. 12.4.7 of the NLCA, NIRB and the responsible minister will determine the review process, and NIRB or a federal environmental assessment panel will conduct the review. As noted in Chapter 3, there continues to be interest in uranium exploration in the region.

Residents have many moral and political questions beyond the mandate of any review process, and these need to be addressed. The mining industry is hopeful that uranium exploration will be encouraged, yet there are no guarantees that development can take place. The original plan reflected the fact that there was no consensus on uranium mining and that more time was needed to resolve this issue. The NPC thinks that there should be a proper discussion and debate of all the issues, involving community organizations, co-management bodies, government and industry. The residents of Baker Lake express concerns most strongly, and these must be addressed satisfactorily before any development can proceed.⁴⁰ In fact, residents of that community told the NPC that they want to approve any project before it goes ahead.

In the original plan, information from the Community Planning Teams, the territorial government and DIAND was used to prepare

maps identifying known carving-stone deposits. Because the supply of carving stone is limited and is of special cultural and economic importance, the NPC continues to encourage the assistance of DIAND and the mining industry in identifying new sites. It should be noted that, at present, the quarrying of carving stone remains unregulated and is extremely hazardous. The NPC maps carving-stone sites in the region as part of its overall community mapping project.

The GSC has provided information on hydrocarbon potential within the Keewatin planning region. Moderate to high potential for oil and gas is restricted to the offshore in central Hudson Bay and in the waters between southern Southampton Island and Coats Island. High potential is assigned to directly recoverable hydrocarbons from the rich (30 – 120 kilograms per tonne yields) oil shales on Southampton Island. The federal government does not expect any great interest in exploration within the region in the near future. However, the world supply of oil and gas remains volatile and new interest in exploration may arise.

The area encompassing southern Southampton Island and Coats Island is very important for wildlife. It includes polar bear denning areas, walrus haul-outs and nesting and staging areas for migratory birds. The NPC thinks that the area is best suited as a refuge for wildlife and that the moratorium on hydrocarbon exploration should be continued. If interest in oil and gas exploration increases, the NPC will review the relevant provisions of the plan.

⁴⁰ At the Arviat hearings, KIA president Paul Kaludjak said uranium mining "is a closed item." He said the people of Baker Lake will want to have a say in any development proposal. Transcripts, p. 102.

Terms

- 3.1 The mining industry and government should continue to support the development of a local industry to service the needs of exploration companies and any future mining ventures. [REC]
- 3.2 The NWT and Nunavut Chamber of Mines, on behalf of the mining industry and with all other land users, should adopt a Code of Good Conduct as a guide to good land use practices at least equal to that suggested in Appendix G. [REC]
- 3.3 DIAND shall ensure that, in the future, it has adequate funds to properly restore abandoned exploration camps following, where possible, the principle of “the polluter pays”. [A] Raising the level of security deposits and increasing the minimum and maximum fines under the *Territorial Lands Act* would help ensure that the sites of exploration camps are properly restored. [REC]
- 3.4 All proposals for mining developments shall include adequate plans for mine closure and restoration of the site. [CR] The NPC is encouraged that DIAND and the NWB have adopted the Guidelines for Abandonment and Restoration Planning for Mines in the Northwest Territories that were originally published by the NWT Water Board. The draft Mine Reclamation Policy shall be completed as soon as possible. [A]
- 3.5 Uranium development shall not take place until the NPC, NIRB, the NWB and the NWMB have reviewed all of the issues relevant to uranium exploration and mining. Any review of uranium exploration and mining shall pay particular attention to questions concerning health and environmental protection. [A][CR]
- 3.6 Any future proposal to mine uranium must be approved by the people of the region. [A][CR]
- 3.7 The mining industry should continue to participate in identifying carving-stone deposits. [REC] DIAND, with the assistance of DSD, shall continue to maintain a central record of carving-stone deposits and communicate this information to the communities and appropriate Inuit authorities. [A]
- 3.8 Hydrocarbon exploration shall continue to be restricted in the area encompassing southern Southampton Island and Coats Island, as at present. [A][CR] If, however, hydrocarbon exploration in that area should ever become more likely, the NPC shall assess the implications through a public planning process and consider amending the land use plan. [A]

4. Heritage Resources

Objectives

- ✓ THE INTEREST OF INUIT IN THEIR ANCESTRAL LANDS SHOULD BE RECOGNIZED.
- ✓ THE KNOWLEDGE OF THE LAND BY THE ELDERS SHOULD BE PRESERVED AND UTILIZED.
- ✓ SPECIAL SITES SHOULD BE ADEQUATELY PROTECTED AND MANAGED.

The Inuit of the Keewatin have inhabited their homeland for millennia.⁴¹ The NLCA defines and protects the aboriginal rights of Inuit to their lands. During consultations for the original land use plan, and during the recent review, Inuit expressed strong views about the importance of protecting not just the biological integrity of the land but also areas of important cultural and historical significance. In particular, people would like greater protection for historical and cultural sites.

They also feel that the Elders' special knowledge of the land should be incorporated in the planning process and preserved for future generations. One way that this is being done is through the community mapping work that the NPC is coordinating in the communities. Inuit knowledge of animal habitat and migration, among other things, is a key part of this work.

While land use planning cannot deal directly with questions of Inuit land ownership, people do think that planning has a role in preserving the heritage values of the land.

Issues

Of particular importance is the protection of archaeological sites, including burial sites, tent rings, caches and inuksuit. For many years archaeologists have visited the Keewatin and conducted scientific investigations. Some have removed artifacts that are now crated and safeguarded in public institutions. This practice continues in the Keewatin with the support of local communities. The unauthorized collecting by other individuals – tourists, developers and even local residents, perhaps unaware of the legal protection afforded archaeological sites – causes the loss and destruction of artifacts and information. Inuit believe that these items belong to them. They are also concerned about the possible disturbance of sites, even

41 For a discussion of archaeological evidence related to the "pre-Dorset" tradition (3000-3500 years ago) in the Keewatin, see Chapter 8 of Bryan C. Gordon, *People of Sunlight, People of Starlight: Barrenland Archaeology in the Northwest Territories* (Hull: Canadian Museum of Civilization, 1996).

unknowingly, by land users. Tourism operations are frequently mentioned in this context.

Other areas considered important for heritage values are the major river systems that have been, and continue to be, used by Inuit. Maintenance of outpost camps is also considered important for preserving traditional culture.

Inuit are very concerned that heritage sites be preserved. For years, archaeologists from the CMC and the PWNHC have endeavoured to identify archaeological sites in the region, but a large number remain unrecorded. Proper identification of heritage sites is viewed as the first step in protecting them. S. 33.2.2 of the NLCA underscores the importance of this effort:

The archaeological record of the Nunavut Settlement Area is of spiritual, cultural, religious and educational importance to Inuit. Accordingly, the identification, protection and conservation of archaeological sites and specimens and the interpretation of the archaeological record is of primary importance to Inuit and their involvement is both desirable and necessary.

Tongola Sandy of KIA spoke about the importance of heritage protection:

There are number of people in the communities that does not know if they should take artifacts. A lot of them do but



*Dogsledding in Repulse Bay.
The need for access roads and
routes to outlying areas is becoming a
problem for many Keewatin communities.*

there is no enforcer. For that reason, our Elders in Kivalliq have heavy concerns if artifacts are taken, we can lose those artifacts. Last year I held a workshop on lands. For that workshop I asked Margaret from Prince of Wales Northern Heritage Centre to attend and give a workshop on what legislation there is for archaeological sites so that the people will have a better understanding. We don't know a lot about government policies and they are not enforcing them. Apparently they didn't have any funds for travel and she couldn't attend the workshop. There is a weakness spot. If we just let it be, people will continue to take artifacts and it will increase.⁴²

The NLCA defines an archaeological site as:

... a site or work within the Nunavut Settlement Area of archaeological, ethnographical or historical importance,

⁴² Transcripts, p. 12.

interest or significance or a place where an archaeological specimen is found, and includes explorers' cairns;

An archaeological specimen is:

... an object or specimen found in an archaeological site of archaeological, ethnological or historical importance, interest or significance and includes explorers' documents.⁴³

Analysis

Archaeologists' permits continue to be issued for work in the Keewatin, including excavation and the collection of artifacts and data. Artifacts are owned by the people of Canada as a whole and are held in trust by public institutions such as the PWNHC in Yellowknife to ensure that they are available for future generations. Under the NLCA, the GN and the IHT hold joint title to specimens. The NPC hopes that, in the future, museums for these artifacts can be established in Nunavut.

For the original plan, communities reviewed information that located known archaeological sites and they identified other sites. In spite of a significant increase in the number of identified sites, it is estimated that only a small fraction have been located. Finding these sites is the first step toward ensuring that they are protected. The NPC is

working with local people to map other archaeological sites and incorporate them, along with those identified by scientists, into a single database.

The gathering of this information is guided by criteria provided by the CMC and CLEY, which consider any relevant cultural or historic feature made before 1945 as an archaeological site. In order to analyze the sites in a consistent manner, they were classified according to their type and time period.⁴⁴

The original land use plan recommended the establishment of museums for archaeological artifacts in Nunavut. The Federal Archaeology Office of Heritage Canada states that it supports this idea; however the department is not obligated under the NLCA to construct museums. The Inuit Heritage Centre in Baker Lake came to fruition with the collaboration of the hamlet, the PWNHC and Parks Canada. Community Elders were the driving force behind the development of this showplace, which represents the inland culture of the Baker Lake people. The Heritage Centre opened in 1998 and is a showcase for material on the origin, history and lifestyles of Baker Lake Inuit. The NPC recognizes that locating archaeological sites is an ongoing process that would benefit greatly from increased cooperation between CLEY (which took over the role of the PWNHC), the IHT, local residents and other land users. Before the IHT was established, the PWNHC referred all applications for review to the hamlet council of the community nearest the research area,

⁴³ NLCA, s. 33.1.1

⁴⁴ It should be noted that the exact chronological date for each category is difficult to establish since European influence was not consistent across groups and regions. As well, legislation and enforcement procedures protecting archaeological sites may need changes to ensure adequate protection.

asking them to identify any concerns with the proposed work. Since the inception of the IHT, all applications are referred to that agency which, in turn, forwards applications to communities and community groups for their comments and concerns. The IHT considers the communities' comments when it formulates its responses to CLEY.

The communities have also documented their current land use. Maps have been prepared that contain information on campsites, fishing sites, cabin locations, seasonal hunting areas, and travel routes.

Considerable concern has been expressed about the potential effects of development on heritage sites. For that reason, the NPC is recommending an additional level of protection for sites of special historical or cultural importance to Inuit. Through the planning process, and by way of an amendment, it will be possible to designate areas of sufficient size to protect the integrity of sites requiring special protection. This designation will be included in the archaeological site-mapping work now being conducted with the assistance of people from the communities. Such special protection would complement legislative protection that currently applies to the sites, and would not preclude further legislative protection.

Terms

- 4.1 Museums for archaeological artifacts should be established in Nunavut. [REC]
- 4.2 The NPC and the communities shall continue to record the locations of

archaeological sites in co-operation with CLEY and the IHT. This information shall be referred to by the appropriate agencies when land use proposals are considered, in accordance with the process established under the NLCA. The appropriate communities shall continue to be consulted on the approval of archaeologists' permits before they are issued. [A]

- 4.3 The NPC and the CMC shall continue to hold a central registry of archaeological sites and continue to monitor land use activities to protect these sites. Information about the location and identity of archaeological sites in specific areas, and the measures necessary to protect them, shall be included in land use permits. Land users shall report the discovery of all suspected archaeological sites to CLEY. [A]
[CR]

- 4.4 Any review of legislation protecting burial, historical and archaeological sites shall ensure that these sites are more fully protected. [A]

- 4.5 The NPC shall consider requests to amend the plan to designate special areas for cultural, traditional or historical reasons. No development activities shall be permitted within such areas or within an area of sufficient size to protect the integrity of the site. [A]

5. Transportation and Regional Infrastructure

Objectives

- ✓ THE CONTINUED DEVELOPMENT OF APPROPRIATE LAND, AIR AND MARINE TRANSPORTATION FOR THE SAFE, ACCESSIBLE AND RELIABLE MOVEMENT OF PEOPLE AND GOODS, TO SERVE THE SOCIAL, ECONOMIC AND POLITICAL NEEDS OF THE KEEWATIN PEOPLE.
 - ✓ THE KEEWATIN COMMUNITIES DEPEND ON AN EFFICIENT AIR AND WATER TRANSPORTATION SYSTEM. LAND TRANSPORTATION CORRIDORS AND NECESSARY SITES SHOULD BE IDENTIFIED FOR FUTURE DEVELOPMENT.
-

Issues

Existing and proposed transportation corridors and special sites required for land, air and marine travel should be identified in the land use plan. These include summer and winter roads, airports and mining airstrips, and shipping routes and port facilities. Future pipeline and power line corridors should also be identified where possible.

The need for access roads and routes to outlying areas is becoming an issue within many communities. Traffic by all-terrain vehicles, snowmobiles and, increasingly, by larger motor vehicles is steadily growing and has led to surface damage in some areas. Where these areas fall outside the jurisdiction of hamlet councils, the regional plan should allow for the establishment of access roads or routes.

The GNWT Department of Transportation released its “Transportation Strategy” in October 1990. The strategy suggested priorities for the Keewatin, including the improvement of existing transportation facilities and infrastructure and the construction of new highways. Included in the latter was the suggested construction of a Keewatin Highway to connect the central and southern Keewatin with Yellowknife, and with Manitoba or Saskatchewan to the south. The building of a winter road would likely precede any construction of a permanent all-weather road. Concerns were heard from some residents during preparation of the previous plan about the potential environmental, wildlife and socio-economic impacts of road construction.

The now-defunct Kiggavik Mine proposal has highlighted Chesterfield Inlet as a marine corridor to the interior of the Keewatin.

Residents are concerned with the potential for oil spills that increased marine traffic could bring. As discussed earlier, another marine corridor lies in the proposed Wager Bay National Park, and the mining industry has said it wants to see this corridor retained.

The number of low-level flights to mineral exploration, survey, research and tourist camps continues to be a concern for the protection of caribou and other wildlife. Similar concerns exist regarding the use of the Forward Operating Location at Rankin Inlet for low-level training flights.

Analysis

A set of maps was prepared for the original plan, showing all current and proposed transportation – land, air and marine corridors, routes and special sites. The Community Planning Teams contributed information on the travel routes of residents.

Hamlet councils were consulted about problems concerning community travel routes. The NPC originally determined that the major problem areas lie with access routes leading out of the different communities; also, that those areas lay within municipal boundaries. (The recent expansion of municipal boundaries has increased the area for which hamlets are responsible.)

Given the importance of transportation to the Keewatin economy and people, the

original plan accepted the GNWT Transportation Strategy's first element: that priority should be given to improving the existing transportation facilities and infrastructure in the region.

In February 2000, the premiers of Nunavut and Manitoba signed a memorandum of understanding pledging to study ways to achieve several long-term major goals, including building a road linking Keewatin communities to southern Canada via Manitoba, and extending a hydro line from Churchill to Rankin Inlet. Prefeasibility studies were undertaken by the government of Manitoba.

Any highway project developed for the Keewatin would have to conform with the regional land use plan and undergo a thorough environmental review. The government would also be required to negotiate the IIBAs.

Since the original plan was approved, the NPC has prepared transportation corridor guidelines to govern any corridor proposal and review⁴⁵ (Appendix J). The NPC has also investigated potential pipeline routes and hydroelectric power development sites. There are no plans by any party for either type of development. The NPC therefore has no recommendations concerning pipeline routes or hydro development sites, but it will consider amendments to the plan should such projects be proposed.

The NPC has developed a definition for a transportation/communications corridor. A corridor is the general routing for an area

45 s. 11.2.3 of the NLCA states that the development of "planning policies, priorities and objectives" shall take into account, among other things, "transportation and communications services" As well, s. 11.3.1 requires that a land use plan take into account factors such as "transportation and communications services and corridors."

containing a road (winter or permanent), a pipeline, transmission line or any combination of the three, within Nunavut but outside community boundaries. The term corridor is used since the routing is general, not specific.

The objective in identifying transportation corridors is to confine environmental and social disturbances resulting from land transportation initiatives to a narrow zone. This will limit, as far as possible, the geographic area involved in these disturbances and leave as much of the Keewatin undisturbed as possible.

However, this objective must be qualified. It is recognized that restricting roads, pipelines, transmission lines, etc., to a narrow “corridor” could lead to more intense land use and the possibility of unacceptable environmental and social disruption. Routing roads close to other transportation/communication systems (and the probability of the subsequent development of such systems adjacent to roads) may add to problems of environmental management. Even minor disturbances arising from adjacent development activities may reinforce one another to produce unacceptable cumulative effects. Local shortages of gravel or other granular materials and/or impacts on eskers may result from close spacing of construction projects. In addition, the

differing terrain requirements of various transportation alternatives may prevent adjacent routings under some circumstances. Thus, caution will be required in defining specific routes or “corridor” boundaries.

One important implication of a transportation corridor is the effect it could have on wildlife. There is conflicting evidence on the effect such corridors have on caribou. In the late 1950s, a transportation corridor was built through the range of a herd of wild reindeer in Norway. The corridor comprised a railway, road, and power lines. The reindeer crossed the corridor in search of better grazing and there was no indication that the corridor adversely affected the herd.⁴⁶

It has been suggested that the Alaska Pipeline Corridor impedes the progress of migrating caribou. However, another study indicates that males use the pipeline to seek relief from the sun and insects. Overall, it appears that bulls are better able to tolerate the road and pipeline – and with it the noise of human activities – than are females.⁴⁷ Studies indicate that the road might disrupt free movement of cow-calf groups, cause herd fragmentation, reduce the carrying capacity of the range and potentially affect productivity.⁴⁸ As well, there is evidence that wolves find roads to be good places to hunt, and they use the road berm as a cover for stalking.

Any corridor proposal for the Keewatin will have to include a careful study of the potential effects it could have on caribou and other wildlife. In approaching the concept of a

46 R.D. Jakimchuk, *Disturbance to Barren-Ground Caribou: A Review of the Effects and Implications of Human Developments and Activities*, prepared for Polar Gas Project, 1980, p. 31.

47 Jakimchuk, p. 36.

48 Jakimchuk, p. 39.

transportation and communication “corridor”, the NPC recognizes the need for flexibility in the choice of routing. Resource and market locations, economics, engineering and construction requirements, the severity of the Arctic climate, and the sensitivity of Arctic terrain must all be considered. At the same time, control over transportation and communication routes may be required to minimize environmental and social disturbance, to ensure maximum benefits to Northern residents and communities and to maximize the economic benefits of resource developments.

The selection of a transportation corridor precedes detailed planning for a transportation route. It is anticipated that a corridor would first be identified in a land use plan, after which transportation engineers and land use specialists would design a route within the broader corridor. This route would then be subject to the NIRB environmental screening and assessment process.

The original plan pointed out that Chesterfield Inlet had the potential to develop into a major marine transportation route. Mineral development, in part, depends on easy access to marine transportation, and Chesterfield Inlet opens up a large inland area. Navigational aids were found to be insufficient for increased marine traffic by vessels larger than barges – something people in the community mentioned during the review. In Chesterfield Inlet, it was suggested that a channel map should be developed for any resupply ships entering the inlet. Likewise, some people in Arviat are

concerned about ships getting too close to Sanctuary Island. People also wanted to know who is responsible in case of an oil spill. The CCG is working on an aid to navigation design for Rankin Inlet. A similar study will be carried out for Baker Lake and Chesterfield Inlet.

The NPC thinks that, as a rule, low-level flights should not occur. Where they are necessary (for example, for geophysical surveys by mineral exploration companies) they should be carefully controlled, in consultation with the communities, to ensure that wildlife disturbance is kept to a minimum. This may mean that low-level flights over certain areas will have to be prohibited at certain times of the year. It is not intended that CCG helicopter operations from ships be restricted, but the appropriate communities should be advised in advance of operations whenever possible. This does not apply to search and rescue missions, for which no restrictions apply.

While DND does not stage low-level flights out of Rankin Inlet, it would have to conduct an environmental review of any proposal for such a use of the facility in the community in the future.

Marine operators causing pollution are required to report the incident in accordance with the *Arctic Waters Pollution Prevention Act* and the *Canada Shipping Act*. Regulations issued under the authority of these acts are brought to the attention of ship captains through Annual Notices to Mariners #32. These regulations are enforced by the CCG.

Terms

- 5.1 DIAND, the GN and KIA shall consult with the communities to resolve land use problems that may result from the construction and use of all transportation corridors, routes and facilities. [A]
- 5.2 Both levels of government shall give priority to the improvement of existing regional transportation infrastructure over the construction of new facilities. [A]
- 5.3 DFO shall undertake and publish an evaluation of the navigational system through Chesterfield Inlet and Baker Lake to identify possible problems that might arise if larger ships were to use the channel. The CCG shall work with communities to determine the safest route(s) for shipping in the region. This evaluation shall include a summary of the procedures that would be followed before larger ships would be allowed to use the channel. [A]
- 5.4 Low-level flights shall not take place unless absolutely necessary. Should they be necessary, pilots shall avoid disturbance to people and wildlife wherever possible. [A] [CR]
- 5.5 The NPC shall implement the concept of a transportation and/or communications “corridor” as a land use policy having general application, and applying to land and water routes throughout the Keewatin, based on the process outlined in 5.6 and 5.7. [A]

- 5.6 All parties wishing to develop a transportation and/or communications corridor shall submit to the NPC a detailed application for an amendment. This application must include an assessment of alternative routes, plus the cumulative effects of the preferred route. It shall provide reasonable options for other identifiable transportation and utility facilities. In particular, this application must meet the information requirements set out in Appendix I. [A] [CR]
- 5.7 The NPC and either NIRB or a panel acting under s. 12.4.7 of the NLCA shall publicly review the proposed corridor to determine whether the proposal adequately meets the requirements of Appendix I and the guidelines of Appendix J. Once it is determined that a proposal meets the guidelines, the NPC may request the Minister of DIAND to amend the plan to include the new transportation corridor. [A] [CR]
- 5.8 The Nunavut Marine Council should address the need for regional Inuit shipping advisory committees as well as an improved communications system to reduce interference with people and wildlife. It should encourage the use of Inuit monitors on board any ship travelling through the region. [REC]

6. Scientific Research

Objective

- ✓ SCIENTIFIC RESEARCH CONDUCTED IN THE KEEWATIN SHOULD BE OF BENEFIT TO LOCAL RESIDENTS.

Issues

Residents think that archaeological sites and important ecological and biological sites should continue to be the subject of scientific research. However, they also think that communities should be thoroughly informed of each research project within or near their community and that the results should be communicated to them. Also, whenever possible, local people should be involved in the project. The research should only be undertaken under specified guidelines as stated on each permit.

Research agendas, at least in the past, have largely been set by non-residents to serve non-resident needs. While residents continue to welcome researchers, and acknowledge the benefit of having better information upon which to make decisions, it has been suggested that research should be targeted to a greater extent at those areas that would be of more benefit and interest to residents.

Analysis

At the beginning of 1995, the Science Institute of the Northwest Territories was divided and the eastern portion was amalgamated with Nunavut Arctic College to form the NRI. The

NRI has been reviewing the research licencing process in order to better reflect the concerns held by people in Nunavut about the way research is carried out. The review is an attempt to streamline the research permitting process – both for researchers applying for licences and for the community and regional organizations that must review the applications. The NRI also wants to ensure that the results of research reach the communities.

Government, Inuit organizations, the communities and the scientific community should develop a better consultation process for land use. Residents often feel they are not informed of what is happening on the land. There is a perception that the results of scientific research are not being sufficiently communicated to residents.

The NPC also welcomes the decision by the Association of Canadian Universities for Northern Studies to allow more northern input into the university research agenda. It is acknowledged that communities cannot, by themselves, set research agendas. Pure research often lacks practical application and is not readily understandable by lay people. Whenever possible, however, researchers

should secure northern input, from the NRI, CLEY and/or the communities. For example, more research on appropriate northern waste management would be of benefit.

Communication is fundamental to improving the relationship between researchers and community residents. The NRI has been working with communities to develop research plans for Nunavut. The NRI will act as a liaison between researchers and the people of Nunavut in order to ensure that the work being carried out in their homeland reflects their interests and needs. The NPC supports the NRI's work in this area.

The NPC recognizes the difficulty of communicating, or even translating, very technical documents, but suggests that short, concise summaries of work proposals and reports of results be translated into Inuktitut and sent to the appropriate communities. Researchers often work in, or at least pass through, communities, so it would take little extra effort, or cost, to meet with residents to explain their project.

Terms

6.1 The approval process for all scientific research, including research conducted by government depart-

ments and agencies, shall require the involvement of local residents. [A]

6.2 Local and traditional knowledge shall be sought and, when available and relevant, shall be integrated with the scientific knowledge. [A][CR]

6.3 Research programs conducted in the Keewatin shall, where possible, rely on local services and local employment. [A][CR]

6.4 All scientific researchers shall communicate with the communities in clear, non-technical language in Inuktitut and English. Scientific researchers shall communicate the results of their research to the communities. [A][CR] When implementing this requirement, the permitting bodies affected should consult with each other and endeavour to develop joint guidelines for communication. [REC]

6.5 Academic and scientific researchers shall make all reasonable efforts to consult the NRI concerning research topics or fields that would be of benefit and interest to local residents. [A][CR]

CHAPTER 7

PLAN IMPLEMENTATION, MONITORING, AMENDMENT AND REVIEW

Upon approval by Cabinet and the Executive Council, the plan shall be implemented on the basis of jurisdictional responsibility. All federal and territorial government departments and agencies shall conduct their activities and operations in accordance with the plan as approved.

NLCA
s. 11.5.9

Plan Implementation

Plan implementation is largely the responsibility of government departments and Inuit organizations. Preparation of detailed implementation plans will follow approval of the land use plan. Implementation plans should be prepared by DSD (on behalf of all GN departments and agencies), DIAND (on behalf of all federal departments and agencies), KIA, and NTI. Implementation plans should include the implications of the plan, clearly defined roles and responsibilities, and cost estimates. This will not only

aid in the approval process, but will hasten actual implementation. Industry will implement the plan by developing project proposals and undertaking land uses that conform to the plan.

Communities will implement the plan, in general, by increasing their involvement and capabilities in land use and resource management decision making, and by increasing community awareness and understanding of land use activities and their implications. Specific actions require implementation by community governments.

The NPC's role in implementing the plan will be to publicize it and to review land use proposals for conformity with the land use plan. When a proposed land use activity does not conform to the plan, the proponent may apply to the Minister for an exemption. If the exemption is granted, the Minister will (subject to ss 12.3.2 and 12.3.3) refer the proposal to NIRB for screening.⁴⁹

The NPC will also review the implementation plans of DIAND, DSD, KIA and NTI as well as fulfilling the functions outlined below.

Monitoring

The NPC will monitor the implementation of the plan and issue annual reports to the Ministers of DIAND and DSD and to the DIO (s. 11.4.4[m]). The report will include information on the status of the plan's

implementation, identify problems and successes, and provide recommendations to the Ministers on possible improvements.

Plan Amendment and Review

Article 11, Part 6 of the NLCA governs amendment and review of land use plans. The NPC will consider all recommendations for amendments and will recommend those that it considers suitable to the Minister of DIAND and the Minister of DSD. Such recommendations for amendments to this plan can come from the federal and territorial governments, KIA, NTI, the communities, industry or land users. The section referred to above provides for public review of proposed amendments to the plan.

Reviews of land use plans will normally take place every five years, unless circumstances warrant more or less frequent review.

⁴⁹ s. 11.5.11 of the NLCA reads:

Where the NPC has determined that a project proposal is not in conformity with the plan, the proponent may apply to the appropriate Minister for exemption. The Minister may exempt the project proposal from conformity with the plan and shall, subject to Sections 12.3.2 and 12.3.3, refer it to NIRB for screening. Non-conforming project proposals shall not be sent to NIRB until such exemption is obtained or a variance has been approved. See also Article 12, Part 3: Relationship to the Land Use Planning Provisions.

CHAPTER 8

REVIEW OF

PROJECT PROPOSALS

Introduction

Under the NLCA, the NPC has the authority and responsibility to review any project proposal within the region to ensure that it conforms to this plan and to make a determination accordingly. s. 11.5.10 states:

The NPC shall review all applications for project proposals. Upon receipt and review of a project proposal, the NPC or members thereof or officers reporting to the NPC shall:

- (a) determine whether the project proposals are in conformity with plans;
- (b) forward the project proposals with its determination and any recommendations to the appropriate federal and territorial agencies.

Under the NLCA, proposals that do not conform to an approved land use plan and that are neither approved pursuant to a minor variance nor exempted from the plan's requirements by the Minister responsible may not be forwarded to NIRB for screening (s. 11.5.11). Water licences, in particular, may not be issued respecting such proposals (s. 13.4.2).

It is important to note that this plan incorporates requirements for government action pursuant to s. 11.5.9 of the NLCA, in addition to conformity criteria applicable to project proponents. (In Chapter 6, require-

ments for government action are identified by the designation "[A]").)

A project proposal will be determined to conform to this plan if it meets the conformity criteria set out below. Principally, these are the specific requirements concerning conservation, communications, renewable resource use, conservation areas, transportation, mineral and oil and gas development, research, heritage resources and waste cleanup that flow from the NPC's analysis in Chapter 6. It bears emphasizing that any transportation corridor requires the specific approval of the NPC pursuant to Chapter 6, following the process, and in accordance with the guidelines, set out in Appendices I and J.

Conformity Criteria

A project proposal conforms to this plan if:

1. it satisfies the "conformity requirements" identified in Chapter 6; and
2. it involves land use of a type
 - a) engaged in or previously contemplated by the communities and land use authorities in the Keewatin region, or
 - b) not previously engaged in or contemplated, yet the proposal is consistent with the principles identified in the following section.

A proposal not meeting these criteria does not conform to the plan.

Principles and Factors Guiding Interpretation

The foregoing conformity criteria will be interpreted by the NPC in accordance with the principles that have guided development of this plan. These principles are described in full in Chapter 1. For convenience, they may be summarized as:

- the planning principles stated in the NLCA, including promotion of the well-being of Nunavut residents and consideration for other Canadians, as well as protection and, where necessary, restoration of environmental integrity;
- the requirement of compliance with the NLCA;
- special attention to protecting and promoting the well-being of Inuit and IOL;
- compatibility of this plan with municipal land use plans;
- the principle of sustainable development;
- support for regional economic development;
- encouragement of multiple land uses, subject to the principle of sustainable development; and
- consideration for the overlapping planning interests of other regions.

In addition to these principles, the goals and objectives specific to each topic of conformity requirements addressed in Chapter 6 will also guide the NPC's interpretation of the criteria.

List of Acronyms

List of Acronyms Sorted by Abbreviation

CCG	Canadian Coast Guard
CEAA	Canadian Environmental Assessment Agency
CLARC	Community Land and Resources Committee
CLEY	Department of Culture, Language, Elders and Youth, GN
CMC	Canadian Museum of Civilization
CWS	Canadian Wildlife Service
DFO	Department of Fisheries and Oceans
DIAND	Department of Indian Affairs and Northern Development
DIO	Designated Inuit Organization
DND	Department of National Defence
DSD	Department of Sustainable Development, GN
GN	Government of Nunavut
GNWT	Government of the Northwest Territories
GSC	Geological Survey of Canada
HTO	Hunters' and Trappers' Organization
IHT	Inuit Heritage Trust
IIBA	Inuit Impact and Benefit Agreement
IOL	Inuit Owned Land
KIA	Kivalliq Inuit Association
NEB	National Energy Board
NIRB	Nunavut Impact Review Board
NLCA	Nunavut Land Claims Agreement
NPC	Nunavut Planning Commission
NRI	Nunavut Research Institute
NSA	Nunavut Settlement Area
NTI	Nunavut Tunngavik Incorporated
NWB	Nunavut Water Board
NWMB	Nunavut Wildlife Management Board
NWT	Northwest Territories
PWNHC	Prince of Wales Northern Heritage Centre
RIA	Regional Inuit Association
RWED	Department of Resources, Wildlife and Economic Development , GNWT
TFN	Tungavik Federation of Nunavut

List of Acronyms Sorted by Full Name

Canadian Coast Guard	CCG
Canadian Environmental Assessment Agency	CEAA
Canadian Museum of Civilization	CMC
Canadian Wildlife Service	CWS
Community Land and Resources Committee	CLARC
Department of Culture, Language, Elders and Youth, GN	CLEY
Department of Fisheries and Oceans	DFO
Department of Indian Affairs and Northern Development	DIAND
Department of National Defence	DND
Department of Resources, Wildlife and Economic Development , GNWT	RWED
Department of Sustainable Development, GN	DSD
Designated Inuit Organization	DIO
Geological Survey of Canada	GSC
Government of Nunavut	GN
Government of the Northwest Territories	GNWT
Hunters' and Trappers' Organization	HTO
Inuit Heritage Trust	IHT
Inuit Impact and Benefit Agreement	IIBA
Inuit Owned Land	IOL
Kivalliq Inuit Association	KIA
National Energy Board	NEB
Northwest Territories	NWT
Nunavut Impact Review Board	NIRB
Nunavut Land Claims Agreement	NLCA
Nunavut Planning Commission	NPC
Nunavut Research Institute	NRI
Nunavut Settlement Area	NSA
Nunavut Tunngavik Incorporated	NTI
Nunavut Water Board	NWB
Nunavut Wildlife Management Board	NWMB
Prince of Wales Northern Heritage Centre	PWNHC
Regional Inuit Association	RIA
Tungavik Federation of Nunavut	TFN

List of Definitions

List of Definitions

CONSERVATION	A way of managing renewable, non-renewable and heritage resources so that long-term benefits can be enjoyed by present and future generations.
CONSERVATION AREA	Refers to any conservation area or protected area established by legislation and in existence at the date of the ratification of the NLCA, and listed in Schedule 9-1 of the NLCA, as well as any other area of particular significance established for ecological, cultural, archaeological, research or similar reasons.
DEVELOPMENT	Defined by the World Conservation Strategy as "the modification of the biosphere (thin covering of the planet that contains and sustains human life) and the application of human, financial, living, and non-living resources to satisfy human needs and improve the quality of human life."
ECOSYSTEM	A community of organisms, and the environment in which they live.
ENVIRONMENT	The total biosphere, including ecological, physical, and human systems. Social, economic, legal, political, institutional and cultural endeavours are therefore part of the total environment.
LAND	For the purpose of this plan, "land" includes land, inland waters, and the offshore.
LAND USE	The human use of any natural resources in the planning region.
LAND USE ACTIVITY	Any human activity that uses the land or is associated with use of the land.
LAND USE PLANNING	Land use planning is a systematic process of decision-making relating to the conservation, development, management and use of land and resources, including inland waters and the offshore. The land use planning process includes implementation of land use plans and the monitoring of land use conflicts. Social, cultural and economic interests of people are central to policies that guide land use planning.
NON-RENEWABLE RESOURCE	Finite (limited) resources that cannot be replaced or renewed once they have been extracted, including all minerals, aggregates and fossil fuels.
PLANNING REGION	The area for which a planning process is carried out and for which a land use plan is made.
POLICY	A series of statements and processes that provide a definitive direction for decision making, which specifies courses of action for achieving goals and objectives. Policy is a way of defining a problem so that it can be solved. Policy principles, goals, objectives and actions are therefore part of an ongoing process.
PRESERVATION	A form of conservation that involves minimal levels of environmental manipulation, so that existing features and processes are safeguarded for the future.
RENEWABLE RESOURCE	A natural resource that comes from an essentially inexhaustible source (such as solar energy) or that can be replenished by natural or human-devised cyclical processes if it is not used faster than it is renewed.
SUSTAINABLE DEVELOPMENT	The management of human relationships to natural resources and the environment in such a way that economic, social and cultural needs are met and ecological processes and natural diversity are maintained.

APPENDIX C

Summary of Conformity Requirements

Note to Readers: This Appendix contains specific conformity requirements listed in Chapter 6. The heading numbers correspond to headings in that chapter, and the number of individual conformity requirements is the number by which they are listed in the document. The numbers are not sequential because not all of the listed terms in Chapter 6 constitute conformity requirements.

1. Community Use Areas and Local Authority

- 1.3 The NPC shall review, for conformity with this plan, proposals within a municipality that may have impacts outside the municipality.

2. Environmental Protection and Wildlife Conservation

- 2.1 The existing Conservation Areas, the Thelon Game Sanctuary and the McConnell River, Harry Gibbons and East Bay migratory bird sanctuaries shall retain their current status. Development activities shall continue to be prohibited within the Game Sanctuaries.
- 2.4 Coats Island, in whole or in part, and adjacent islands, shall continue to be considered by the CWS for designation as a National Wildlife Area. While navigational aids now on the island could remain in place, the need for the existing airstrip and its location shall

be reviewed. Any such designation shall be conditional on the approval of the people of Coral Harbour.

- 2.6 Development activities shall be prohibited on all public lands and waters within all caribou calving areas during calving season and within caribou water crossings in the Keewatin, in accordance with the terms of DIAND caribou protection measures contained in Appendix H. Development activities shall be prohibited on IOL within all caribou calving areas during calving season and within caribou water crossings in the Keewatin, in accordance with the KIA caribou protection measures (an example of which is contained in Appendix H.) These measures shall be enforced throughout the region by DIAND, KIA and DSD, to the full extent of their respective jurisdictions.

- 2.8 The NPC shall work with communities, DIAND, KIA, industry and other

- interested parties to develop an inventory of waste sites and a short list of cleanup priorities in keeping with the NPC's responsibilities assigned in the NLCA s. 11.9.1.
- b) Community residents in particular, and all land users in general, shall be actively involved in planning and conducting cleanup operations, whenever possible and practicable.
 - c) Refuse, such as fuel drums and scrap metal, shall be recycled where possible.
 - d) Sites containing toxic materials shall be given priority for cleanup, and the location of these sites shall be widely publicized to warn residents.
 - e) Sites within or near caribou calving grounds, near water and near communities shall also be given priority for cleanup.
- 2.9 New occurrences of pollution, garbage and contamination caused by anyone shall be prevented. Land users shall ensure that all drums are safely recovered.
- 2.10 The principle of "the polluter pays" shall apply to a strategy for cleaning up the environment. Where it is possible to identify the person, company or agency responsible for creating an abandoned or inactive waste site, they shall be made responsible for the cleanup and restoration of the site.
- 2.11 Where identification is not possible, the government agency (or its successor) that had regulatory responsibility for the site at the time it was active shall be responsible for site cleanup and restoration.
- 2.13 The possible cumulative impacts of additional hydroelectric power development in Manitoba, Ontario and Quebec on the ecosystem of Hudson Bay, James Bay and Hudson Strait must be examined before more hydro-electric development proceeds.
- 2.15 All land users shall follow the Code of Good Conduct contained in Appendix G.
- ### 3. Mineral, Oil and Gas Exploration and Development
- 3.4 All proposals for mining developments shall include adequate plans for mine closure and restoration of the site. [CR]
- 3.5 Uranium development shall not take place until the NPC, NIRB, the NWB and the NWMB have reviewed all of the issues relevant to uranium exploration and mining. Any review of uranium exploration and mining shall pay particular attention to questions concerning health and environmental protection.
- 3.6 Any future proposal to mine uranium must be approved by the people of the region.
- 3.8 Hydrocarbon exploration shall continue to be restricted in the area encompassing southern Southampton Island and Coats Island, as at present.

4. Heritage Resources

- 4.3 The NPC and the CMC shall continue to hold a central registry of archaeological sites and continue to monitor land use activities to protect these sites. Information about the location and identity of archaeological sites in specific areas, and the measures necessary to protect them, shall be included in land use permits. Land users shall report the discovery of all suspected archaeological sites to CLEY.

5. Transportation and Regional Infrastructure

- 5.4 Low-level flights shall not take place unless absolutely necessary. Should they be necessary, pilots shall avoid disturbance to people and wildlife wherever possible.
- 5.6 All parties wishing to develop a transportation and/or communications corridor shall submit to the NPC a detailed application for an amendment. This application must include an assessment of alternative routes, plus the cumulative effects of the preferred route. It shall provide reasonable options for other identifiable transportation and utility facilities. In particular, this application must meet the information requirements set out in Appendix I.

- 5.7 The NPC and either NIRB or a panel acting under s. 12.4.7 of the NLCA shall publicly review the proposed corridor to determine whether the proposal adequately meets the requirements of Appendix I and the guidelines of Appendix J. Once it is determined that a proposal meets the guidelines, the NPC may request the Minister of DIAND to amend the plan to include the new transportation corridor.

6. Scientific Research

- 6.2 Local and traditional knowledge shall be sought and, when available and relevant, shall be integrated with the scientific knowledge.
- 6.3 Research programs conducted in the Keewatin shall, where possible, rely on local services and local employment.
- 6.4 All scientific researchers shall communicate with the communities in clear, non-technical language in Inuktitut and English. Scientific researchers shall communicate the results of their research to the communities.
- 6.5 Academic and scientific researchers shall make all reasonable efforts to consult the NRI concerning research topics or fields that would be of benefit and interest to local residents.

Summary of Recommendations

Note to Readers: This Appendix contains recommendations listed in Chapter 6. The heading numbers correspond to headings in that chapter, and the number of individual recommendations is the number by which they are listed in the document. The numbers are not sequential because not all of the listed terms in Chapter 6 constitute recommendations.

1. Community Use Areas and Local Authority

1.2 All buildings and structures (including permanent and seasonal camps) outside of hamlet boundaries, and the disposal of garbage or human waste associated with such buildings and structures, should be regulated:

- a) by DIAND for Crown lands, through the process of applying for and issuing no-cost or low-cost leases and associated regulation, as well as the stricter enforcement of existing policies; and
- b) by KIA for IOL, after consultation with the communities.

2. Environmental Protection and Wildlife Conservation

2.3 (a) The area surrounding Wager Bay and Ford Lake that has been withdrawn for the purposes of a national park should become a park, subject to the successful negotiation of an IIBA. This development process must

continue to involve public consultation with the residents of the region, DSD, KIA, the NPC, DIAND and other interested parties.

- (b) In establishing the park, inclusion of the waters of Wager Bay and Ford Lake as a marine component should be considered.
- (c) Shipping should be permitted within the park. Inuit shall have the free and unrestricted right of access to all lands, water and marine areas within the park for the purposes of harvesting for basic needs, as outlined in the NLCA. The parties to an IIBA or any other agreement affecting the matter should consider prohibiting commercial fishing, except by Inuit for the purposes of inter-settlement trade and marketing for consumption and use in the NSA.

2.5 DSD should establish territorial parks on the basis of a Territorial Park

Program and a Parks System Plan. Two possible locations are the Thelon Heritage River outside the Thelon Game Sanctuary – following approval by the community of Baker Lake – and on the Kazan Heritage River, following the approval of the communities of Baker Lake, Arviat and Whale Cove. Other territorial parks may be established with community support and included as an amendment to the plan.

- 2.8 The NPC shall work with communities, DIAND, KIA, industry and other interested parties to develop an inventory of waste sites and a short list of cleanup priorities in keeping with the NPC's responsibilities assigned in the NLCA s. 11.9.1.

f) The requirement to clean up any Keewatin region sites enumerated on the NSA-wide short list shall be contained in an amendment to this plan.

g) Mining and exploration companies are particularly encouraged to report old waste sites which they may come across on the land, and which may not be on the inventory list and maps.

3. Mineral, Oil and Gas Exploration and Development

- 3.1 The mining industry and government should continue to support the development of a local industry to

service the needs of exploration companies and any future mining ventures.

- 3.2 The NWT and Nunavut Chamber of Mines, on behalf of the mining industry and with all other land users, should adopt a Code of Good Conduct as a guide to good land use practices at least equal to that suggested in Appendix G.

- 3.3 Raising the level of security deposits and increasing the minimum and maximum fines under the *Territorial Lands Act* would help ensure that the sites of exploration camps are properly restored.

- 3.7 The mining industry should continue to participate in identifying carving-stone deposits.

4. Heritage Resources

- 4.1 Museums for archaeological artifacts should be established in Nunavut.

5. Transportation and Regional Infrastructure

- 5.8 The Nunavut Marine Council should address the need for regional Inuit shipping advisory committees as well as an improved communications system to reduce interference with people and wildlife. It should encourage the use of Inuit monitors on board any ship travelling through the region.

6. Scientific Research

6.4 *[With reference to the Action and Conformity Requirement that "All scientific researchers shall communicate with the communities in clear, non-technical language in Inuktitut and English. Scientific*

researchers shall communicate the results of their research to the communities"] When implementing this requirement, the permitting bodies affected should consult with each other and endeavour to develop joint guidelines for communication.

APPENDIX E

Summary of Actions

Note to Readers: This Appendix contains actions listed in Chapter 6. The heading numbers correspond to headings in that chapter, and the number of individual actions is the number by which they are listed in the document. The numbers are not sequential because not all of the listed terms in Chapter 6 constitute actions.

1. Community Use Areas and Local Authority

- 1.1 The maps provided by the NPC that summarize information on the land and resource values of the community use areas shall be referred to and updated by KIA and the responsible government agencies on an ongoing basis. The NPC shall reproduce the updated maps as required.
- 1.3 The NPC shall review, for conformity with this plan, proposals within a municipality that may have impacts outside the municipality.

2. Environmental Protection and Wildlife Conservation

- 2.1 The existing Conservation Areas, the Thelon Game Sanctuary and the McConnell River, Harry Gibbons and East Bay migratory bird sanctuaries shall retain their current status. Development activities shall continue to be prohibited within the Game Sanctuaries.

- 2.2 The review processes now underway in the region, including changes to the Thelon Game Sanctuary and possible changes to the boundaries of bird sanctuaries, shall be brought to a satisfactory conclusion after sufficient public consultation with the people of the region. The review processes must also recognize the mandate and authority of the Nunavut co-management bodies, especially the NWMB. Once any of these processes are concluded, the NPC shall consider applications for appropriate amendments, if required, to the plan.
- 2.4 Coats Island, in whole or in part, and adjacent islands, shall continue to be considered by the CWS for designation as a National Wildlife Area. While navigational aids now on the island could remain in place, the need for the existing airstrip and its location shall be reviewed. Any such designation shall be conditional on the approval of the people of Coral Harbour.

2.5 DSD should establish territorial parks on the basis of a Territorial Park Program and a Parks System Plan. Two possible locations are the Thelon Heritage River outside the Thelon Game Sanctuary – following approval by the community of Baker Lake – and on the Kazan Heritage River, following the approval of the communities of Baker Lake, Arviat and Whale Cove. Other territorial parks may be established with community support and included as an amendment to the plan.

2.6 Development activities shall be prohibited on all public lands and waters within all caribou calving areas during calving season and within caribou water crossings in the Keewatin, in accordance with the terms of DIAND caribou protection measures contained in Appendix H. Development activities shall be prohibited on IOL within all caribou calving areas during calving season and within caribou water crossings in the Keewatin, in accordance with the KIA caribou protection measures (an example of which is contained in Appendix H.) These measures shall be enforced throughout the region by DIAND, KIA and DSD, to the full extent of their respective jurisdictions.

2.7 Development activities shall be restricted near polar bear denning areas and walrus haul-outs. With the

establishment of a national park in Wager Bay, some of these critical areas may receive protection subject to finalization of the park boundary. The designation of Coats Island and adjacent islands as a National Wildlife Area would protect another extremely significant area. Other denning areas and haul-outs on the Hudson Bay coast and on Southampton Island shall continue to be protected by DIAND and DFO.

2.8 The NPC shall work with communities, DIAND, KIA, industry and other interested parties to develop an inventory of waste sites and a short list of cleanup priorities in keeping with the NPC's responsibilities assigned in the NLCA s. 11.9.1.

a) Once an inventory of the sites is complete, the NPC shall work with government and other interested parties to maintain and update the inventory and to develop an NSA-wide short list of priority sites for cleanup.

b) Community residents in particular, and all land users in general, shall be actively involved in planning and conducting cleanup operations, whenever possible and practicable.

c) Refuse, such as fuel drums and scrap metal, shall be recycled where possible.

- d) Sites containing toxic materials shall be given priority for cleanup, and the location of these sites shall be widely publicized to warn residents.
- e) Sites within or near caribou calving grounds, near water and near communities shall also be given priority for cleanup.
- g) Mining and exploration companies are particularly encouraged to report old waste sites which they may come across on the land, and which may not be on the inventory list and maps.
- 2.9 New occurrences of pollution, garbage and contamination caused by anyone shall be prevented. Land users shall ensure that all drums are safely recovered.
- 2.10 The principle of “the polluter pays” shall apply to a strategy for cleaning up the environment. Where it is possible to identify the person, company or agency responsible for creating an abandoned or inactive waste site, they shall be made responsible for the cleanup and restoration of the site.
- 2.11 Where identification is not possible, the government agency (or its successor) that had regulatory responsibility for the site at the time it was active shall be responsible for site cleanup and restoration.
- 2.12 When a land use permit is issued, land users shall be given details by DIAND or KIA of the important renewable resource values in the area of land in which they operate. Government shall ensure their assistance in maintaining and reporting on these values.
- 2.13 The possible cumulative impacts of additional hydroelectric power development in Manitoba, Ontario and Quebec on the ecosystem of Hudson Bay, James Bay and Hudson Strait must be examined before more hydroelectric development proceeds.
- 2.14 DIAND, in co-operation with the NPC and other appropriate agencies, shall complete the design and implementation of the monitoring program outlined in s. 12.7.6 of the NLCA.

3. Mineral, Oil and Gas Exploration and Development

- 3.3 DIAND shall ensure that, in the future, it has adequate funds to properly restore abandoned exploration camps following, where possible, the principle of “the polluter pays”.
- 3.4 The NPC is encouraged that DIAND and the NWB have adopted the Guidelines for Abandonment and Restoration Planning for Mines in the Northwest Territories that were originally published by the NWT Water Board. The draft Mine Reclamation Policy shall be completed as soon as possible.

- 3.5 Uranium development shall not take place until the NPC, NIRB, the NWB and the NWMB have reviewed all of the issues relevant to uranium exploration and mining. Any review of uranium exploration and mining shall pay particular attention to questions concerning health and environmental protection.
- 3.6 Any future proposal to mine uranium must be approved by the people of the region.
- 3.7 DIAND, with the assistance of DSD, shall continue to maintain a central record of carving-stone deposits and communicate this information to the communities and appropriate Inuit authorities.
- 3.8 Hydrocarbon exploration shall continue to be restricted in the area encompassing southern Southampton Island and Coats Island, as at present. If, however, hydrocarbon exploration in that area should ever become more likely, the NPC shall assess the implications through a public planning process and consider amending the land use plan.

4. Heritage Resources

- 4.2 The NPC and the communities shall continue to record the locations of archaeological sites in co-operation with CLEY. This information shall be referred to by the appropriate agencies when land use proposals

are considered, in accordance with the process established under the NLCA. The appropriate communities shall continue to be consulted on the approval of archaeologists' permits before they are issued.

- 4.3 The NPC and the CMC shall continue to hold a central registry of archaeological sites and continue to monitor land use activities to protect these sites. Information about the location and identity of archaeological sites in specific areas, and the measures necessary to protect them, shall be included in land use permits. Land users shall report the discovery of all suspected archaeological sites to CLEY.
- 4.4 Any review of legislation protecting burial, historical and archaeological sites shall ensure that these sites are more fully protected.
- 4.5 The NPC shall consider requests to amend the plan to designate special areas for cultural, traditional or historical reasons. No development activities shall be permitted within such areas or within an area of sufficient size to protect the integrity of the site.

5. Transportation and Regional Infrastructure

- 5.1 DIAND, the GN and KIA shall consult with the communities to resolve land use problems that may result from the construction and use of all

- transportation corridors, routes and facilities.
- 5.2 Both levels of government shall give priority to the improvement of existing regional transportation infrastructure over the construction of new facilities.
- 5.3 DFO shall undertake and publish an evaluation of the navigational system through Chesterfield Inlet and Baker Lake to identify possible problems that might arise if larger ships were to use the channel. The CCG shall work with communities to determine the safest route(s) for shipping in the region. This evaluation shall include a summary of the procedures that would be followed before larger ships would be allowed to use the channel.
- 5.4 Low-level flights shall not take place unless absolutely necessary. Should they be necessary, pilots shall avoid disturbance to people and wildlife wherever possible.
- 5.5 The NPC shall implement the concept of a transportation and/or communications “corridor” as a land use policy having general application, and applying to land and water routes throughout the Keewatin, based on the process outlined in 5.6 and 5.7.
- 5.6 All parties wishing to develop a transportation and/or communications corridor shall submit to the NPC a detailed application for an amendment. This application must include an assessment of alternative routes, plus the cumulative effects of the preferred route. It shall provide reasonable options for other identifiable transportation and utility facilities. In particular, this application must meet the information requirements set out in Appendix I.
- 5.7 The NPC and either NIRB or a panel acting under s. 12.4.7 of the NLCA shall publicly review the proposed corridor to determine whether the proposal adequately meets the requirements of Appendix I and the guidelines of Appendix J. Once it is determined that a proposal meets the guidelines, the NPC may request the Minister of DIAND to amend the plan to include the new transportation corridor.

6. Scientific Research

- 6.1 The approval process for all scientific research, including research conducted by government departments and agencies, shall require the involvement of local residents.
- 6.2 Local and traditional knowledge shall be sought and, when available and relevant, shall be integrated with the scientific knowledge.
- 6.3 Research programs conducted in the Keewatin shall, where possible, rely on local services and local employment.

6.4 All scientific researchers shall communicate with the communities in clear, non-technical language in Inuktitut and English. Scientific researchers shall communicate the results of their research to the communities.

6.5 Academic and scientific researchers shall make all reasonable efforts to consult the NRI concerning research topics or fields that would be of benefit and interest to local residents.

APPENDIX F

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APPENDIX G

Code of Good Conduct for Land Users

1. The landscape of each camp and other land use sites will be restored to its original condition to the greatest degree possible. Water quality will be preserved, and no substances that will impair water quality will be dumped in water bodies. When possible and feasible, old sites will be restored to the natural state.
2. All land users shall assist communities and government(s) in identifying and protecting archaeological sites and carving-stone sites, as required by law.
3. Generally, low-level flights by aircraft at less than 300 metres should not occur where they will disturb wildlife or people. If such flights are necessary, they should only take place after consultation with the appropriate communities. All land users are responsible for reporting to the land managers any illegal or questionable low-level flight.
4. All activities on the land will be conducted in such a fashion that the renewable resources of the area in question are conserved.
5. Whenever practicable, and consistent with sound procurement management, land users will follow the practice of local purchase of supplies and services.
6. Land users will establish working relationships with local communities and respect the traditional users of the land.
7. During the caribou calving, post-calving and migrating seasons, land use activities should be restricted to avoid disturbing caribou, in general, and activities will be governed more specifically by caribou protection measures such as those contained in Appendix H.
8. Artifacts must be left where they are found. All land users are responsible for reporting the location of, or any removal or disturbance of, artifacts to CLEY.
9. The mining industry is encouraged to assist in identifying local carving-stone deposits and report any discoveries to KIA. Industry is also encouraged to identify and report old waste sites that need to be cleaned up.
10. All land users shall obey the laws of general application applying to land use.

DIAND Caribou Protection Measures

1. (a) The Permittee shall not, without approval, conduct any activity between May 15 and July 15 within the Caribou Protection Areas depicted on the map certified by the Engineer as the “Caribou Protection Map” and annexed to this Land Use Permit.
- (b) A Permittee may, upon approval by the Land Use Inspector, operate within the said Caribou Protection Areas beyond the May 15 deadline set out in 1(a), provided that, when monitoring information indicates that caribou cows are approaching the area of operation, the Permittee will implement 1(c).
- (c) On cessation of activities pursuant to 1(a) or 1(b), the Permittee will remove from the zone all personnel who are not required for the maintenance and protection of the camp facilities and equipment, unless otherwise directed by the Land Use Inspector.
- (d) The Permittee may commence or resume activities prior to July 15 within those parts of the Caribou Protection Areas released by the Land Use Inspector for the reason that caribou cows are not expected to use those parts for calving or post-calving (note 1).
2. (a) In the event that caribou cows calve outside of the Caribou Protection Areas, the Permittee shall suspend operations within the area(s) occupied by cows and/or calves between May 15 and July 15.
- (b) In the event that caribou cows and calves are present, the permittee shall suspend:
 - (i) blasting;
 - (ii) overflights by aircraft at any altitude of less than 300 meters above ground level; and
 - (iii) the use of snowmobiles and ATVs (all-terrain vehicles) outside the immediate vicinity of the camp.

NOTE

1. The Land Use Inspector’s decision will be based on the existing caribou information.
2. Concentrations of caribou should be avoided by low-level aircraft at all times.

3. (a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion to migration.
- (b) The Permittee shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.
4. (a) The Permittee shall not, between May 15 and September 1, construct any camp, cache any fuel, or conduct any blasting within 10 kilometres of any “Designated Crossing” as outlined on the map certified by the Engineer as the “Caribou Protection Map” and annexed to this Land Use Permit.
- (b) The Permittee shall not, between May 15 and September 1, conduct any diamond drilling operation within 5 kilometres of any “Designated Crossing” as outlined on the map certified by the Engineer as the “Caribou Protection Map” and annexed to this Land Use Permit.

KIA Sample Land Use Permit Caribou and Muskox Protection Conditions

35. The Permittee is given permission to conduct the approved land use operations between May 15 and July 15, provided that when caribou and muskox cows are approaching the area of operation, the Permittee shall cease blasting, overflights by aircraft at any altitude less than 300 meters above ground level, and the use of snowmobiles and ATVs (all-terrain vehicles) outside the immediate vicinity of the camp. Other activities shall also be suspended if caribou approach the immediate vicinity of the specific operation and the monitoring work (described in another clause) indicates that there is stress on the animals.
36. During the presence of caribou and muskox within sight and sound of a camp, all personnel will remain quietly in camp.
37. The Permittee may resume activities prior to July 15 if the caribou and muskox cows have ceased to use the area for calving and post-calving.
39. The Permittee shall not locate any operation so as to block or cause substantial diversion to migration of caribou.

40. The Permittee shall cease activities that may interfere with migration or calving, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.

41. The Permittee shall not conduct any operation within 5 km of any “Designated Crossing” as outlined on the map annexed to this Land Use Permit.

From KIA Land Use Permit BHP 197C141

APPENDIX I

Marine and Terrestrial Transportation/Communications Corridor Alternative Route Assessment

Applicants wishing to develop a transportation and/or communications corridor in the Keewatin region are required to provide the NPC with the following information:

1. A description of the proposed corridor, including its use, its general routing, the possible environmental and social impacts, and any seasonal considerations that may be appropriate.
2. A comparison of the proposed route with alternative routes in terms of environmental and social factors as well as technical and cost considerations.
3. An assessment of the suitability of the corridor for the inclusion of other possible communication and transportation initiatives (roads, transmission lines, pipelines, etc.). This assessment should include:
 - the environmental, social and terrain engineering consequences, and the cumulative impacts of the project, and
 - the environmental and social impact of the project on nearby settlements or on nearby existing and proposed transportation systems.

APPENDIX J

Marine and Terrestrial Transportation/Communications Corridor Guidelines

The following planning guidelines will be used in the assessment of a new transportation / communications corridor proposal:

1. The corridor width shall be a function of:
 - the number and type of identified facilities within the corridor;
 - physical and biophysical conditions;
 - availability of detailed engineering data for one or more transportation modes within the corridor;
 - safe distances between different facilities within the corridor; and
 - aesthetics.
2. Corridors shall:
 - minimize negative impacts on community lifestyles;
 - improve access to other resources having high potential for development, while still maintaining the shortest practicable distance between the primary resource areas and the trans-shipment location;
- be designed in accordance with existing and prospective land use capability including topography, soil, permafrost and wildlife; and
- be designed in accordance with the availability of granular supplies.
3. In keeping with existing legal and legislative requirements, including the NLCA, corridors shall not negatively impact:
 - community business, residential and projected expansion areas;
 - important fish and wildlife harvesting areas;
 - key habitat for fish and wildlife species, especially areas used by endangered species;
 - areas of high scenic, historic, cultural and archaeological value.

APPENDIX K



NPC Policy on Translation

All materials submitted to the NPC, including letters, formal submissions, reports and any other written material used in the land use planning process, shall be translated into the appropriate dialect of Inuktitut.

The cost of translation shall be borne by the party submitting the information.

This policy applies to federal and territorial government departments and agencies, Crown corporations, DIOs and any other legally constituted body wishing to participate in the land use planning process.

Translations shall be provided at the same time as English versions.

This policy does not apply to individuals.