

Nunavut Land Use Plan

Qikiqtani Public Hearing

WWF-Canada

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World Wildlife Fund (WWF)



WWF-Canada is the only environmental NGO with a permanent office in Nunavut.

WWF-Canada has been involved in the development of the Nunavut Land Use Plan for over five years, and is the only active NGO participant.



WWF-Canada in the North

WWF-Canada offers an environmental perspective to issues facing the North, and seeks to promote sustainable development with minimal impact on wildlife.

WWF-Canada works closely with communities, and works to support community led conservation initiatives.

Eva Aariak, former premier of Nunavut is a WWF-Canada board member, and Joanassie Akumalik, former QWB executive director is a past board member.



WWF and the Nunavut Land Use Plan

Presentation Outline

- Polar bear denning areas
- Caribou calving areas and key habitats
- Walrus haul-outs
- Existing rights
- Marine shipping and icebreaking



Polar bear denning areas

Polar bear denning areas are well documented.

Polar bears are sensitive to disturbance when denning.

The current draft has no designations for polar bears.

There is widespread agreement from participants (NTI and RIAs, QWB and GN) that additional measures are necessary to safeguard denning areas.



Polar bear denning areas

Even though polar bear populations are currently healthy, a precautionary approach is appropriate.

While the amount of land covered is large, the restrictions of the Special Management Area designation will be minimal.

Area size can be reduced as denning areas are refined.

NIRB has recommended that polar bear denning areas not be dealt with during individual project assessments.



Polar bear denning areas

Recommendation

Polar bear denning areas should be designated as Special Management Areas with specific seasonal terms for conformity determinations for projects.



Caribou calving grounds and habitat

Caribou herds across the Canadian Arctic are in a perilous state, with many herds at or approaching historic lows.

Industrial development alone has not caused the current declines in caribou, but additional stressors from projects in critical habitats would negatively impact recovery.

The amount of protection in the current draft represents a compromise between development and conservation.

A purely conservation approach would involve protection of the historic caribou calving grounds, which are larger.



Caribou calving grounds and habitat

The Protected Areas in the draft NLUP designated for caribou habitats account for less than 11% of the terrestrial area of Nunavut outside of existing protected areas.

Protecting critical caribou habitat would mean only 25% of Nunavut's high mineral potential areas would be off limits because of caribou, with the plan up for review in five years.

There would also be impacts on accessory uses of mines outside of caribou habitats that would need to be mitigated.



Caribou calving grounds and habitat

It has been argued that caribou protection can be handled at the individual project level by NIRB.

This is not accurate or appropriate.

NIRB has stated:

“Territorial and federal government agencies and regional Inuit associations should ensure that the protection of caribou and caribou habitat figure prominently into their contributions towards the Nunavut Planning Commission’s development of a Nunavut-wide land use plan.”

(Excerpt from the NIRB’s screening decision report for 11EN046: Anconia’s Victory Lake Area project)



Caribou calving grounds and habitat

The designation of Protected Area status does not create a National or Territorial Park, nor does it mean total prohibition on incompatible uses in the short or long term.

Assigning Protected Area status will trigger a process requiring new industrial development projects to seek a plan amendment or exemption in order to explore or operate within critical caribou habitat.

At which point, the pros and cons can be weighed by NPC and relevant bodies on the merits of such an application.



Caribou calving grounds and habitat

Mobile measures are unproven, costly and not appropriate for territory-wide application.

Mobile protection measures offer no protection to caribou habitats.

Given the current massive declines in caribou, now is not the time to try unproven methods.



Caribou calving grounds and habitat

Recommendation

Caribou core calving areas, post calving areas, freshwater crossings, and key access corridors should remain designated as Protected Areas that prohibit incompatible uses.



Caribou calving grounds and habitat

Recommendation

Activities identified in the Nunavut Land Use Plan be terminated when calving or post-calving caribou are present in areas that are outside of the calving and post-calving areas identified in the land use plan.



Walrus haul-outs

Walrus are sensitive to disturbance while on haul-outs, and may panic and trample if they are disturbed.

Repeated disturbance may cause haul-out abandonment.

A small number of haul-outs have been designated as Protected Areas in the latest draft of the NLUP.

There are many more walrus haul-outs in the Nunavut Settlement Area that should be designated Protected Areas.



Walrus haul-outs

WWF has supplied NPC with a database of all documented walrus haul-outs in the Nunavut Settlement Area.

We encourage community members, Hunters and Trappers Organizations, and Regional Wildlife Organizations to review this database.

Assigning Protected Area status to walrus haul-outs will have minimal impact on ship routing, but will have a very positive impact on walrus in Nunavut.



Walrus haul-outs

Recommendation

Maintain current designations for walrus haul-outs and assign Protected Area status to additional known walrus haul-out sites.



Existing Rights

An EcoJustice legal opinion concluded that;

an “existing right” does not arise unless the NPC has already made a decision for the project or received a complete project proposal;

project proposals without conformity determinations are not “existing rights” eligible for grandfathering;

moving from one stage of mineral exploration and development to another constitutes a new project, and an additional conformity decision.



Existing Rights

Recommendation

The NLUP needs to be clear that projects without a submitted proposal or conformity decision are not eligible for grandfathering, and that transitioning from one stage of development to another will require additional conformity decisions.



Marine Shipping

Disturbance to wildlife from marine shipping has been one of the primary community concerns during consultations.

Oil spills from shipping have been assessed as the greatest risk to the Arctic marine environment.

The NPC has a responsibility to address marine spatial planning issues in the NLUP.

No other organization is equipped to play this role in Nunavut.



Marine Shipping

The concerns from the Government of Canada surrounding prohibitions on community resupply, emergency response, search and rescue, and issues of national security can be alleviated by making these activities compatible uses wherever necessary.

The ability of the NLUP to restrict incompatible shipping activities should not be restricted because of uncertain wording in the plan.

Affected parties should work closely with the NPC to make sure that their concerns are addressed.



Marine Shipping

Recommendation

The Government of Canada and the Nunavut Planning Commission should work closely together to ensure that necessary shipping activities are not restricted, while still ensuring proper protection of the marine habitat.



Marine Shipping – Ice breaking

Ice breaking ranks consistently high as an area of community concern.

Restrictions on ice breaking are within the NPC's mandate.

There are certain areas (whale calving areas, polynyas, caribou sea ice crossings) where seasonal prohibitions are necessary to conserve environmental features.

This is very relevant to the ***Last Ice Area***, the area of the high Arctic where summer sea ice will persist the longest under future climate change scenarios.



Marine Shipping – Ice breaking

Recommendation

Caribou sea ice crossings should remain Special Management Areas which prohibit incompatible uses such as ice breaking during seasonally appropriate times.



Marine Shipping – Ice breaking

Recommendation

Designate the Last Ice Area as a Special Management Area and implement seasonal restriction to preserve the sea ice habitat, including prohibiting ice breaking activities.



Marine Shipping – Ice breaking

Recommendation

Designate known calving and nursing areas for Arctic whales as Special Management Areas with seasonal restriction on marine activities to avoid detrimental impacts on Arctic whale populations.



Thank you