

Summary Report – IPG Joint Workshop on Land Use Planning and the Integrated Regulatory System in Nunavut

Steve Kennett, Workshop Facilitator – March 20, 2013

1. Purpose and organization of this report

This report on the Joint Nunavut Institutions of Public Government (IPG) Workshop, held at the Yellowknife Inn on February 20, 2013, provides a brief overview of the principal topics of discussion and a record of the key issues and outcomes that were identified by workshop participants. The following sections of the report summarize:

- Introductions and preliminary discussion;
- NPC's planning process, the Draft Nunavut Land Use Plan and decision making within the integrated regulatory system;
- Specific issues and opportunities – e.g., caribou calving grounds, cumulative effects, protection for community drinking water supplies, etc.;
- Next steps; and
- Key workshop outcomes.

The meeting location and participants are listed in the Appendix.

2. Introductions and preliminary discussion

The workshop participants included staff and advisors representing NPC, NIRB, NWB and NWMB. Following introductions, participants reviewed the agenda that had been distributed to each IPG in the background memorandum for the workshop (January 30). The facilitator's opening comments noted that the purpose of the workshop was to work towards a common understanding of the potential for a first generation Nunavut Land Use Plan to contribute to improved decision making within Nunavut's integrated regulatory system. He highlighted the rationale for engaging IPGs in a dialogue about the role of land use planning in the integrated regulatory system, including the relevant provisions in the Nunavut Land Claims Agreement (NLCA), the recommendation in the Independent Third Party Review (ITPR) of the Draft Nunavut Land Use Plan (DNLUP), the benefits that an approved land use plan can provide to regulatory decision makers, and the NPC's need for assistance and support from the other IPGs as it develops the plan. He also underlined the importance of a shared understanding of the priorities, needs, challenges and constraints facing all IPGs as they deliver their mandates and the need to adopt a realistic approach to identifying opportunities for progress in the first generation land use plan. Given limited resources, engagement of IPGs in the planning process should be as effective and efficient as possible.

Three principal questions were identified to guide the workshop discussion:

1. What can the first generation NLUP realistically accomplish to improve decision making within Nunavut's integrated regulatory system?
2. What does NPC need in order to draft a plan that achieves this objective?
3. What can the other IPGs contribute to achieving this objective through their engagement in the planning process?

Each IPG outlined its expectations for the workshop. NIRB's principal interest was to participate to the best of its ability in the planning process. NWB also wanted to understand how it could be involved in the planning process, reflecting the direction in section 13.4.1 of the NLCA on this subject and the NWB's interest in integrating water management principles and land use planning. NWMB noted that it expected the workshop to help it to determine how it could contribute to the process. NPC stated that it viewed the workshop as following up on the ITPR recommendation relating to the role of the land use plan within an integrated regulatory system. It hoped to explain the planning process and the DNLUP to the other IPGs, so that they are up to speed and can provide input that will contribute to the planning process. NPC also wanted to hear from the other IPGs as to their challenges in engaging in the planning process and to look for collective solutions. In particular, it was interested in discussing what the NPC can do to contribute to meeting the needs of the other IPGs through the NLUP and how the NPC can assist the other IPGs in ensuring that engagement is effective and productive for all parties.

3. NPC's planning process, the Draft Nunavut Land Use Plan and decision making within the integrated regulatory system

The workshop provided each IPG with the opportunity to outline its perspective on the contribution of the first generation Nunavut Land Use Plan to improved decision making within the integrated regulatory system and the role of IPGs within the planning process. Participants were encouraged to identify expectations, opportunities, needs and constraints. In pre-workshop interviews, several IPGs suggested that it would be useful for NPC to provide an overview of the planning process and the DNLUP and to outline its views on how IPGs will be engaged in the remaining stages of developing the plan.

NPC began this part of the workshop with an interactive presentation on land use planning, the planning process and the content of the DNLUP. Topics discussed in the presentation included:

- The principal stages or components of land use planning and how they constitute an iterative process or cycle for developing and periodically renewing land use plans;
- The objectives, goals and policies for land use planning in Nunavut, as set out in the NLCA and as defined in a document developed pursuant to NLCA section 11.4.1(a);
- The DNLUP as the initial "master plan" for Nunavut that sets the stage for more detailed work on particular issues and additional planning with a regional or sub-regional focus, so that the plan will become more specific and comprehensive over time;
- The research undertaken to develop the plan, including:
 - the identification and mapping of land use values such as conservation areas (existing and under consideration) and areas of economic importance (e.g., mining, oil and gas, commercial fisheries);
 - use and occupancy mapping to show how people are using the land; and
 - issue identification by planning partners;
- The use of multiple GIS layers to understand the relationships among land uses and objectives when developing the plan;

- The use of the Options and Recommendations report in developing the DNLUP, including its role in supporting planning decisions by the NPC and providing a public record of why these decisions were made and how they are reflected in the plan;
- The maps included in the DNLUP that show land use designations and spatially referenced recommendations;
- The need to balance economic development and conservation in the plan, particularly since the Government of Canada, Government of Nunavut and NTI have all indicated clearly that economic development is a priority for Nunavut;
- The role of amendments and periodic reviews of the plan in ensuring that it remains a 'living document' that can respond to new information, evolving circumstances, and changes in objectives for land use in Nunavut;
- The use of map viewer as a tool for determining what land use designation and recommendations would apply to a project in a specific location (this tool could be used to identify other spatially-referenced information);
- The NPC's process for community engagement and consultation on the DNLUP, including:
 - the methodology and format for community visits;
 - the type of information that is being collected (e.g., comments on land use designations and recommendations in the DNLUP and mapping of additional areas of importance for communities based on the goals in the DNLUP – including areas with conservation values because of their use by wildlife and economic values such as carving stone deposits and commercial fisheries);
 - the format for reporting the results of community consultations and the process for verifying these reports with communities;
 - the progress made to date in visiting communities in Nunavut; and
 - the consultation program for the next year;
- NPC's draft timeline for completing and submitting the DNLUP, including the opportunities that have been identified for future IPG engagement in the planning process; this engagement will begin with workshops proposed for September, 2013 and the additional steps include the receipt of written submissions from IPGs several months later and follow-up meetings to ensure that NPC fully understands the IPG's submissions (details to be finalized and approved by NPC and distributed to the other IPGs).

The other IPGs also presented their general perspectives on the issues to be covered in the workshop. NIRB noted that it was very interested in land use planning and the potential for the Nunavut Land Use Plan to address regulatory questions that are raised in NIRB reviews but that are outside NIRB's jurisdiction or cannot easily be addressed on a project-by-project basis. One example is the establishment of rules governing land use in caribou calving grounds in order to address concerns about the impacts of further development in these areas. NWMB noted that it has harvesting data of potential value to the NPC and that the development of a habitat management and protection program will be a focus over the next year. Although not much detail is currently available, there may be opportunities for linking this program with the land use plan in the future. NWB indicated that information provided to date (i.e., on watershed boundaries) could be included in the DNLUP and that more detail on the management of particular watersheds could be fed into the plan after it is developed by NWB.

Other important issues that were discussed and comments that were made during this session included:

- Planning is an integral part of regulatory systems in the North and plans can be viewed as the glue that holds these systems together, enabling regulatory decision makers to do their jobs

more effectively and efficiently. The overall regulatory process is incomplete without approved land use plans and government increasingly understands that the absence of plans can be an obstacle to development. A land use plan can be seen as a map and a guidebook, providing guidance and rules for individuals and organizations as they make their own decisions about the use of land, water and other resources. The needs of regulatory bodies and planners are both important considerations when developing a plan.

- Land use plans will help regulatory decision makers but can also constrain their decisions. Experience in the NWT shows that provisions in land use plans are sometimes seen as unduly fettering regulatory decision making or intruding on the mandates of regulatory bodies. These “turf issues” might arise with future iterations of the Nunavut Land Use Plan. Resolving these issues is important so that IPGs have a sense of common ownership of the plan, rather than seeing it as something developed only by NPC. IPGs may want to think about and discuss the appropriate relationship between direction on land use contained in the plan and their respective mandates in order to avoid problems in the future. NPC stated that it does not want to cross the line and propose a plan that is seen as getting in the way of regulatory decision makers as they carry out their mandates.
- The information used in a land use plan must be valid and able to withstand challenge since the plan will be taken to ministers for approval. The NPC needs to be prepared for possible challenges to the information that it relied on and the planning methodology or process that it used when the DNLUP reaches the approval stage. Other IPGs should take account of NPC’s need for high quality information when deciding how they can most effectively engage in the planning process.
- A question was asked about the use of land use designations and recommendations in conformity decisions by NPC. These decisions will state whether the proposed land use conforms to the land use designation for the area where it will be located and will note applicable recommendations.
- A question was asked about the validity of data points from use and occupancy mapping. The methodology or process for collecting this data supports its validity – effectively demonstrating validity for IQ. Collection of data points over time may be used to identify trends and other changes in land use.
- Data sharing among IPGs may be helpful in developing the plan. For example, the NWMB may have data that could be useful for incorporating seasonal restrictions on land use into the plan.
- It would be useful to include the 65 watersheds (watershed management areas) identified by the NWB in the DNLUP, particularly as a way of identifying the watersheds within which proposed projects are located (e.g., at the conformity determination stage). The NWB has not developed water management strategies or plans for these watersheds that could be supported by, or incorporated into, the plan in order to guide decision making. However, including these watersheds in the first generation plan could provide a foundation for prioritizing watersheds according to the pressures on them and for adding direction from NWB on the management of land uses and their impacts on watersheds at a later date as it is developed. NWB noted that completion of the DNLUP should not be delayed to wait for this direction on water management.
- A question was asked about the DNLUP’s identification of community drinking water source areas (watersheds) without first dealing with broader watershed management areas. The decision to focus on community watersheds and source water protection reflects the importance of aligning the DNLUP with municipal planning and the priority attached by municipalities and Inuit to protecting community drinking water.

- Effective engagement of NIRB, NWB and NWMB in the planning process will require them to allocate resources to this work and should not be viewed as a “one shot deal”. To ensure that the plan is effective in meeting the needs of regulatory decision makers and continues to be a living document, ongoing discussion and engagement between and among the NPC and the other IPGs will be necessary. This engagement will not work well if it is “hit and miss”. The NPC and the other IPGs should consider regular conference calls and other meetings to promote information flow and discussion, to advise one another of upcoming key meetings as far in advance as possible and to build stronger relationships.
- Issues related to cruise ships were discussed, including the limited review of cruise ship activities by NIRB (i.e., assessment for a landing permit in a sensitive area), involvement of GN and Transport Canada in regulating cruise ships, community concerns about cruise ships entering sensitive areas (e.g., inlets that are important for belugas), and potential economic opportunities from cruise ships. The DNLUP may identify sensitive areas and include restrictions or recommendations on how they are used.
- Information from NPC’s community consultations on the DNLUP may be of interest to other IPGs, particularly if questions come up about their mandates or issues that they are dealing with. NPC refers explicit questions about other organizations’ mandates raised during community consultations to those organizations, but it does not have an established procedure for sharing comments from community meetings that might be more broadly relevant to other IPGs (e.g., comments on water (NWB) or on specific projects (NIRB)). Community consultations to date have included comments on water, but nothing specific to the NWB’s direct regulatory mandate. IPGs may be interested in sending representatives to some community consultations on the DNLUP but given limited resources attendance in person will not always be practical. Another option for improving information flow would be for NPC to flag issues raised in community consultations that are relevant to other IPGs and share this information through conference calls with the other IPGs following community tours.
- NPC will be flexible on timing when scheduling workshops and meetings with the other IPGs during the periods specifically identified on NPC’s timeline for IPG engagement in the planning process. NPC will circulate detailed agendas prior to those meetings. One suggestion was that the other IPGs should have an opportunity to provide input on the agendas and engage in pre-meeting discussions with NPC to clarify what information they should prepare for these meetings in order to maximize the effectiveness and efficiency of their engagement in the planning process. Sensitivity to the public hearing and travel schedules of the IPGs and the many demands on their staff will be needed when arranging times for IPG engagement in the planning process.
- NIRB noted that the measures that it recommends to address important issues raised by projects that it reviews are sometimes not incorporated into the permits or other authorizations issued by government regulatory authorities. These measures could be given effect by including them as requirements in the land use plan. It was noted, however, that governments that are unwilling to act on these recommendations by including requirements or restrictions in authorizations may also be unwilling to approve land use plans that contain them. Nonetheless, NPC and NIRB could work together to identify direction on land management that has been recommended in NIRB decision reports and could be incorporated into the DNLUP.

4. Specific issues and opportunities

Workshop participants identified several topics for more detailed discussion based on the importance of these topics from the perspectives of the IPGs and the extent to which they are, or could be, addressed within the DNLUP. NPC described the approach to these topics in the plan, including challenges or constraints that explain the DNLUP's provisions in these areas and why the plan does not go further in providing direction or recommendations for land use. Workshop participants discussed what would be necessary to include more information or direction on these topics in the plan.

Caribou calving grounds

NPC described the way that land use in caribou calving grounds is addressed in the DNLUP and the reasons for this approach. Historic caribou calving grounds are identified in the plan and a recommendation is provided to guide land use in these areas, but specific caribou protection measures were not included in the DNLUP. The plan does not go further on this topic because of several significant factors. NPC indicated that it did not receive expert advice or data from government relating to the inclusion of caribou protection measures in the plan and that it did not want the plan to duplicate existing policies. Industry has said that its current best practices exceed government's caribou protection measures. The option to include these higher standards in the DNLUP was raised. The potential for the plan to create no development zones in caribou calving grounds is limited in some areas by the existence of grandfathered mineral rights. (These rights are not subject to the plan, although once they have lapsed or been terminated any new rights or activities in the areas where they were located are no longer grandfathered.) NTI indicated to NPC that wherever possible the plan should not place third party restrictions on the use of Inuit Owned Land (IOL) and the NLCA states that land use planning shall devote "special attention ... to protecting and promoting the existing and future well-being of Inuit and Inuit Owned Land". Other governments and industry are also reluctant to see the plan place significant areas of Nunavut off limits for development. Historic caribou calving grounds cover about 17% of Nunavut and contain significant amounts of IOL.

NPC noted, however, that community consultations are providing information on important areas for caribou, the value attached to these areas by Inuit, and the types of activities that are causing concerns. A particular focus of consultations is the identification of what is missing from the DNLUP. NPC also said that areas identified as important in the DNLUP sometimes do not receive much attention in community consultations because people feel that the issue has been addressed. If there is a need to test the level of concern about land use in an area, it is sometimes best to wait for the area to be identified through consultations – particularly if community input is needed to indicate the level of support for a land use designation or recommendation. As a result of this type of input from community consultations, there may be more community-based information on caribou (and other topics) included in the revised DNLUP. There may be opportunities to protect discrete areas that are identified as important for caribou calving. Some comments from community consultations have raised concerns with impacts from projects or activities, such as mineral exploration in caribou calving grounds, that have been reviewed by NIRB.

NPC indicated that it appears likely that reaching consensus on how to manage land use in caribou calving grounds will take time. Without broad consensus, particularly among the parties which will decide whether or not to approve the plan, the issue is probably too large and complicated to be tackled in more detail in the first generation plan. NPC will not be able to include provisions that are not supported by the parties whose approval is needed for the plan. Political decisions about the allocation of scarce resources and the acceptable trade-offs between competing values, such as economic

development and conservation, are ultimately made by governments. The interests of the Government of Canada, Government of Nunavut and NTI in economic development mean that the plan must strike a balance when closing areas to development. However, managing land use in caribou calving grounds can be identified as a priority area for future research. When consensus does emerge in the form of a broader management strategy and specific direction for land use in caribou calving grounds, the land use plan could be amended to incorporate or support that strategy and direction. Another option may be to identify smaller scale measures relating to caribou protection in order to move forward on this issue.

A question was raised about cooperation with GNWT on the management of transboundary caribou herds. NPC indicated that it has not worked with GNWT on this issue. If strategies or management plans for transboundary caribou herds are developed through interjurisdictional cooperation, they could be supported by the land use plan.

Cumulative effects

The issue of cumulative effects was discussed in relation to activities in caribou calving grounds and as a general question regarding the role of NPC and the land use plan. The IPGs recognize the assessment and management of cumulative effects as an important and challenging topic for planning and regulatory decision making. Cumulative effects are addressed in sections 2.2 and 7.2 of the DNLUP. The criteria and process that NPC will use to refer activities identified in Schedule 12-1 of the NLCA to the NIRB for screening because of concerns about cumulative effects is a subject that should be discussed by NPC and NIRB. This procedural direction will not be included in the DNLUP because doing so would mean that changes to the criteria or process would require amending the plan.

Land use planning can also contribute to cumulative effects management though by implementing direction on thresholds or levels of acceptable change. This approach is noted in section 2.2 of the DNLUP, which states that NPC will consider using the plan to implement thresholds or levels of acceptable change “that are supported by Government, Inuit, the NWMB, the NIRB and/or the NWB.” Experience with other northern plans, such as the draft Dehcho Land Use Plan, shows that achieving consensus on this issue is challenging. NPC has not been provided with thresholds or levels of acceptable change for Nunavut that could be included in the DNLUP. However, this topic could be the subject of further research and discussion in order to achieve buy-in for these approaches to managing cumulative effects.

Protection for community drinking water supplies

NPC noted that land use designations and recommendations in the DNLUP that focus on source water protection for communities are intended to dovetail with municipal planning. The Nunavut Association of Municipalities has indicated that it wants the plan to protect drinking water. The DNLUP deals with this issue in several ways, including restrictions on development in some watersheds. The DNLUP has a particularly useful role to play when municipal plans direct the protection of source water but portions of these watersheds extend outside municipal boundaries and are therefore not subject to these plans.

Workshop participants identified several issues of mutual interest for NPC and NWB. NPC indicated that NWB might be able to provide assistance in determining whether buffers separating development from the edge of community watersheds are needed to ensure the protection of drinking water. NPC also said that it is obtaining information on secondary watersheds for drinking water supplies for some communities. Participants discussed how the DNLUP might deal with secondary watersheds. NWB noted

that the identification of secondary watersheds for drinking water supplies may be speculative, since municipalities must apply to NWB for permission to use new drinking water supplies and permission will not be granted if NWB concludes that the proposed secondary watersheds are not suitable.

Land use planning can take several approaches to protecting drinking water:

1. Leave this issue to be addressed by the NWB;
2. Establish prohibitions on land uses within community watersheds;
3. Establish results-based direction or guidelines – e.g., the test for acceptable development is whether it will leave water quality and quantity unaffected (this approach was used in the Great Bear Lake Watershed Management Plan); and
4. Establish interim protection measures for proposed secondary watersheds, pending NWB decisions on applications by municipalities to use these watersheds as drinking water sources.

NWB noted that drinking water protection is only one reason for protecting watersheds and that protection for other reasons could co-exist with this objective within the land use plan. The scale at which water management issues are addressed in the plan may vary, from small community watersheds to larger water management areas. The approach taken in the DNLUP will reflect the prioritization of issues during the planning process, the regulatory and management direction provided to NPC by NWB and other planning partners, and the need for sufficient consensus regarding proposed measures so that that a plan including them will be approved.

The importance of ensuring that the land use plan is consistent with the NWB's role was also noted. NPC stated that it does not want the plan to cross the line and get in the way of regulatory decision making within NWB's mandate. NWB noted that the wording of any restrictions in the land use plan should include sufficient flexibility to ensure that the NWB can exercise its mandate in various circumstances without the need for amending the plan. If problems arise, however, the plan amendment process allows for adjustments to be made.

Finally, the use of different names for water sources was identified as a challenge for data collection and public hearings. NPC is not undertaking place name mapping for the DNLUP. The Inuit Heritage Trust may be the appropriate body for dealing with consistency of place names

Protection of the fossil forest

NIRB noted that it is screening another coal exploration application for the fossil forest area and that there is significant public concern about development in this area. It asked whether the DNLUP would be protecting the fossil forest or providing guidance on land use that would assist with project reviews. NPC stated that it was directed by the Government of Canada to request mapping information on the location of the fossil forest to the Government of Nunavut (GN) but that no maps or direction on managing this area have been provided by GN. Without this information, NPC is unable to include a land use designation or spatially referenced recommendation in the DNLUP. It was also noted that coal deposits and fossilized vegetation sometimes occur together, creating a potential trade-off between protection and economic development that may need to be addressed.

Availability of data and cooperation among IPGs on issues of mutual interest

NPC noted that it has been unsuccessful in obtaining data from GN to support the planning process because it is unable to sign a data sharing agreement proposed by GN as it fetters the Commission's mandate as an Institution of Public Government. This issue may be addressed by a provision in the

proposed *Nunavut Planning and Project Assessment Act*. It was noted that obtaining relevant information from government may be an issue on which IPGs could cooperate. This point led to a discussion of the NWT Board Forum and the potential value of formal mechanisms for encouraging communication and collaboration among IPGs and government. Another option is for IPGs to work together to identify and address common issues and, where appropriate, to develop common approaches to dealing with government. In some instances, joint proposals and pressure from IPGs may be helpful in achieving desired outcomes from government.

Oil and gas development

NIRB asked whether the DNLUP would address oil and gas development and establish or continue a moratorium on development in certain areas. NPC indicated that in one case a pre-existing moratorium had been discontinued by Natural Resources Canada and that there was a motion from the Hamlet of Coral Harbour, a Resolution from the Kivalliq Inuit Association and feedback from the Government of Nunavut to remove it. Significant discovery licences are assigned the Encouraging Sustainable Economic Development Land Use Designation in the DNLUP (s.5.1.2). Recent calls for bids for offshore areas have raised community concerns about spills, but these areas are outside the Nunavut Settlement Area and are not covered by the plan. However, there was discussion of a research project to examine ocean currents and dispersion modelling in order to determine whether an offshore spill would be likely to reach the Nunavut coast and, if so, which areas might be affected. NIRB noted that it has an MOU with the National Energy Board (NEB) and NPC said that it has also talked with the NEB.

Marine transportation

Several factors weigh against land use planning as a way of addressing marine transportation issues in Nunavut. Ship traffic is managed by Transport Canada, which has much more capacity than NPC to address this topic. Ice breaking is managed by Transport Canada in collaboration with Environment Canada (using a grid system) and is not addressed in the DNLUP. There are 69 marine transportation routes that are grandfathered. Community resupply is not considered a project for regulatory purposes. There are also international sensitivities about shipping in the Arctic and the Government of Canada is concerned about potential effects of the plan on international relations. The Canadian Marine Advisory Council was identified as a group with information and expertise on marine transportation and related topics.

As noted above, however, the plan may address some smaller scale issues such as the identification of sensitive areas where wildlife may be adversely affected by cruise ships or other types of shipping (e.g., inlets used by beluga whales and walrus haul-out areas). Workshop participants briefly discussed NIRB's limited involvement in reviewing activities involving cruise ships and the potential for cumulative effects resulting from shipping. Investigation of the impacts of cruise ships and the specific concerns raised by communities is a possible area for research. In the meantime, the DNLUP could be used to take small steps to protect discrete areas that are particularly important. Progress in this area may be complicated by two factors: (1) specific restrictions or recommendations must be identified that are appropriate and have sufficient support to be included in an approved plan and (2) enforcement may be difficult for some types of restrictions (e.g., noise disturbance from shipping). Another concern with this approach is the risk that identification of these areas in the plan may result in people going to these areas to observe wildlife. Enforcement of restrictions on access and land use may therefore be necessary.

Mixed use areas

NPC briefly described the mixed use areas in the DNLUP. These are areas where a wide variety of land uses are permitted by the plan, subject to the generally applicable regulatory regime. Recommendations are applied to land uses within some parts of the mixed use areas where issues have been identified but there is not enough information or sufficiently clear direction on land use to establish land use designations. Some recommendations may evolve into land use designations in the future. NPC noted that government likes mixed use areas and they are consistent with NTI's direction that the plan should wherever possible not impose third party restrictions on Inuit Owned Land. It also stated that the Canadian Wildlife Service is expected to provide more information relating to setbacks and seasonal restrictions on land use for certain areas before the DNLUP is finalized.

Establishment of protected areas

The NWT Protected Areas Strategy was not as successful as its supporters had hoped in leading to the establishment of permanent protected areas. The approach has now shifted to creating protected areas that permit a broader range of activities that are compatible with the values to be conserved, rather than imposing a blanket prohibition of most uses. For example, restrictions may be limited to certain land uses or certain times of the year. This flexibility may remove some of the resistance to protected areas from industry and government. While leaving the door partly open to some development may create risks, it also provides incentives for best practices by industry in order to maintain access. This approach might be considered for Nunavut.

5. Next steps

Workshop participants made the following comments about next steps:

- The NPC's timeline and schedule for engaging other IPGs in the planning process provides a framework for next steps. Some elaboration on this schedule and further discussion with IPGs about agendas and the type of input that will be most relevant to plan development will be needed to ensure that this engagement is productive, efficient and meets the needs of NPC and the other IPGs.
- NPC underlined its openness to ongoing communication with the other IPGs. There is no need for IPGs to wait for the formal engagement opportunities on the plan development timeline to initiate contact with NPC. NPC would welcome opportunities to discuss issues, explore opportunities and explain challenges.
- NPC stated that it needs support for the planning process and the DNLUP from the other IPGs. Silent support is not sufficient given the challenges of developing the DNLUP and the opposition and misinformation from some quarters. Other organizations including regional Inuit organizations, the Nunavut Association of Municipalities, industry, NGOs, and some federal government departments have indicated their support for the planning process and the DNLUP and their interest in helping the process move forward. Letters and other support from IPGs would be very much appreciated by NPC, especially as the plan approaches the approval stage.
- IPGs would also benefit from help from the NPC and discussions could focus on opportunities for the plan to support their regulatory decision making. Support among NPC and the other IPGs should be reciprocal, with NPC providing assistance on issues of concern to NIRB, NWB and NWMB.

- IPGs should consider establishing regular meetings, such as monthly conference calls to provide updates on items of mutual interest. This approach would involve setting a regular time for a short call (1-1.5 hours), with a lead person and alternate identified from each IPG. The format could be a round table update, with bilateral and multilateral discussions of issues handled off line. This regular communication could pay significant dividends in improving information flow among IPGs and contributing to the development of a land use plan that all of the IPGs can support. Information exchange among IPGs could also help to ensure that the plan meets the needs and aspirations of the people and communities of Nunavut and the other important constituencies and stakeholders.
- It is important to recognize that the first generation land use plan for Nunavut will be a significant milestone in an ongoing planning process, not a final product that will never change. As additional information and direction on the use of land, water and other resources is developed, the plan can be amended. In addition periodic reviews of the plan will provide an opportunity to assess its effectiveness and initiate significant changes if these are needed.
- Effective engagement and consultation with IPGs must be a reciprocal process that involves input to the planning process and responsiveness from NPC. The other IPGs would like a feedback mechanism to provide information on the usefulness of their input to NPC, what is being done with their information and recommendations, and what will happen next in the planning process. Effective engagement in planning and support from the other IPGs for the DNLUP will be more difficult if contributions are not acknowledged and information not provided on whether and how contributions were taken into account. It was also recognized that it may not be possible for NPC to incorporate all information and suggestions from the other IPGs into the DNLUP, particularly if there are competing interests or opposition from the parties responsible for approving the plan. NPC stated that feedback loops have been a challenge in the past given limited resources, but it will respond to every submission received. In addition, information on the input received and how it was addressed in the planning process will be provided in the Options and Recommendations report.

6. Key workshop outcomes

The discussion summarized above shows that workshop participants exchanged information and ideas about the potential contribution of the Nunavut Land Use Plan to improved decision making within the integrated regulatory system and the opportunities for NPC to engage with NIRB, NWB and NWMB in the planning process. Specific opportunities for IPGs to work together include:

- NIRB, NWB and NWMB should identify and provide information relevant to plan development to NPC, including spatial information on important values and directions for land use. Information included in the plan must be reliable and of sufficient quality and precision to withstand challenge at the approval stage. The Dillon report on its review of the IPG public registries will be a useful first step in this regard. The NPC will distribute the draft report shortly.
- NPC should incorporate the boundaries of the 65 water management areas identified by NWB into the DNLUP. This information can be used to determine the water management areas where proposed projects are located and as the foundation for including more direction on water management and land use in these areas when it is developed by NWB.
- NPC and NIRB should work together on the referral process for project applications that raise concerns about cumulative effects. All IPGs could also support and benefit from research and

the building of consensus on the use of thresholds and levels of acceptable change to manage cumulative effects.

- NPC and NIRB could work together to identify direction on land management that has been recommended in NIRB decision reports and could be incorporated into the DNLUP.
- NWB could provide information to NPC on the establishment of adequate set-backs or buffers from community watersheds in order to protect drinking water supplies.
- NWMB should keep NPC informed as it develops habitat management and protection program and opportunities to use the land use plan to support wildlife management objectives should be explored.
- NPC should work with other IPGs to share information from community consultations on the DNLUP that is relevant to their mandates and issues of concern. IPGs should be given advance notice of NPC consultations and conference calls could be organized following community tours to provide updates on information received and issues that were raised.
- IPGs should find ways to ensure more effective ongoing communication, ranging from regular conference calls to provide updates on issues of mutual concern to the establishment of a formal mechanism along the lines of the NWT Board Forum.
- IPGs should work together and support each other on issues of mutual concern, including their relations with government.
- NPC should work with the other IPGs to elaborate on the time line for engagement in the planning process by ensuring flexibility in scheduling meetings and encouraging input on agendas so that the consultation process meets everyone's needs and all IPGs feel a sense of ownership over the process and the results of these discussions.
- IPGs should work together to ensure that the first generation Nunavut Land Use Plan can be endorsed by all IPGs as a useful step forward for Nunavut's integrated regulatory system, supporting regulatory decision making and providing a foundation for further progress through subsequent planning and plan revisions. It is important for IPGs to align priorities and expectations, recognizing that the first generation plan should not be delayed until all important issues can be resolved and all relevant information is available.

7. Appendix

Meeting Location: Garnet Room, Yellowknife Inn

Participants:

Nunavut Planning Commission

Adrian Boyd, Director of Policy
Brian Aglukark, Director of Plan Implementation
Jonathan Savoy, Policy Specialist
Myretha McInnis, Planner (GIS)
Mike Townsend, Land Information Specialist
David Livingstone, Advisor

Nunavut Impact Review Board

Amanda Hanson
Kelli Gillard

Tara Arko
Catherine Rodriguez
Sophia Granchinho

Nunavut Water Board

Teresa Meadows
Sean Joseph
David Hohnstein
Karén Kharatyan

Nunavut Wildlife Management Board

Peter Kydd

Facilitator

Steve Kennett, Independent Consultant