

# Nunavut Land Use Plan



Draft - 2014



Nunavut Planning  
Commission



## Letter from the Commission

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# Approval Page



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## Acronyms

AANDC	Aboriginal Affairs and Northern Development Canada
BHC	Building Healthier Communities
CFS	Canadian Forces Station
CHRS	Canadian Heritage Rivers System
CLEY	Department of Culture, Language, Elders and Youth
CWS	Canadian Wildlife Service
DEW	Distant Early Warning
DFO	Fisheries and Oceans Canada
DIO	Designated Inuit Organization
DND/CAF	Department of National Defence and the Canadian Forces/Canadian Armed Forces
ECP	Encouraging Conservation Planning
ESED	Encouraging Sustainable Economic Development
GN	Government of Nunavut
IPG	Institution of Public Government
IOL	Inuit Owned Lands
IQ	Inuit Qaujimajatuqangit
KitlA	Kitikmeot Inuit Association
KivlA	Kivalliq Inuit Association
MBS	Migratory Bird Sanctuaries
MU	Mixed Use
NCSP	National Contaminated Sites Program
NGMP	Nunavut General Monitoring Plan
NIRB	Nunavut Impact Review Board
NLCA	Nunavut Land Claims Agreement
NMCA	National Marine Conservation Area
NPC	Nunavut Planning Commission
NTI	Nunavut Tunngavik Incorporated
NSA	Nunavut Settlement Area
NSRT	Nunavut Surface Rights Tribunal
NWB	Nunavut Water Board
NWMB	Nunavut Wildlife Management Board
NWA	National Wildlife Areas
NWS	North Warning System
PAM	Priority Areas Map
PCA	Parks Canada Agency
PSE	Protecting and Sustaining the Environment
QIA	Qikiqtani Inuit Association
SARA	Species at Risk Act
SMA	Special Management Area
UOM	Use and Occupancy Mapping

## Definitions

In the Plan:

**Accessory Use** means a use of land that is temporary or seasonal and is both incidental to and customarily found in connection with a principal land use.

**Areas of Asserted Title Claim** means:

Athabasca Denesuline Area of Asserted Title Claim under the Benoanie Litigation:

- The Benoanie litigation commenced in 1991 has been in abeyance since 1999 to enable the Athabasca Denesuline and Canada to fully and finally settle, through an active and ongoing negotiation process, the treaty and aboriginal rights and title issues in Nunavut raised in the litigation.

Manitoba Denesuline Area of Asserted Title Claim under Samuel/Thorassie Litigation:

- Since 1999, the Samuel/Thorassie litigation has been in abeyance. Manitoba Denesuline and Government are actively negotiating resolution of the issues raised in the litigation including Manitoba Denesuline Aboriginal and Treaty rights in Nunavut and Manitoba Denesuline Aboriginal title in Nunavut.

**Areas of Equal Use and Occupancy** means the areas generally located around the Salisbury and Nottingham Islands in the Hudson Strait; and the Bakers Dozen, King George and Sleeper Islands in the Hudson Bay. These lands are jointly owned and managed between the Inuit of Northern Quebec (Nunavik) as represented by Makivik and the Inuit of Nunavut represented by Nunavut Tunngavik Incorporated as illustrated under Article 40 of the Nunavut Land Claims Agreement.

**Area of Interest** means a spatial area where the principles of conservation planning and sound land management practices are applied through Land Use Designations, in order to protect areas of particular significance for ecological, cultural, social, archaeological, historic, research, restoration of environmental integrity, or other similar purpose in the absence of legislation.

**Area of Significance to Inuit** means an **Area of Interest** that is of particular significance to Inuit.

**Commission** means the Nunavut Planning Commission.

**Conformity Determination** means a review of a Project Proposal to determine if it is consistent with the Land Use Designations and Terms set out in the Plan.

**Conservation Area**, means any Conservation Area in existence at the date of ratification of the Nunavut Land Claims Agreement and, as defined by NUPPAA, any of the following areas when established under legislation:

- (a) a wildlife area established under the Canada Wildlife Act;
- (b) a critical habitat, wildlife sanctuary or special management area, as defined in section 2 of the Wildlife Act, S.Nu. 2003, c. 26;
- (c) a migratory bird sanctuary prescribed under the Migratory Birds Convention Act, 1994;
- (d) a wetland of international importance, as defined in Article 2 of the Convention on Wetlands of International Importance especially as Waterfowl Habitat, concluded at Ramsar on February 2, 1971 and in force in Canada on May 15, 1981, that is designated by the Government of Canada;
- (e) a marine protected area designated under paragraph 35(3)(a) of the Oceans Act;
- (f) a protected marine area established under subsection 4.1(1) of the Canada Wildlife Act;
- (g) a Canadian heritage river referred to in paragraph 4(1)(b) of the Parks Canada Agency Act;
- (h) a historic place designated under the Historic Sites and Monuments Act;
- (i) a historic place designated under the Historical Resources Act, R.S.N.W.T. 1988, c. H-3; and
- (j) any other area of particular significance for ecological, cultural, archaeological, research or similar reasons, if established under an Act of Parliament or territorial law.

**Cumulative Impacts** means any cumulative Ecosystemic and socio-economic impacts that could result from the impacts of a Project combined with those of any other Project that has been carried out, is being carried out or is likely to be carried out inside the Nunavut Settlement Area or Outer Land Fast Ice Zone, or wholly or partly outside the Nunavut Settlement Area or Outer Land Fast Ice Zone.

**Designated Area** means the Nunavut Settlement Area and Outer Land Fast Ice Zone.

**Designated Inuit Organization** as defined by NUPPAA means (a) Tunngavik or, the organization designated in the public record, which is maintained by Tunngavik under the NLCA, as being responsible for the exercise of any power or the performance of any duty or function under the

corresponding provision of the NLCA; or *(b)* in respect of Inuit owned lands in the areas of equal use and occupancy, Makivik acting jointly with the designated organization determined under paragraph *(a)*.

**DND Establishments** means Department of National Defence installations together with its personnel and major equipment, organized as an operating entity.

**Ecosystemic means** relating to the complex of a natural community of living organisms and its environment functioning as an ecological unit in nature.

**Existing Rights** means the use of land which does not conform to the Plan but which lawfully existed prior to the approval of the Plan.

**Government** means the Government of Canada or the Government of Nunavut, collectively and together, excluding all others.

**Hydro-Electrical and Related Infrastructure** means all infrastructures related to the operation, maintenance of hydro-electrical facilities and associated distribution network.

**Inuit Owned Lands** means *(a)* those lands that vest in the DIO as Inuit Owned Lands pursuant to Section 19.3.1 of the Nunavut Land Claims Agreement, and *(b)* any lands that are vested in, acquired by or re-acquired by the DIO as Inuit Owned Lands from time to time so long as they maintain such status pursuant to the Nunavut Land Claims Agreement.

**Inuit Qaujimajatuqangit** means “what Inuit have always known,” or Inuit knowledge. Inuit knowledge includes what has been provided from ancestors in the past, and also what exists and what is changing.

**Land** includes land covered by water, whether in onshore or offshore, waters and resources, including wildlife.

**Land Use Designation** means a specific geographic area where appropriate land uses are identified and prohibited and permitted Uses, Terms, and/or Direction to Regulatory Authorities may be identified.

**Map Biography** means the map or set of maps resulting from a face to face interview during which the individual participant indicates the places he or she has used resources within living memory. The Map Biography records activities involving the harvest of traditional resources such as hunting, trapping, fishing, gathering of medicinal plants, berry picking, camping, and traveling.

**Marine Infrastructure** includes ports and other infrastructure needed to support the coming and going of marine vessels to land and communities.

**Ministerial Exemption** means a decision from the Minister to exempt a Project Proposal from conformity with the Land Use Designation and Terms of the Plan.

**Minor Variance** means relief or reasonable deviation from certain Terms of a Land Use Designation while not permitting additional uses or changing a Land Use Designation.

**Mixed Use** means a Land Use Designation that allows for all uses but may identify priorities and values that should be considered in the design and regulatory review of Project Proposals.

**Municipal Services** means services provided by local agencies, including but not limited to water and waste, roads, parks, schools, the operations of quarries and provision of granular materials.

**National Historic Site** means a site, building, or other place of national interest or significance that has been commemorated by the Minister responsible for the Parks Canada Agency, under the *Historic Sites and Monuments Act*.

**National Marine Conservation Area** means a marine conservation area or reserve as defined in subsection 2(1) of the *Canada National Marine Conservation Areas Act*.

**National Park** means a park or park reserve as defined in subsection 2(1) of the *Canada National Parks Act*.

**National Parks Awaiting Full Establishment** means areas awaiting full establishment as a National Park under the *Canada National Parks Act*.

**Non-renewable resource** means a resource that is finite and cannot be readily regenerated.

**Nunavummiut** means residents of Nunavut.

**Nunavut Settlement Area** means the area described in Section 3.1.1 of the Nunavut Land Claims Agreement

**NPC Goals** means the Goals as written in the Nunavut Planning Commission’s Broad Planning Policies, Objectives and Goals.

**NPC Objectives** means the objectives as written in the Nunavut Planning Commission’s Broad Planning Policies, Objectives and Goals.

**Obnoxious Land Use** includes uses which are obnoxious or



offensive by reason of their emission of odour, smoke, dust, noise, gas, fumes, cinders, vibration, refuse matter or water-carried waste.

**Outer Land Fast Ice Zone** has the same meaning as defined by Section 1.1.1 of the Nunavut Land Claims Agreement, and for reference means the area bounded by:

- (a) in the north by Latitude 73° 40' off Cape Liverpool on Bylot Island,
- (b) in the south, by Latitude 66° 37' N, off Cape Dyer on Baffin Island,
- (c) in the west, by the seaward edge of the Territorial Sea boundary off the east coast of Baffin Island, and
- (d) in the east, by the maximum limit of land fast ice (1963-1989) as set out in Schedule 16-1 of the Nunavut Land Claims Agreement for general information purposes only.

**Park** as defined by NUPPAA, and for reference means a National Park, Territorial Park or a Marine Conservation Area.

**Periodic Review** means a complete public review of an approved land use plan including its regional and sub-regional components. Such a review is typically undertaken every 5 to 10 years.

**Permitted Use** means a project proposal that is considered to conform to the requirements of a Land Use Designation.

**Plan Amendment** means a process of considering changes to the plan's content.

**Planning Partner** means an individual, group or organization, either public or private, interested in participating in the land use planning process. For added clarity this includes: both Inuit and Non-Inuit residents; not for profit community and Inuit organizations; municipalities; the business community; industry; environmental non-government organizations; Designated Inuit Organizations; territorial and federal government department and agencies; Nunavut Impact Review Board; Nunavut Water Board; Nunavut Wildlife Management Board; and any other community, regional, territorial or national organization with an interest in the social, cultural, economic and environmental impacts and benefits associated with land use in Nunavut.

**Policies** means the policies as written in the Nunavut Planning Commission's Broad Planning Policies, Objectives and Goals.

**Priorities and Values** means the issues identified by residents and communities that need to be considered in the design and regulatory review of Project Proposals.

**Prohibited Use** means a project proposal that does not conform to the requirements of a Land Use Designation.

**Project** means carrying out a Project Proposal.

**Project Proposal** means a proposal to carry out, including to construct, operate, modify, decommission or abandon a physical work or to undertake or carry out a physical activity that involves the use of land, waters or other resources. It does not include proposals to:

- (a) undertake or carry out a work or activity if its adverse ecosystemic impacts are manifestly insignificant,
- (b) undertake or carry out a work or activity that is part of a class of works or activities prescribed by regulation; or

construct, operate or maintain a building or to provide a service, within a municipality, that does not have ecosystemic impacts outside the municipality and does not involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydroelectric power or any industrial activities. **Proponent** means a person or entity, including a federal, provincial or territorial minister, department or agency, a municipality or a designated Inuit organization, that proposes the carrying out of a Project.

**Proposed National Park** means an area for which the NPC has been notified by Government that a National Park is being, or has been, proposed with respect to that area under the applicable federal laws of Canada.

**Proposed Territorial Park** means an area that approved by the Government of Nunavut to be established as a Park in accordance with the *Nunavut Land Claims Agreement (NLCA)* and *Umbrella Inuit Impact and Benefit Agreement for Territorial Parks in the Nunavut Settlement Area (IIBA)*.

**Regulatory Authority** means a department or agency, a municipality or any other public body responsible for issuing a license, permit or other authorization required by or under any other Act of Parliament or a territorial law for a Project to proceed.

**Screening** means a process undertaken by the Nunavut Impact Review Board to determine if a Project Proposal has significant ecosystemic and socio-economic impact potential for the purpose of determining whether a review

is required by the Nunavut Impact Review Board or by a federal environmental assessment panel.

**Setback** means a minimum distance.

**Special Management Area** means a Land Use Designation that restricts access to some uses or prohibits land uses, includes terms to guide land use, includes direction to regulators, or identify priorities and values that need to be considered prior to allowing activities to occur in the area, or any or all of these.

**Terms** means the set of administrative requirements associated with a Land Use Designation.

**Territorial Historic Site** means a site that has been declared to be of historical significance to the territories according to the *Historic Resources Act*.

**Territorial Park** means an area that has been formally and fully dedicated as a Territorial Park under the *Territorial Parks Act*.

**Territorial Parks Awaiting Full Establishment** means approved parks that are listed under Schedule 2-1 of the *Umbrella Inuit Impact and Benefit Agreement for Territorial Parks* but have not yet been designated under the *Territorial Parks Act*.

**Tourism** means the activities of persons travelling to and staying in places outside of their usual environment for not more than one consecutive year for leisure, business and other purposes.

**Transportation Corridor** means an area that is designated to be used for a public or private road, rail or shipping route, and may be used by any person for the purpose of transportation. Any industrial activity within the corridor shall be in accordance with the terms and conditions of any permits, licences, or authorizations. Any incidental activities or regular maintenance associated with the upkeep or continued operation of the transportation corridor to ensure the safe operation of transportation-related infrastructure and activities will not require further review or amendment.

**Utility Corridor** includes an area that is intended to be used for electrical, utility or communications infrastructure.

**Waste Site** includes hazardous waste, inactive mining sites, abandoned DEW Line sites, non-hazardous sites near communities.

**Zoning** (see Land Use Designation).





# Chapter 1

Land Use Planning in the Nunavut Settlement Area

## 1.1 The Nunavut Planning Commission

Following ratification of the Nunavut Land Claims Agreement (NLCA) on July 9, 1993 the Nunavut Planning Commission (NPC) was formally recognized as an Institution of Public Government established under Article 10: Land and Resource Management Institutions. The Commission is mandated under Article 11: Land Use Planning to develop, implement and monitor land use plans in the Nunavut Settlement Area (NSA).

The NPC is the gatekeeper of an integrated regulatory system in the NSA. Land use plans prepared by the NPC are intended to guide and direct resource use and development. Proponents wishing to carry out activities in the NSA must submit a Project Proposal to the NPC for a conformity determination against the requirements of the approved plan. Project Proposals must conform to the requirements of the plan before the proposal can advance for further consideration in the regulatory system.

The plans are legally binding and implemented on the basis of jurisdictional responsibility through the issuance of permits, licenses and authorizations. This requires the plans to be approved by the Government of Canada, Government of Nunavut and once the Nunavut Planning and Project Assessment Act (NUPPAA) is in force, the Designated Inuit Organization (DIO). Nunavut Tunngavik Incorporated is the DIO representing the Kitikmeot Inuit Association, Kivalliq Inuit Association and Qikiqtani Inuit Association. The federal Minister is the Minister of Aboriginal Affairs and Northern Development Canada representing the Government of Canada. The Territorial Minister is the Minister of the Department of Environment representing the Government of Nunavut.

## 1.2 The Nunavut Settlement Area

The Nunavut Settlement Area (see **Figure 1**) represents one-fifth of Canada's land mass, and although this makes it the largest jurisdiction in Canada, it also has the smallest population. Less than 35,000 residents, of which over 80% are Inuit, live in 25 municipalities spread over three Regions: the Qikiqtani, Kivalliq, and Kitikmeot. None of the communities are connected to each other or to the rest of Canada by road, and are accessible only by air and seasonally by sea. The remoteness of the region has limited development in comparison to other jurisdictions in Canada, which has left the environment relatively unspoiled and tremendous economic potential undeveloped.

Nunavut is home to a variety of wildlife species, including numerous herds of caribou, millions of migratory birds, as well as unique marine mammals and fish. Because Nunavummiut rely on wildlife for much of their diet and basic needs, healthy wildlife populations are vital for the social, cultural, and economic well-being of residents.

Nunavut has the youngest, fastest growing population in Canada, as well as the highest unemployment rate, and there is a need for new economic opportunities. The economy is growing, and there is great potential for further growth, particularly in sectors such as mining, oil and gas, tourism, and fisheries. In Nunavut, many economic resource opportunities remain unknown or are undeveloped. The obstacles to development include the remoteness of the location, limited infrastructure, and the costs of transporting goods and services. Because of these obstacles, global markets are often an underlying factor in whether an economic opportunity will be developed.

There are several types of Aboriginal land ownership and interests in the NSA, which are illustrated in **Figure 1**. Following the ratification of the NLCA, approximately 356,000 square kilometres of land in the NSA became Inuit Owned Land (IOL), with title being held by Nunavut Tunngavik Incorporated (NTI) and three Regional Inuit Associations (RIAs). The majority of IOL is in the form of surface rights, while approximately 36,000 square kilometres include surface and sub-surface rights. In addition, Article 40 of the NLCA identifies Areas of Equal Use and Occupancy between the Inuit of Nunavut and Nunavik, and provides for the joint ownership of IOL by the two groups in the identified areas. There are also two areas of asserted title claim currently under negotiation: the Athabasca Denesuline Area of Asserted Title Claim under the Benoanie Litigation, and the Manitoba Denesuline Area of Asserted Title Claim under Samuel/Thorassie Litigation.







## 1.3 Broad Planning Policies, Objectives and Goals

As required under Section 11.4.1(a) of the NLCA, the NPC established Broad Planning Policies, Objectives and Goals in conjunction with the Government of Canada, Government of Nunavut, and Nunavut Tunngavik Incorporated. The Broad Land Use Planning Policies, Objectives and Goals along with Article 11 and other relevant articles of the NLCA inform the development of the Nunavut Land Use Plan. There are 106 policies and objectives that guide the implementation of 5 NPC Goals.

### Goal 1 - Strengthening Partnership and Institutions A Nunavut-Specific Land Use Planning Process

This goal provides direction on the land use planning process as an aspect of good governance. The goal of strengthening governance and institutions includes: recognizing and respecting the mandates and jurisdictions of all participants; decision making through discussion and consensus; and working together for a common cause through the integration and application of the principles of *Inuit Qaujimajatuqangit* (IQ).

### Goal 2 - Protecting and Sustaining the Environment Protecting Wildlife, Air, Land and Water

The goal of protecting and conserving Nunavut's air, land and water, i.e. the environment, including wildlife and wildlife habitat, is of critical importance to the sustainability of Nunavut's communities, Inuit culture and the continuation of a viable long-term economy.

### Goal 3 - Encouraging Conservation Planning

The goal of conservation planning forms an important part of the land and resource management regime in Nunavut. Conservation planning recognizes that Parks and Conservation Areas may be established through legislation. The protection of other Areas of Interest may also be achieved through the application of zoning in the land use plan. The purpose of conservation planning is to protect the natural environment, culturally significant areas and special places for the benefit of Nunavummiut and all Canadians. This will be achieved by recognizing the general desirability to establish Parks in the Nunavut Settlement Area, supporting Conservation Area initiatives of Government, and by protecting Areas of Interest under the authority of the land use plan.

### Goal 4 - Building Healthier Communities Strengthening Culture, Heritage and Well-being

The promotion and strengthening of Inuit culture and heritage is integral to the goal of building healthy communities in Nunavut. It is also one of the fundamental objectives of the Nunavut Land Claims Agreement (NLCA). Protection and promotion of the well-being of Nunavut's residents and communities is the primary purpose of land use planning under Article 11 of the NLCA, is implicit in other NLCA provisions, and is an inherent goal in land use related territorial and federal statutes and policies.

### Goal 5 - Encouraging Sustainable Economic Development

The goal of achieving the economic well-being of communities underlies many of the articles and provisions of the Nunavut Land Claims (NLCA). It is inherent in the NLCA's objective of encouraging self-reliance and diverse economic opportunities for Nunavummiut and all Canadians which will arise from a long-term, healthy, sustainable renewable and non-renewable resource economy.

The Broad Planning Policies, Objectives and Goals are intended to be read together and interpreted as one agreement.

## 1.4 The Commission's Planning Approach

Land use planning for resource use and development provides a key first step in Nunavut's integrated regulatory system. Land use plans prepared by the NPC may restrict or prohibit some uses of land and provide direction for land use in the NSA, and the remainder of the regulatory process ensures that the uses that are supported by the land use plan are carried out in a manner that is consistent with the priorities and values identified in the plan. Ultimately, a successful land use plan supports the NPC Goals for an area by guiding land use in a way that cannot be achieved by focusing on individual projects.

### 1.4.1 Incremental Planning

The Commission is taking an incremental approach to the development of the Nunavut Land Use Plan. Since it is not feasible to develop a completely comprehensive land use plan for such a vast area in a reasonable timeframe and on a reasonable budget, choices need to be made regarding which issues are addressed in a 'first generation' plan. The term 'first generation' is used to imply that the planning process anticipates further planning that will build upon

the framework being established in the plan. This approach is supported by land use planning best practices and the Commission's Broad Planning Policies, Objectives and Goals.

Regional planning in Nunavut has unique challenges. No other Nation provides for legally binding regional land use planning for an area the size of the NSA. Formulation of the land use plan required the Commission and other key planning partners to manage their expectations regarding the content of this Plan and to focus on priority themes for which there is adequate information. In some instances, a lack of available data, information and expert advice limits the analysis of land use options. In the future, as more robust land use planning data and expert advice becomes available, the Commission will be able to provide more sophisticated analysis of planning options, current decisions will be enhanced, and new themes introduced as appropriate.

The Plan is intended to be a framework for on-going land use planning studies and research. It will be updated and amended as additional information is received from planning partners, researchers and as future land use planning studies are concluded. The NPC anticipates that regional and sub-regional land use planning studies will be undertaken to address outstanding matters important to planning partners, and that eventually the Plan will be focused on land use planning at the watershed scale. Identifying regional and sub-regional areas of Nunavut that are "under pressure" or of specific importance to residents will focus resources and allow the NPC to provide more comprehensive land use planning direction over time.

#### 1.4.2 Consultation

The Commission is an open, public land use planning agency that wants to learn from residents and all planning partners. The planning process and technical analysis that began in late 2007 for the Nunavut Land Use plan was launched under the slogan, ***Every Story Needs to be Told and Be Part of the Plan***. The Commission has worked closely with its planning partners to identify areas of importance to the NPC Goals of Protecting and Sustaining the Environment, Encouraging Conservation Planning, Building Healthier Communities, and Encouraging Sustainable Economic Development. Following the preparation of a draft Plan in 2012 and a two year consultation process, the Commission has learned a great deal about the priorities and values of residents, as well as those of the Government of Canada, the Government of

Nunavut, Inuit organizations, other Nunavut Institutions of Public Government, industry, communities from neighbouring jurisdictions, and non-governmental organizations. The NPC has considered these priorities and values and has prepared this plan to reflect the input that has been provided.

The community consultation phase of the planning process included meetings with elected officials and public workshops where the content of the Plan was reviewed and the priorities and values of residents were recorded. Meetings and workshops were hosted in the 25 municipalities in Nunavut. Five Inuit communities from Northern Quebec, 2 Denesuline communities from Northern Manitoba and 3 from Northern Saskatchewan were also consulted in accordance with NLCA Article 40, Other Aboriginal Peoples.

During the compilation of priorities and values from residents and neighbouring jurisdictions, the NPC learned that food security is of the utmost importance. In these communities, which are only accessible year-round by air and where there are often few economic opportunities, access to country foods such as caribou, fish and sea mammals is the highest priority. In an environment where most of the food consumed is imported, access to safe, reliable local food sources is critical to the existing and future well-being of Nunavummiut. Food security exists when all Nunavummiut have access to safe and nutritious food to meet their dietary needs and food preferences. The opposite, food insecurity, exists when there is an inability to acquire a sufficient quantity of food. This occurs in Nunavut and neighbouring jurisdictions when wildlife that was once bountiful in an area is no longer present. In Nunavut, the NPC also heard that hunting for food is not just about accessing a safe, highly nutritious local food source to feed a community, it is also about maintaining and promoting Inuit culture and sharing of social norms and traditions.

The Commission also learned of the importance of access to safe drinking waters both within municipalities and while traveling on the land. Preservation of water quality is also an underlying theme for protecting the environmental integrity of the NSA, which in turn is tied to food security.

During consultations on the Plan, the NPC frequently heard that wildlife was not as abundant and that something needs to be done to ensure that important habitat is protected. The impacts of climate change and human disturbance were often noted as contributing factors.

Most participants agreed that being notified in advance of a proponent accessing the land was a major concern. Residents want to know in advance what is happening on the land and would like to be included at an early stage in the design of Project Proposals. During community workshops and meetings with elected officials the NPC also heard of the need for economic development both from renewable and non-renewable resources.

Planning partners have also noted that realizing the economic opportunities of the NSA requires access to lands and suitable transportation networks to support the activities and move resources to markets.

### 1.4.3 Decision Making

***“People are a functional part of a dynamic biophysical environment, and land use cannot be planned and managed without reference to the human community; accordingly, social, cultural and economic endeavours of the human community must be central to land use planning.”***

#### -NLCA 11.2.1 (a)

Land use planning in the NSA is guided by the NLCA, which directs the Commission to give primary consideration to the human community. In the Commission’s view, for the foreseeable future the existing and future well-being of Nunavummiut is dependent on the need to address the social development needs of the residents and communities of the NSA. The preparation of a land use plan with a short and long term focus on social development requires full consideration of the societal needs of Inuit, other Nunavut residents, and communities.

It has been the view of the Commission throughout the formulation of the Plan that it is imperative that the Plan supports - and does not impede - opportunities to reduce poverty, encourage community self-reliance, and raise the standard of living for Inuit. Food security has become central to the original concept. In a region where there are often few economic opportunities, it is conceivable that with access to local food sources poverty can be reduced, residents will be more self-reliant, the standard of living will be enhanced and the overall well-being of residents would be protected. Efforts to protect, and where necessary, restore the environmental integrity of the NSA to promote food security was identified by communities as an important function of the Plan.

The Commission’s Broad Land Use Planning Policies, Objectives and Goals have informed the development of

the Nunavut Land Use Plan. The Commission has worked closely with its planning partners to identify areas of importance to the NPC Goals of Protecting and Sustaining the Environment, Encouraging Conservation Planning, Building Healthier Communities, and Encouraging Sustainable Economic Development. Options to manage land use in these areas have been considered based on the best available information.

In areas identified as sensitive wildlife habitat or community areas of importance, priority was placed on managing impacts from mining, oil and gas, quarries, hydroelectric development, all weather roads, and related research. The NPC has also considered economic opportunities in all of the identified areas. One of the Objectives of the Plan is to “ensure that the goals of any proposed restrictions on land use are achieved with the least possible impact on undiscovered mineral resources, while taking into account environmental and social objectives.” In some instances the NPC has decided access should be restricted to some uses, while in other areas all uses may be appropriate under certain conditions. Where existing uses are legally operating in sensitive habitat these uses will be considered to conform to the Plan but will not be allowed to expand further into the sensitive habitat. Existing rights are also protected by law outside of the land use plan. In addition, accessory uses are considered to conform to the Plan, but must be authorized through the regulatory review of the Project Proposal.

The NPC has also considered the guidance provided by NLCA Article 17, Purposes of Inuit Owned Lands (IOL), which states the reasons for which IOL were chosen:

*The primary purpose of Inuit Owned Lands shall be to provide Inuit with rights in land that promote economic self-sufficiency of Inuit through time, in a manner consistent with Inuit social and cultural needs and aspirations.*

*Inuit Owned Lands are expected to include areas with the following characteristics, not in order of priority:*

- (a) areas of value principally for renewable resource reasons, including*
  - i) principal or other wildlife harvesting areas,*
  - ii) of significant biological productivity or of value for conservation purposes,*
  - iii) areas of high potential for propagation, cultivation or husbandry,*

- iv) *areas of current or potential occupation by outpost camps,*
- v) *areas of value for sport camps or other tourist opportunities; and*
- (b) *areas of value principally for reasons related to the development of non-renewable resources, including*
  - i) *areas of known or potential mineral deposits,*
  - ii) *areas of value for various operations and facilities associated with the development of non-renewable resources;*
- (c) *areas of commercial value; and*
- (d) *areas of archaeological, historical or cultural importance.*

*Inuit Owned Lands shall, to the extent possible, provide for a mix of the characteristics outlined above in order to secure balanced economic development. However, the relative weighting of the characteristics with respect to any particular community or region shall turn on the actual and potential economic opportunities at hand and the particular community or regional preferences.*

The Commission has applied this Article 17 management concept to all lands of the NSA. Both IOL and Crown lands were viewed as possessing a mix of characteristics related to renewable and non-renewable resources. To the greatest extent possible, the Plan provides for a mix of land uses, except in areas where there is enough information available to justify restricting access to incompatible uses.

Regardless of the complex technical considerations taken into account in the development of a land use plan, it is important to recognize that the approval of the plan also involves political decisions. Making decisions where numerous competing interests and values are involved is never easy. It requires harmonizing the various positions that are taken by individuals, groups, organizations and government departments that may not be open to compromise. The Commission has prepared this plan in consideration of all of these perspectives, and the best available information.

#### 1.4.4 Watershed Planning

Recognizing that approximately 21 percent of Canada's freshwater(waters) flows through Nunavut's rivers,

streams, and lakes, the NPC considers the management of Nunavut's freshwater as being fundamental to land use planning. Such consideration is not only critical from a sustainability and ecosystem perspective; moreover, it is integral to the quality of life – and life itself in terms of the environment, community, and economic well-being. Due to increases in the type and scope of projects being undertaken in Nunavut, the demand and pressures on Nunavut's freshwater resources is becoming more evident.

The Nunavut Water Board (NWB), established under Article 13 of the Lands Claim Agreement, has mandated responsibility for the conservation and use of waters in Nunavut. Part of the NWB's mandate includes the management of the Territory's freshwater. The recently enacted Nunavut Waters Regulations (SOR/2013-69) established 65 Water Management Areas (WMA) within Nunavut (see Schedule B). Given the inter-connectivity between land and water, land use management within these WMAs is expected to be an important component of the Plan moving forward.

While there is not an official water management strategy or policy currently in place for Nunavut, the NWB anticipates being able to advance progress in this area, along with multiple stakeholders in the near future. Accordingly, the NPC anticipates the future review and amendment of the Plan will take into consideration any water management strategy or policy presented by the NWB and its stakeholders. For example, this may include information pertaining to the management of various WMAs or other freshwater issues. Further, given the vast extents of the WMAs under the Regulations, future land use planning, at regional and sub-regional scales, will rely on watershed planning as an aspect of delineation.

#### 1.4.5 Limitation of Data in the Planning Process

As part of the establishment of the Broad Planning Policies, Objectives and Goals, the Commission, Federal and Territorial Government departments, and Nunavut Tunngavik Incorporated formalized an incremental approach to land use planning: *"Land use planning, as informed by these Broad Planning Policies, Objectives and Goals, will rely on the best available Inuit Qaujimaqatugangit and scientific information as a basis for decisions. The absence of information does not preclude the necessity to make land use planning decisions and to conclude the plan development process in a timely*

*manner.* “The Plan will evolve as new information becomes available.

The Commission recognizes that there are data gaps in our knowledge in the Arctic environment. More information is required before Land Use Designations and Terms can be considered to address impacts from project proposals on additional species and areas that are important for the social, cultural and economic well-being of residents and communities. Additional information will also facilitate the advancement of sustainable economic development.

Canada’s Northern Strategy, the NPC, residents and other Aboriginal interests acknowledge that the North is undergoing rapid changes from the impacts of climate change. In order to predict changes to the location of hunting areas, wildlife habitat and migration patterns it is imperative that monitoring and research be strategic and directed. The results must be designed to support resource management and regulatory decisions.

One mechanism that exists to support research is the Nunavut General Monitoring Plan (NGMP). The NPC believes that at this time funding should be focused on answering resource management questions related to the following research priorities, in no particular order:

- Caribou:
  - Identify acceptable noise levels to minimize disturbance on caribou from industrial project proposals and low flying aircraft during the sensitive calving and post-calving times and regular seasonal activities.
- Climate Change:
  - Identify how increases in the amount of fresh water entering the marine environment will impact salinity levels and temperature of the marine habitats over time;
  - Identify how changing salinity levels and temperature will affect food sources of sea mammals; and
  - Identify how changing salinity levels and temperature may cause changes in the location of historic hunting grounds for sea mammals and location of floe edges and polynyas.
- Cumulative Impacts:
  - Identify acceptable thresholds and indicators to manage the impacts from commercial and industrial project proposals on:

- fresh water quality within Nunavut’s Water Management Areas and smaller watersheds under development pressures;
- marine mammals from commercial shipping;
- the ability of Inuit to travel on sea ice as a result of regular ice breaking; and
- important habitat relied upon by walrus, polar bear, seals, whales, caribou and migratory bird species.

- Oil Exploration, Development and Transportation:
  - Identify how potential oil spills will react and impact marine and coastal ecosystems by determining processes for tracking the movement and dispersal of oil under sea ice, and methods to enable the clean-up of spills when sea ice is present, and
  - Identify how seismic research impacts sea mammals.
- Sea Mammals:
  - Identify acceptable noise levels to minimize disturbance on walrus when on sensitive haul outs from commercial and industrial project proposals, and
  - Identify acceptable noise levels to minimize disturbance from ocean shipping on walrus, seals and whales.

The Plan is a living document. As new information is provided the plan will be updated as required to ensure the best information is available to support an integrated regulatory system. Additional information, data and expert advice that supports implementation of the Broad Planning Policies, Objectives and Goals is always welcome.

## 1.5 The Nunavut Land Use Plan

### 1.5.1 Purpose of the Plan

The Nunavut Land Use Plan is a legal requirement of Part 11.5.1 of the NLCA to guide and direct short term and long term development in the NSA. The plan must be consistent with the Broad Planning Policies, Objectives and Goals and reflect the priorities and values of residents. The NLCA includes a variety of social, cultural, economic, and environmental factors to consider in the development of land use plans, and also includes the following foundational statement:



*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.*

### 1.5.2 Plan Content

The Plan contains the following seven chapters and supporting material:

Chapter 1:	<b>Introduction</b>
Chapter 2:	<b>Protecting and Sustaining the Environment</b>
Chapter 3:	<b>Encouraging Conservation Planning</b>
Chapter 4:	<b>Building Healthier Communities</b>
Chapter 5:	<b>Encouraging Sustainable Economic Development</b>
Chapter 6:	<b>Mixed Use</b>
Chapter 7:	<b>Implementation Strategy</b>
Schedule A:	<b>Land Use Designations</b>
Schedule B:	<b>Direction to Regulatory Authorities</b>

Chapters 2 through 6 include specific NPC Goals and Objectives for land use planning in Nunavut. Areas and issues that have been identified for their significance to each NPC Goal are discussed, and Land use Designations are assigned.

Chapter 7 describes the planning tools used by the Commission to implement the Plan.

Schedule A provides a summary of the Land Use Designations, and an illustration of their spatial extent.

Schedule B provides a summary of additional Direction to Regulatory Authorities, and also includes an illustration of Water Management Areas.

### 1.5.3 Application of the Plan

The Plan applies to all Project Proposals within the NSA and Outer Land Fast Ice Zone, including surface and subsurface lands, freshwater, marine areas and the beds of these bodies of water, and renewable and non-renewable resources, including wildlife.

The Plan does not apply within established National Parks, National Marine Conservation Areas, Territorial Parks, and National Historic Sites administered by Parks Canada Agency (PCA).

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

- have ecosystemic impacts outside the municipality; or
- involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydroelectric power or any industrial activities.

The Plan does not apply to subsistence land use and harvesting.

Land Use Designations and their respective Terms as established in the Plan are legally binding. The Commission implements the Plan by conducting Conformity Determinations on Project Proposals. Regulatory Authorities implement the relevant Terms through the issuance of permits, licenses and authorizations as appropriate, and through the conduct of their activities and operations as they relate to the management and regulation of Project Proposals.

### 1.5.4 Land Use Designations

Land Use Designations manage land use through the following concepts:

**Prohibited uses:** identify incompatible land uses that do not conform to the Plan.

**Terms:** identify requirements such as setbacks that land users must follow, as well as areas where there are cumulative impact concerns.

**Direction to Regulatory Authorities:** identify issues that regulatory authorities, where appropriate, need to address during the regulatory review of Project Proposals.

**Priorities and Values:** identify priorities and values of residents that need to be considered in the design, review, and conduct of the activity. Priorities and Values can apply to all Land Use Designations.

One of the following three Land use Designations is assigned to all areas where the Plan applies:

**Protected Areas** prohibit land uses that are incompatible with environmental and cultural values and may identify

Terms to guide land use and/or direction to regulatory authorities.

The intent of Protected Areas is to support environmental protection and cultural priorities, including wildlife conservation, protection and management, taking into account factors such as the following:

- The natural resource base and existing patterns of natural resource use;
- Environmental considerations, including wildlife habitat;
- Cultural factors and priorities; and
- Special local and regional considerations.

**Special Management Areas** may restrict access to some uses or prohibits incompatible uses and may identify Terms to guide land use and/or direction to regulatory authorities. Compared to Protected Areas, SMAs provide more flexible management of areas of environmental or cultural importance. SMAs also provide management for areas of economic potential as well as areas with existing land uses.

The intent of SMAs is to support the identified value of the area, taking into account factors such as the following:

- The natural resource base and existing patterns of natural resource use;
- Transportation and communication services and corridors;
- Energy requirements, sources and availability;
- Community infrastructural requirements;
- Environmental considerations, including wildlife habitat;
- Cultural factors and priorities; and
- Special local and regional considerations.

**Mixed Use** areas allow all uses and may identify direction to regulatory authorities.

The intent of Mixed Use Land Use Designations is to support a variety of opportunities and land use activity, taking into account factors such as the following:

- the potential for economic opportunity in the NSA;
- the potential for conservation initiatives in the NSA; and
- the social well-being of the residents of the NSA

### 1.5.5 Using the Plan

The following steps can be used as a guide for proponents considering Project Proposals:

#### **Step 1: Determine Land Use Designation for Project Proposal location**

- Refer to Schedule A: Land Use Designations

#### **Step 2: Determine if proposed use would be considered under applicable Land Use Designation**

- Refer to Table 1

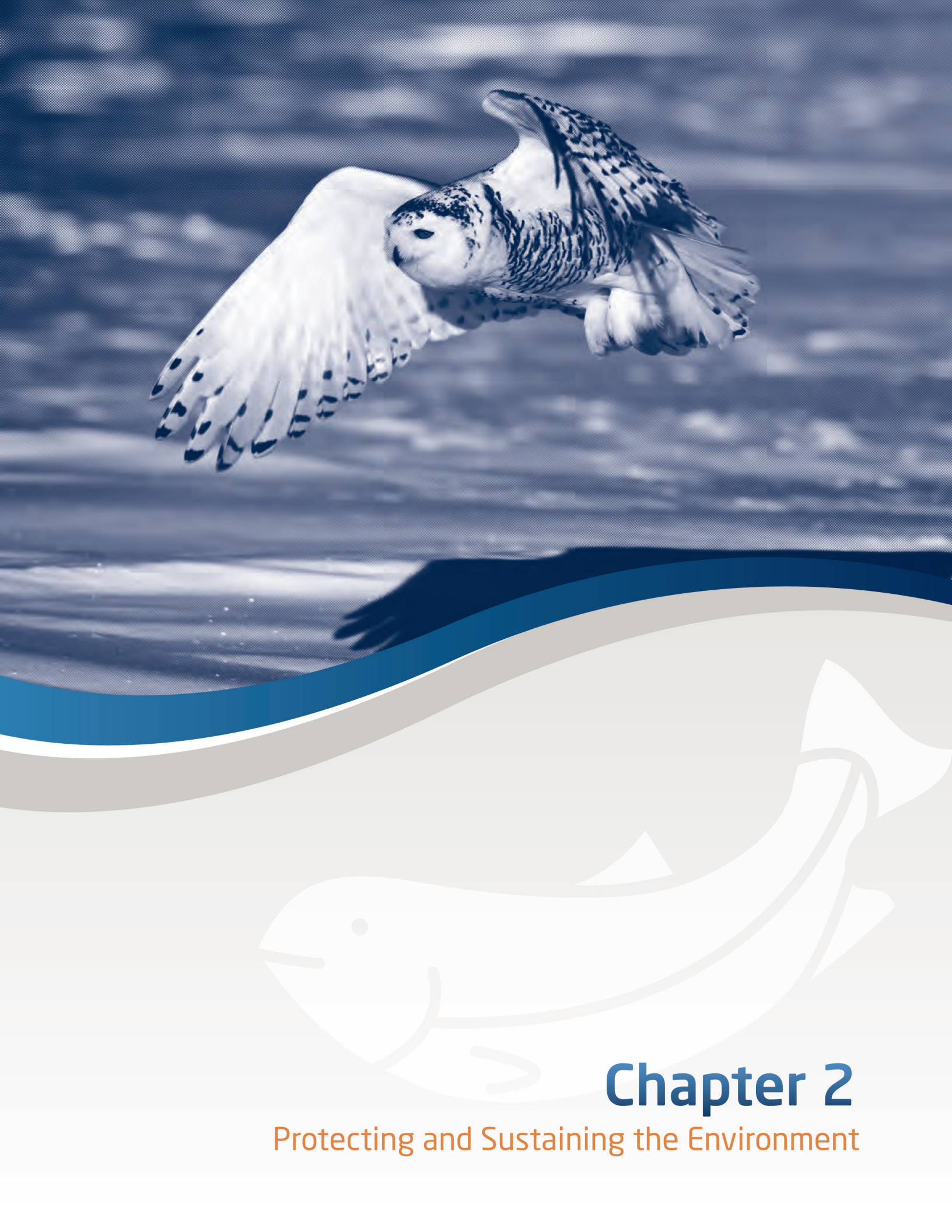
#### **Step 3: Determine if any Terms apply to location of Project Proposal**

- Refer to Refer to Table 1

#### **Step 4: Determine the priorities and values that have been identified**

- Refer to Tables 3, 4 and 5.





## Chapter 2

Protecting and Sustaining the Environment

The NPC Goal of protecting and conserving Nunavut's air, land and water, i.e. the environment, including wildlife and wildlife habitat, is of critical importance to the sustainability of Nunavut's communities, Inuit culture and the continuation of a viable long-term economy.

The intent of the Protecting and Sustaining the Environment (PSE) Goal is to support environmental protection and management needs, including wildlife conservation, protection and management, taking into account factors such as the following:

- The natural resource base and existing patterns of natural resource use;
- Environmental considerations, including wildlife habitat;
- Cultural factors and priorities; and
- Special local and regional considerations.

The following areas and issues have been identified to support the NPC Goal of protecting and sustaining the environment:

- Key migratory bird habitat sites;
- Caribou habitat;
- Polar bear denning areas;
- Walrus haul-outs;
- Marine areas of importance;
- Transboundary considerations; and
- Climate change.

## 2.1 Sites of Ecological Importance

The Commission's Objectives are to:

- protect, enhance and restore environmental quality and provide for the sustainable utilization of natural resources.
- manage land use in and around areas of biological importance, Conservation Areas, areas of significance to Inuit, Areas of Interest, or areas adjacent to National and Territorial Parks.
- identify and provide protection for the natural environment, areas of biological importance, traditional land use activities and cultural landforms through the establishment of land use zones and terms, outside of formal legislative processes, to protect or where necessary to restore the environmental integrity of the NSA.

- address the requirements for conservation, management and protection of aquatic resources, their habitats and ecosystems.
- protect the integrity of ecosystems, flora and wildlife habitats, paying special attention to species at risk, critical habitats, and inter-jurisdictional management of migratory animals.
- utilize both science and Inuit Qaujimajatuqangit, to maintain or enhance the biological diversity of Nunavut and to promote the restoration and revitalization of depleted populations of wildlife.
- address the cumulative social, cultural, economic and environmental impacts of a broad range of land use activities (including transboundary impacts) on the environment, wildlife and wildlife habitat.

### 2.1.1 Key Migratory Bird Habitat Sites

The NSA provides key habitat sites for a variety of migratory bird species known to nest in the area. A number of these species are entirely dependent on the Canadian Arctic habitat as an area to feed and produce young. Many of these nesting species are colonial and are found in very high densities at geographically distinct sites during their time in the Arctic, making them highly sensitivity to disturbance.

Key Migratory Bird Habitat Sites have been identified for their importance to sustaining and supporting terrestrial and marine bird habitats in the NSA, and are grouped into two categories:

Highly risk intolerant sites may have any one or more of the following characteristics:

- Support a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate;
- Host more than 5% of a national population of a species exhibiting population declines as of 2005;
- Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the Species at Risk Act

While moderately risk intolerant sites:

- Contain 5 - 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005; OR
- Contain 1- 5% of the national population of one or more migratory bird species that are exhibiting population declines as of 2005



The Commission considers it important to manage these areas to maintain their value to birds.

Key Migratory Bird Habitat Sites considered to be highly risk intolerant have been assigned a Protected Area Land Use Designation that prohibits incompatible uses, includes setback requirements and in marine areas, identifies cumulative impacts concerns and direction to regulatory authorities to mitigate impacts.

[See Schedule A and Table 1 - Site # 1-46]

Key Migratory Bird Habitat Sites considered to be moderately risk intolerant have been assigned a Special Management Area Land Use Designation that includes setback requirements, and in marine areas, direction to regulatory authorities to mitigate impacts.

[See Schedule A and Table 1 - Site # 1-46]

### 2.1.2 Caribou Habitat

Supporting much of the tundra biodiversity, caribou are a keystone species within the northern ecosystem. Caribou are an essential resource providing food, supporting cultural heritage and driving local economies. The 23 known caribou herds in Nunavut migrate across vast ranges of the mainland and high Arctic islands, and are harvested by residents of all communities in Nunavut.

Caribou provide a secure and reliable source of healthy and nutritious food making them tremendously valuable to the health and well-being of Nunavummiut. The relationship and historical dependence on caribou is a fundamental part of Inuit identity and a distinct feature of Inuit culture. Hunting for caribou is more than a means for providing food or income, as various social and cultural activities surrounding the use of caribou promote healthy communities, the transfer of traditional knowledge about culture and the caribou themselves.

Caribou rely on vast ranges at different times of the year, with annual migrations taking place between wintering areas and summer calving areas that are often separated by several hundred kilometres. The ranges of individual herds often include multiple political jurisdictions, and their management requires a coordinated approach.

#### 2.1.2.1 Caribou Calving and Post-Calving Areas

Calving areas are widely recognized as being of critical importance for maintaining healthy caribou populations. These areas are generally acknowledged as areas where caribou are particularly vulnerable to disturbance and the need for uninterrupted foraging is greatest. Post-calving

areas are also important to the health of caribou as these areas are used by caribou for nursing and nutrition uptake. Disturbances within post-calving areas can demographically impact caribou populations due to higher calf mortality resulting from a reduction in nursing time and disturbances to high quality forage required to maintain milk production in adult females.

While the historic extent of caribou calving and post-calving areas have been generally defined for most herds, the core areas for mainland herds have been defined using caribou collar telemetry as locations where there is a 95% probability of caribou being present.

Core caribou calving and post-calving areas that **have not** been identified for high mineral potential are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 47]

Core caribou calving and post-calving areas that **have** been identified for high mineral potential are assigned a Special Management Area Land Use Designation that identifies cumulative impact concerns and provides direction to regulatory authorities to mitigate impacts on these areas.

[See Schedule A and Table 1 - site 48]

#### 2.1.2.2 Caribou Sea Ice Crossings

Caribou migration routes are important, especially for herds that migrate across the frozen sea ice each year to reach their calving areas. These herds are vulnerable to changing sea ice conditions, and disturbance by ice breaking.

Caribou Sea Ice Crossings are assigned a Mixed Use Land Use Designation. Direction to regulatory authorities is given to mitigate impacts on the areas.

[See Schedule B]

### 2.1.3 Polar Bear Denning Areas

Polar bears are integral to the marine ecosystem and an important part of Inuit culture and economies. They are the top predator within the food web and are therefore ecologically important to the Arctic ecosystem in Nunavut. They are currently designated as a species of special concern under *the Species at Risk Act (SARA)*.

Polar bear habitat is characterized as coastal and nearshore land and offshore open water and ice



environments, with sea ice being the primary influence on habitat use. Spending most of their life on sea ice, polar bears are considered susceptible to climate change. Polar bear denning areas are important coastal habitats where females give birth and feed their cubs. The majority of dens are located on land, although multi-year ice is also used in the winter.

Polar Bear Denning Areas are assigned a Special Management Area Designation that identifies cumulative impact concerns and provides direction to regulatory authorities to mitigate impacts on the areas.

[See Schedule A and Table 1 – Site # 49]

### 2.1.4 Walrus Haul – Outs

The Atlantic walrus plays a major role in the ecological function of the Arctic marine ecosystem and is an important part of the traditional subsistence economy for the Inuit of Nunavut. There are four distinct populations of Atlantic walrus in Canada, all of which reside in Nunavut.

Habitat requirements for walrus are very specific requiring sea ice and shallow water habitat in the winter, and low, rocky shores to congregate and “haul-out” in the summer and fall. They also have high site fidelity, returning to known locations year after year.

Walrus Haul – Outs are assigned a Special Management Area Land Use Designation that identifies cumulative impact concerns and provides direction to regulatory authorities to mitigate impacts on these areas.

[See Schedule A and Table 1 – Site # 50]

### 2.1.5 Marine Areas of Importance

The NSA contains diverse and productive marine ecosystems that host a variety of unique wildlife species. Almost all Nunavut communities are located on the coast, and Inuit have long relied on marine environments to provide essential food sources.

#### 2.1.5.1 Ecologically and Biologically Significant Areas (EBSAs)

Ecologically and Biologically Significant Areas (EBSAs) have been identified for the marine areas of the NSA. Due to limitations in available information, these areas have been identified at large spatial scales. It is anticipated that as available science, traditional knowledge, and understanding of these areas expands, future planning at finer scales may identify more specific management

requirements.

EBSAs are assigned a Mixed Use Land Use Designation. Direction to regulatory authorities is given to mitigate impacts on the areas.

[See Schedule B]

#### 2.1.5.2 Polynyas

Polynyas are areas of persistent open water surrounded by sea ice. These are important areas for wildlife as they provide access between the ocean and the atmosphere for many species and are nutrient rich, biologically productive areas. The location of polynyas may change over time due to climate change and other environmental factors, however they should continue to be highlighted and their location be reviewed as part of the periodic review of the Plan.

Polynyas are assigned a Mixed Use Land Use Designation. Direction to regulatory authorities is given to mitigate impacts on the areas.

[See Schedule B]

## 2.2 Transboundary Considerations

The Commission’s Objective is to:

- encourage the inter-jurisdictional management of land, air, and water resources; including both marine and fresh water.

Activities occurring in the NSA may impact areas outside the NSA. The Great Bear Lake watershed has been identified as an important area in the Sahtu region of the Northwest Territories, and a portion of the watershed is within the NSA. The Commission acknowledges the potential impact of Project Proposals in the watershed and recognizes opportunities for the inter-jurisdictional management of the area.

The portion of the Great Bear Lake watershed within the NSA is assigned a Mixed Use Land Use Designation. Direction to regulatory authorities is given to mitigate impacts on the area.

[See Schedule B]

Activities occurring outside the NSA may impact areas inside the NSA. The Commission is concerned about the potential transboundary impacts on the NSA from seismic

research, oil and gas exploration and hydroelectric development in adjacent areas.

Direction is given to government departments and agencies to consider requesting that the NIRB screen and review oil and gas exploration and development and hydroelectric development in adjacent areas for ecosystemic or socio-economic impacts on the NSA.

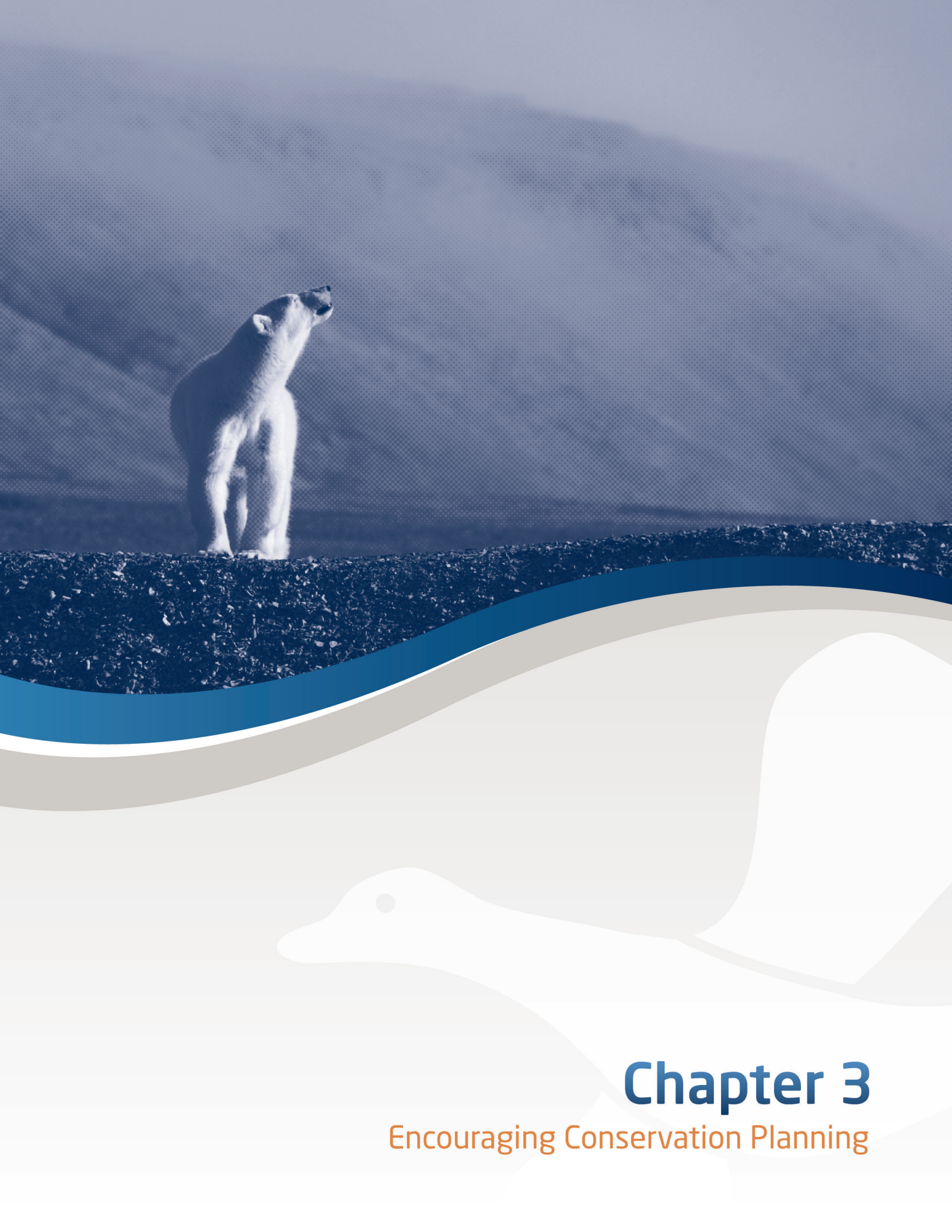
## 2.3 Climate Change

The Commission's Objective is to:

- control and minimize greenhouse gas emissions, monitor climate change impact, encourage the development and adoption of adaptation strategies, and consider issues relating to changes in the landscapes due to climate change, such as the loss of glaciated terrain and permanent snow.

The Commission considers climate change to be an important issue in the NSA. Changing ice conditions may have an impact on residents' use of the land, and many wildlife populations can be affected by changes to the unique habitat that they rely on. Transportation and infrastructure are also susceptible to impacts from changing ice and permafrost conditions.

Direction is given to regulatory authorities to address the Commission's objectives on climate change during the review of Project Proposals.



## Chapter 3

Encouraging Conservation Planning



The NPC Goal of conservation planning forms an important part of the land and resource management regime in Nunavut. Conservation planning recognizes that Parks and Conservation Areas may be established through legislation. The protection of other Areas of Interest may also be achieved through the application of zoning in the land use plan. The purpose of conservation planning is to protect the natural environment, culturally significant areas and special places for the benefit of Nunavummiut and all Canadians. This will be achieved by recognizing the general desirability to establish Parks in the NSA, supporting Conservation Area initiatives of Government, and by protecting Areas of Interest under the authority of the Plan.

The intent of the Encouraging Conservation Planning (ECP) Goal is to support environmental protection and management needs, including wildlife conservation, protection and management, taking into account factors such as the following:

- The natural resource base and existing patterns of natural resource use;
- Environmental considerations, including Parks and Conservation Areas, and wildlife habitat;
- Cultural factors and priorities; and
- Special local and regional considerations.

The following areas and issues have been identified to support the NPC Goal of encouraging conservation planning:

- Parks Awaiting Full Establishment;
- Proposed Parks;
- Proposed National Marine Conservation Areas (NMCAs);
- Thelon Wildlife Sanctuary;
- Migratory Bird Sanctuaries (MBSs);
- National Wildlife Areas (NWAs);
- Historic Sites; and
- Heritage Rivers.

## 3.1 Existing and Proposed Parks and Conservation Areas

The Commission's Objective is to:

- provide for the establishment and continued protection of the ecological integrity of Parks and Conservation Areas in Nunavut in order to

contribute to the conservation of representative terrestrial and marine ecosystems and their components.

### 3.1.1 Parks

The Commission recognizes the desirability of establishing National and Territorial Parks in the NSA. While land use plans developed by the Commission do not apply within established Parks, the Commission has a role in supporting the identification and establishment of Parks in the NSA.

#### 3.1.1.1 Parks Awaiting Full Establishment

##### National Parks Awaiting Full Establishment:

National Parks provide a country-wide system of representative protected areas. Areas awaiting full establishment under the *Canada National Parks Act* require interim management until they are established.

Ukkusiksalik National Park and Ward Hunt Island are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 51-52]

##### Territorial Parks Awaiting Full Establishment:

There are currently 12 Candidate Territorial Parks Awaiting Full Establishment in Nunavut, 4 of which are outside of municipal boundaries. Approved parks that have not yet been designated under the Territorial Parks Act require interim management until they are established.

Territorial Parks Awaiting Full Establishment outside of municipal boundaries are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 53-56]

#### 3.1.1.2 Proposed Parks

##### Proposed National Parks:

Four natural regions, either entirely or partially located within the NSA, are either not represented or only partially represented in the *National Park System Plan* with a National Park. Two of these regions are currently represented through proposed National Parks: a proposed National Park in the Kitikmeot Region (Bluenose Lake Area) contiguous to the existing Tuktu Nogait National Park (Tundra Hills Natural Region) and the proposed Qausuittuq National Park in the Qikiqtani Region on northern Bathurst Island (Western High Arctic

Natural Region). Another two natural regions (Southampton Plain and Ungava Tundra Plateau) are not currently represented by a National Park. There are no National Park proposals in place for these two latter regions.

On Bathurst Island, a land withdrawal through an Order in Council is in place for the proposed Qausuittuq National Park. Until a National Park is established and a boundary is agreed upon, the area requires interim management.

The proposed Qausuittuq National Park on Bathurst Island is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 58]

In addition to the areas covered by the proposed Qausuittuq National Park, the adjacent area to the east has been identified as important for the survival of the Peary caribou on Bathurst Island, which are listed as endangered under the *Species at Risk Act*.

The area adjacent to the Qausuittuq National Park on northeastern Bathurst Island is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 59]

A land withdrawal was in place for a proposed new National Park adjacent to the existing Tukturnogait National Park, but the withdrawal has lapsed. Parks Canada remains interested in proposing a National Park in this area, but a study area has not been identified. Until a National Park is established and a boundary is agreed upon, the area requires interim management.

The area identified for a proposed new national park in the Bluenose Lake Area is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 57]

### Proposed Territorial Parks:

The Aggutinni Proposed Territorial Park near Clyde River has undergone considerable background and feasibility study, has community and RIA support, but has not yet received final government approval. Until a Territorial

Park is established and a boundary is agreed upon, the area requires interim management.

The Aggutinni Proposed Territorial Park is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 60]

### 3.1.1.3 Proposed National Marine Conservation Areas

National Marine Conservation Areas (NMCAs) provide a network of representative protected areas, and the Commission recognizes the desirability of establishing NMCAs in the NSA. While land use plans developed by the Commission do not apply within established NMCAs, the Commission has a role in supporting the identification and establishment of NMCAs.

Lancaster Sound is acknowledged as one of the most important marine areas in the Arctic. A project is now underway to establish a NMCA in Lancaster Sound and a boundary for the area has been proposed. Until the NMCA is established and a boundary is agreed upon, the area requires interim management.

The proposed NMCA in Lancaster Sound is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 61]

### 3.1.2 Conservation Areas

The Commission recognizes the importance of Conservation Areas in the NSA, as defined under Article 8 of the NLCA, and supports their establishment and continued management as areas of particular significance.

#### 3.1.2.1 Thelon Wildlife Sanctuary

The Thelon Wildlife Sanctuary, established in 1927 to conserve muskox populations, straddles the border between Nunavut and the Northwest Territories. The lands are withdrawn from disposal under the *Territorial Lands Act*. The sanctuary supports a wide variety of wildlife, including populations of muskox, caribou, moose, wolves, grizzly bears, and migratory birds. The high biodiversity is largely due to the Thelon River valley, which provides a unique extension of boreal forest habitat hundreds of kilometres north of the tree line. Because of this unique habitat, the sanctuary is



likely to be an important movement corridor for many species expanding their ranges northward.

The Thelon Wildlife Sanctuary is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 62]

### 3.1.2.2 Migratory Bird Sanctuaries

Migratory Bird Sanctuaries (MBS) are established to protect migratory birds, their nests, eggs, and habitat. MBSs are established and managed on federal and/or private lands under the authority of the *Migratory Birds Convention Act* and the *Migratory Bird Sanctuary Regulations*. The *Migratory Bird Sanctuary Regulations* prohibit activities that are harmful to migratory birds, nests, eggs, and habitat, except under authority of a permit. There are currently eight MBSs in Nunavut.

MBSs are assigned a Protected Area Land Use Designation that prohibits incompatible uses, and includes setback requirements.

[See Schedule A and Table 1 - Site # 63-70]

### 3.1.2.3 National Wildlife Areas

National Wildlife Areas (NWAs) are established under the authority of the *Canada Wildlife Act* to protect wildlife and wildlife habitat for the purposes of conservation, research, and interpretation. The *Wildlife Area Regulations* identify activities that are prohibited within NWAs without a permit. In Nunavut, subsurface rights have been withdrawn for some but not all NWAs. There are currently five NWAs in Nunavut.

NWAs are assigned a Protected Area Land Use Designation that prohibits incompatible uses, and includes setback requirements.

[See Schedule A and Table 1 - Site # 71-75]

### 3.1.2.4 Historic Sites

#### National Historic Sites

A National Historic Site is a site, building, or other place of national interest or significance that has been commemorated by the Minister responsible for the Parks Canada Agency (PCA), under the *Historic Sites and*

*Monuments Act*. Land use plans developed by the Commission do not apply within National Historic sites administered by PCA. There are 12 National Historic Sites in the NSA, none of which are administered by PCA.

National Historic Sites are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 76-83]

#### Territorial Historic Sites

A Territorial Historic Site is a site that has been declared to be of historical significance to the territories according to the *Historic Resources Act*. There are four Territorial Historic Sites in the NSA.

Territorial Historic Sites are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 84-86]

### 3.1.2.5 Heritage Rivers

The Canadian Heritage Rivers System is Canada's national river conservation program. It promotes, protects and enhances Canada's river heritage, and ensures that Canada's leading rivers are managed in a sustainable manner. The Commission supports the intent of the Canadian Heritage Rivers System.

There are currently three designated Canadian Heritage Rivers within the NSA, each with its own management plan: the Thelon, Kazan and Soper. The management plans articulate how the heritage values of the rivers will be conserved. For the Thelon and Kazan Rivers, the management plans focus on a corridor extending 1 km from the river bank. The management plan for the Soper River considers the watershed of the river, a significant portion of which is included within Katannilik Territorial Park.

Portions of the Soper River watershed, outside Katannilik Territorial Park, are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 87]

The Thelon River and Kazan River are assigned a Special Management Area Land Use Designation that identifies cumulative impact concerns and provides direction to regulatory authorities to mitigate impacts on the areas.

[See Schedule A and Table 1 - Site # 88-89]



## Chapter 4

Building Healthier Communities



The promotion and strengthening of Inuit culture and heritage is integral to the NPC Goal of building healthier communities in Nunavut. It is also one of the fundamental objectives of the NLCA. Protection and promotion of the well-being of Nunavut's residents and communities is the primary purpose of land use planning under Article 11 of the NLCA, is implicit in other NLCA provisions, and is an inherent goal in land use related territorial and federal statutes and policies.

The intent of the Building Healthier Communities (BHC) Goal is to support community needs and cultural priorities, taking into account factors such as the following:

- Transportation and communication services and corridors;
- Energy requirements, sources and availability;
- Community infrastructural requirements, including health, housing, education and other social services;
- Cultural factors and priorities; and
- Special local and regional considerations.

The following areas and issues have been identified to support the NPC Goal of building healthier communities:

- Community areas of interest;
- Community Priorities and Values;
- Community Land Use;
- Areas of Equal Use and Occupancy;
- Denesuline Areas of Asserted Title Claim;
- Transportation infrastructure;
- Unincorporated communities;
- Alternative energy sources;
- Community drinking water supplies;
- Land remediation;
- Contaminated Sites;
- DND Establishments; and
- North Warning System sites.

## 4.1 Culture and Heritage

The Commission's Objectives are to:

- pay special attention to the rights and interests of Inuit;

- ensure the social, cultural, economic and environmental endeavours of the human community are central to land use planning and implementation;
- protect and preserve human remains and archaeological sites; and
- protect and preserve Nunavut's heritage resources.

### 4.1.1 Community Areas of Interest

The management of community areas of interest is a key aspect of building healthier communities. In the absence of legislation, the Commission supports the identification and management of these areas through land use planning. In many instances, important areas identified by communities are included in other key areas identified throughout this plan. The following areas have been identified by communities as important areas that do not have significant overlap with other areas discussed in the plan:

- Hiukitak River (Bathurst Inlet and Umingmaktok);
- Duke of York Bay (Coral Harbour and Repulse Bay);
- Foxe Basin Marine Area of Interest (Igloolik);
- Moffett Inlet (Arctic Bay);
- Nettiling Lake (Cape Dorset, Pangnirtung); and
- Walrus Island (Coral Harbour).

Community Areas of Interest are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 90-95]

### 4.1.2 Community Priorities and Values

During consultations, communities identified numerous priorities and values that have been taken into account in all areas considered in this plan. The Commission believes that further consideration of these priorities and values in the regulatory process will enhance decision making and support communities.

Direction is given to regulatory authorities, where appropriate, to mitigate impacts on the priorities and values identified by communities.

[See Table 3 and 4]

### 4.1.3 Community Land Use

Nunavummiut rely on migrating species for subsistence, and as a result, have a long established history of land use across much of the NSA. The Commission has been working to map this history, within living memory.

Direction is given to regulatory authorities to mitigate impacts on community land use.

[See Table 5]

### 4.1.4 Areas of Equal Use and Occupancy

Areas of Equal Use and Occupancy are lands that are jointly owned and managed between the Inuit of Northern Quebec (Nunavik) as represented by Makivik and the Inuit of Nunavut represented by Nunavut Tunngavik Incorporated as illustrated under Article 40 of the Nunavut Land Claims Agreement. These areas are generally located around the Salisbury and Nottingham Islands in the Hudson Strait; and the Bakers Dozen, King George and Sleeper Islands in the Hudson Bay.

Areas of Equal Use and Occupancy are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 96]

### 4.1.5 Denesuline Areas of Asserted Title Claim

Denesuline living in northern Manitoba and northern Saskatchewan have interests in lands in the southern Kivalliq region that they have traditionally used and continue to use. There are two areas of asserted title claim currently under negotiation: the Athabasca Denesuline Area of Asserted Title Claim under the Benoanie Litigation, and the Manitoba Denesuline Area of Asserted Title Claim under Samuel/Thorassie Litigation.

The Benoanie litigation commenced in 1991 has been in abeyance since 1999 to enable the Athabasca Denesuline and Canada to fully and finally settle, through an active and ongoing negotiation process, the treaty and aboriginal rights and title issues in Nunavut raised in the litigation.

Since 1999, the Samuel/Thorassie litigation has been in abeyance. Manitoba Denesuline and Government are actively negotiating resolution of the issues raised in the

litigation including Manitoba Denesuline Aboriginal and Treaty rights in Nunavut and Manitoba Denesuline Aboriginal title in Nunavut.

In order to facilitate the conclusion of these Aboriginal land agreements, certain tracts of land have been withdrawn from disposition.

Lands withdrawn to facilitate the conclusion of Denesuline land agreements are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 97]

Direction is given to regulatory authorities to mitigate impacts on the Priorities and Values of the Denesuline in the regulatory review of Project Proposals within the Areas of Asserted Title Claim.

[See Table 3]

## 4.2 Territorial and Community Infrastructure

The Commission's Objectives are to:

- take into account the development and maintenance of territorial and community infrastructure outside municipal boundaries, including existing and future energy sources, transportation and communication infrastructure.
- address environmental, economic, Inuit cultural and social concerns regarding transportation corridors, including all-season roads and marine shipping routes, and ship to shore activities.
- recognize that the development of resources requires efficient and safe transportation infrastructure and corridors.

### 4.2.1 Transportation Infrastructure

Transportation is a key element in accessing the natural resources of the NSA and building healthier communities. Current transportation infrastructure in Nunavut includes a system of airports to provide rapid, year-round delivery of people, services and perishable goods to communities, and seasonal sealifts to transport heavy durable goods from southern locations. There are no roads or rail lines connecting communities within Nunavut or to other provinces or territories, and because of the high cost of transportation infrastructure, a strategic approach is required to maximize benefits.

The most significant existing overland transportation infrastructure is the 110 km all-weather road now linking Baker Lake to the Meadowbank gold mine. This is a valuable asset that should be appropriately managed to ensure it will continue to provide benefits to the region. An existing tote road also connects the Mary River iron site to Milne Inlet.

Establishing surface links to the rest of Canada would promote resource development and tourism, and lower the costs of transporting goods to communities. There are several proposed transportation corridors in the NSA:

- Connection of the Kivalliq to Manitoba;
- Bathurst Inlet Port and Road (BIPAR) proposed road corridor;
- the Mary River railroad, as approved in the original Mary River project certificate;
- the proposed 350 kilometre all-weather access road and port for the Izok Corridor project;
- the proposed road for the Chidliak diamond project;
- the previous extension of the Tibbitt-Contwoyto winter road into Nunavut to Lupin and Jericho; and
- the road option under consideration for the Kiggavik uranium project.

In addition to surface links, marine transportation corridors and infrastructure are also an important component of future development in Nunavut. A growing number of goods, natural resources and tourists will navigate through the waters in the future. Major resource development will rely on the heavy lift capacity of marine transport to move ore to production and a decrease in sea ice due to changes in climate may extend shipping seasons and improve marine navigation conditions. Both factors could contribute to an increase in marine activity and will require mitigation measures to minimize potential impacts.

Currently, challenges exist in identifying future land and marine transportation needs due to the scale of the region, environmental factors and ever changing economic circumstances. As areas are identified as potential transportation corridors (surface and marine), they should be managed to ensure that this potential is not compromised.

Transportation Infrastructure is considered to conform to the requirements of the Plan in all areas of the NSA

except where explicitly prohibited. Proposed and existing transportation infrastructure is illustrated on Schedule A.

#### 4.2.2 Unincorporated Communities

Bathurst Inlet and Umingmaktok are unique unincorporated communities that are not recognized by the Government as municipalities. Because these unincorporated communities are not managed through municipal planning, there is a need to guide land use near the residential base of the communities.

Bathurst Inlet and Umingmaktok are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 98-99]

### 4.3 Alternative Energy Sources

The Commission's Objective is to:

- recognize the need for conservation and reduction in the use of energy and the need to identify alternatives to diesel fuel for electricity generation.

Energy generation in Nunavut is almost completely dependent on the burning of fossil fuels. There is a need to reduce reliance on imported fossil fuels and diversify the energy supply to include alternative energy sources. Alternative energy sources in Nunavut include water, wind, and solar. Hydro-electricity from water is currently the most viable option.

High potential sites have been identified for hydro-electric generation opportunities for the Kivalliq Region along the Thelon and Quoiich Rivers and for Iqaluit near Jaynes Inlet (Qikiqigijavik). These sites are unique locations that would benefit from management to ensure that the potential of the sites is maintained.

High potential sites for hydro-electrical generation are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 100-102]

### 4.4 Health and Safety

The Commission's Objectives are to:



- ensure land use activities and processes are not detrimental to the health, well-being and safety of Nunavut's residents and visitors;
- promote human and environmental health, paying particular attention to protecting community water sources; and
- support the responsible management and remediation of existing contaminated sites.

#### 4.4.1 Community Drinking Water Supplies

Clean drinking water supplies are an essential component of healthy communities. The quality and quantity of drinking water may be affected by land use activities within the entire watershed or catchment area of the water source.

The Commission has identified the watersheds for all currently used water sources based on the best available information. Work is ongoing to identify future and alternative water sources for each community, and this information will also be considered as it becomes available.

##### 4.4.1.1 Community Drinking Water Supplies within Municipal Boundaries

Many communities in the NSA draw drinking water from small lakes and catchment areas where the entire watershed is within the municipal boundary. In these instances, the municipal land use plans are able to provide direction on how land should be used to maintain the quality and quantity of drinking water.

Community water supply watersheds within Municipal Boundaries are assigned a Mixed Use Land Use Designation.

##### 4.4.1.2 Community Drinking Water Supplies outside of Municipal Boundaries

Drinking water may also come from watersheds that extend outside the municipal boundaries. In these instances, this Plan can support municipal efforts to manage land use within community drinking water supply watersheds.

Community water supply watersheds outside of Municipal Boundaries are assigned a Special Management Area Land Use Designation that identifies cumulative impact concerns and provides direction to regulatory authorities to mitigate impacts on these areas.

[See Schedule A and Table 1 - Site # 103-113]

#### 4.4.2 Land Remediation

The former Distant Early Warning (DEW) Line was a system of radar stations built in 1954 across the Arctic as the primary line of air defence warning for the North American Continent. The sites are administered by Aboriginal Affairs and Northern Development Canada (AANDC) and the Department of National Defence (DND). These sites are at different stages of remediation.

DEW Line Sites are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.  
[See Schedule A and Table 1 - Site # 114-115]

#### 4.4.3 Contaminated Sites

The Commission is required to identify and prioritize the requirements to clean-up waste sites in the NSA. The NPC must consider waste sites in the Kitikmeot region on priority. The Commission identified sites during the development of this Plan. The prioritization of sites is on-going. The Treasury Board Secretariat of Canada maintains the Federal Contaminated Sites Inventory that includes a detailed list of sites that are under federal responsibility. AANDC is the custodian of most federal lands in the North and is committed to managing a number of contaminated sites identified through its Northern Contaminated Sites Program (NCSP). The Commission supports the management of select sites in order to ensure the safety of residents and land users.

Contaminated Sites are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 116-129]

### 4.5 Sovereignty

The Commission's Objective is to:

- respect and provide for Canada's sovereignty over Canadian Arctic Waters.

#### 4.5.1 Department of National Defence Establishments

The Commission recognizes the contributions of Department of National Defence establishments in the NSA to national security, and supports the management of these facilities to ensure their continued utility:

- Canadian Armed Forces Station Alert is situated on the north eastern tip of Ellesmere Island in the Canadian Archipelago in Nunavut. It is the most northerly, permanent military facility in the Arctic with a total land area of 25,680 ha. Its role is to maintain signal intelligence facilities to support Canadian military operations.
- Eureka is a site shared by multiple Federal Departments such as Environmental Canada, Natural Resources Canada and Department of National Defence. The aerodrome is administered by Environment Canada. Fort Eureka (accommodation building located beside the aerodrome) is maintained by DND, a number of other buildings are located on the site and maintained by Environmental Canada such as the Weather station.
- Nanisivik is the future site of the deep-water naval facility and helipad located on Baffin Island, 40 km from the community of Arctic Bay in Nunavut. Once complete, the naval facility will support the Royal Canadian Navy and other Government of Canada operations.
- The High Arctic Data Communication System is a chain of six microwave repeaters used for communication purposes.

DND Establishments are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 130-136]

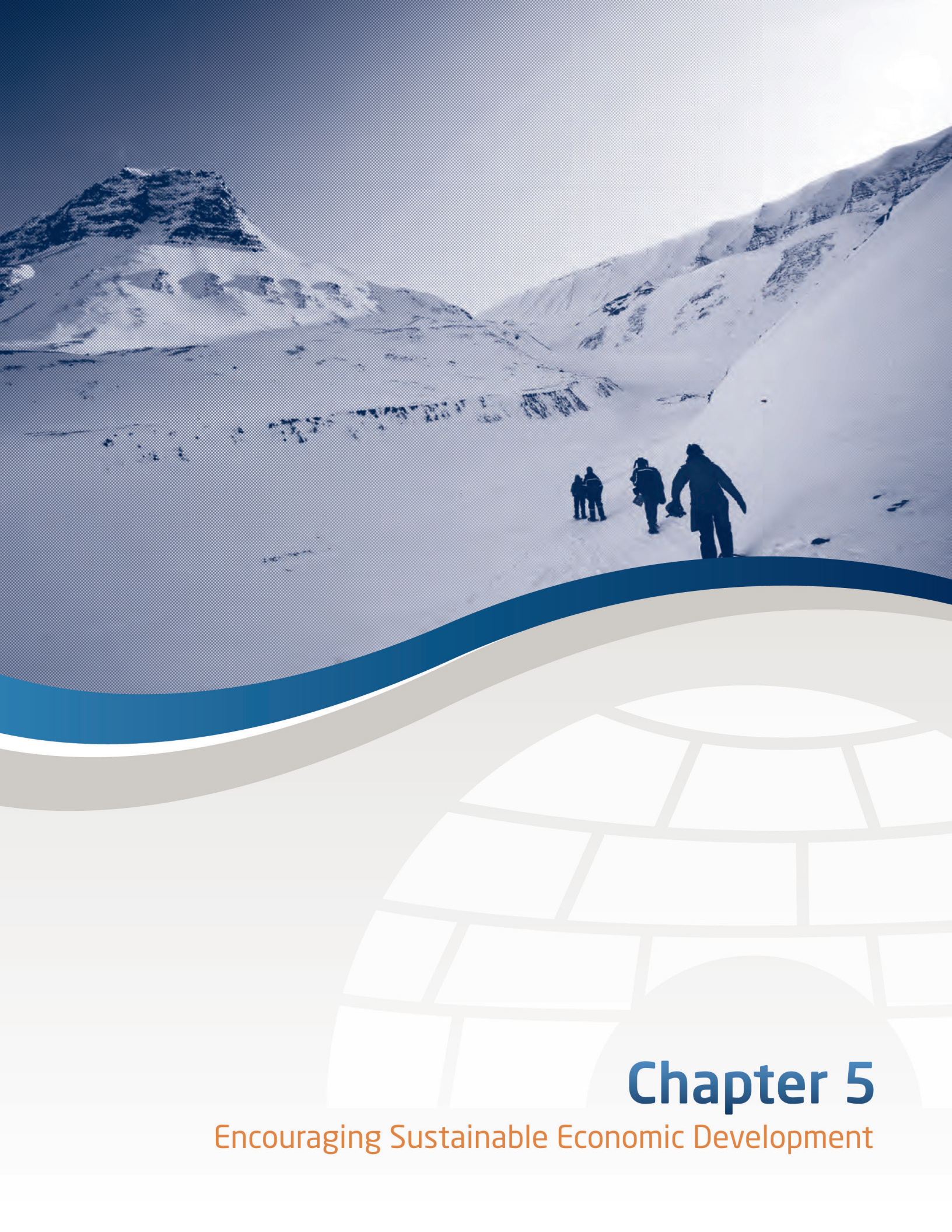
#### 4.5.2 North Warning System Sites

The North Warning System (NWS) replaced the former DEW Line following a modernization program in the late 1980s and 1990s. The role of the NWS is to provide surveillance of North America airspace. In Nunavut, there are 6 Long Range Radar Sites and 28 Short Range Radar Sites. These sites are vulnerable to activities that generate electromagnetic interference.

The NWS Sites are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 137-166]





# Chapter 5

## Encouraging Sustainable Economic Development



The NPC Goal of achieving the economic well-being of communities underlies many of the articles and provisions of the NLCA. It is inherent in the NLCA's objective of encouraging self-reliance and diverse economic opportunities for Nunavummiut and all Canadians which will arise from a long-term, healthy, sustainable renewable and non-renewable resource economy.

The intent of the Encouraging Sustainable Economic Development (ESED) Goal is to support economic opportunities and needs, taking into account factors such as the following:

- the natural resource base and existing patterns of natural resource use;
- transportation and communication services and corridors;
- energy requirements, sources and availability; and
- special local and regional considerations.

The following areas and issues have been identified to support the NPC Goal of encouraging sustainable economic development:

- Mineral potential;
- Oil and gas potential; and
- Commercial fisheries.

## 5.1 Diversified Economic Development

The Commission's Objectives are to:

- Encourage diversified economic development that increases employment, business opportunities, training and other benefits which includes, but is not limited to:
  - commercial harvesting of marine and terrestrial animals in a sustainable manner that is consistent with the goals of the NWMB, Hunters and Trappers Organizations and Government;
  - sustainable tourism and outfitting development;
  - long term strategies for mineral and petroleum resource development and use;
  - the arts sector, by ensuring access to, where appropriate, known sources of carving stone, flora and other natural materials used by artisans;

- sustainable fisheries;
- energy generation, supply and conservation, including alternative energy systems and renewable energy systems; and
- value added, spin off and cottage industries.
- Promote sustainable economic development.
- Recognize the economic goals, opportunities and needs of communities specifically, and the NSA generally.
- Promote research to improve and advance sustainable resource development in Nunavut.
- Maximize economic and social benefits to Nunavut communities and Inuit from development.
- Take into account geographic areas of value for non-renewable resources or other commercial values and identifies development opportunities associated with those areas.
- Ensure that the goals of any proposed restrictions on land use are achieved with the least possible impact on undiscovered mineral resources, while taking into account environmental and social objectives.
- Provide optimum protection to the renewable resource economy and maintains vital, healthy wildlife populations, capable of sustaining harvest.

### 5.1.1 Mineral Potential

Nunavut is recognized as one of Canada's most attractive jurisdictions for mineral exploration and investment. A number of areas in the territory are being explored for uranium, diamonds, gold and precious metals, base metals, iron, coal, and gemstones. There are several significant Projects anticipated to begin operations in the near future.

Areas of high mineral potential have been identified based on the locations of selected mineral occurrences, an examination of historical mineral tenure held in the territory, the extent of favourable geological units based on limited mapping, locations of current and past-producing mines, locations of advanced exploration projects, and those projects currently in the review and permitting stages.

The mining industry is a key contributor to Nunavut's economy with further potential benefits including jobs, infrastructure, education, skills, career development and local business opportunities. The Commission is

committed to supporting the further development of the mining industry and enabling its continued growth.

Areas of known high mineral potential are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 167]

Char and turbot areas of abundance are assigned a Mixed Use Land Use Designation. Direction to regulatory authorities is given to mitigate impacts on the areas.

[See Schedule B]

### 5.1.2 Oil and Gas Potential

Nunavut has proven oil and gas potential, notably in the Sverdrup basin, where there are several existing Significant Discovery Licences. Baffin Bay also has excellent potential, but the area remains relatively unexplored. Significant Discovery Licences, issued for discoveries proven by drilling a well, is one of three types of oil and gas licence, the others being an Exploration Licence and a Production Licence. At this time, only Significant Discovery Licences have been issued in Nunavut.

It is expected that the oil and gas sector in Nunavut will grow significantly if there are sustained high oil and gas prices or supply shortages, and it has the potential to be one of the most lucrative economic activities in Nunavut.

Areas of oil and gas potential, indicated by an SDL, are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 168]

### 5.1.3 Commercial Fisheries

The Commission recognizes the commercial fishing industry as important to a diversified and sustainable economy. Commercial fisheries are an emerging sector in Nunavut's economy, with turbot, char and shrimp currently being harvested. Activity in Nunavut's commercial fishing industry is predicted to grow.

While there are many areas of the NSA that currently support commercial fisheries, Cumberland Sound has been identified as a particularly important turbot fishing area for the community of Pangnirtung.

Cumberland Sound is assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 - Site # 169]





# Chapter 6

Mixed Use

Areas have been identified in the NSA that are able to support a wide variety of land uses. In these areas, the Commission encourages a range of land uses that promote the well-being of the residents and communities of the NSA. Providing for a diverse mix of land uses creates a positive environment for potential growth and the exploration of opportunities.

Areas that have been identified for their potential to support a variety of land uses are managed through a Mixed Use (MU) Land Use Designation.

As illustrated in Figure 2 the intent of Mixed Use Land Use Designations is to support a variety of opportunities and land use activity, taking into account factors such as the following:

- the potential for economic opportunity in the NSA;
- the potential for conservation initiatives in the NSA; and
- the social well-being of the residents of the NSA.

In Mixed Use Areas, all uses are considered to conform to the Plan, including mineral exploration and production, commercial fisheries, oil and gas activities, research, tourism, conservation initiatives, shipping, all weather roads, quarries, and hydro-electric energy production.

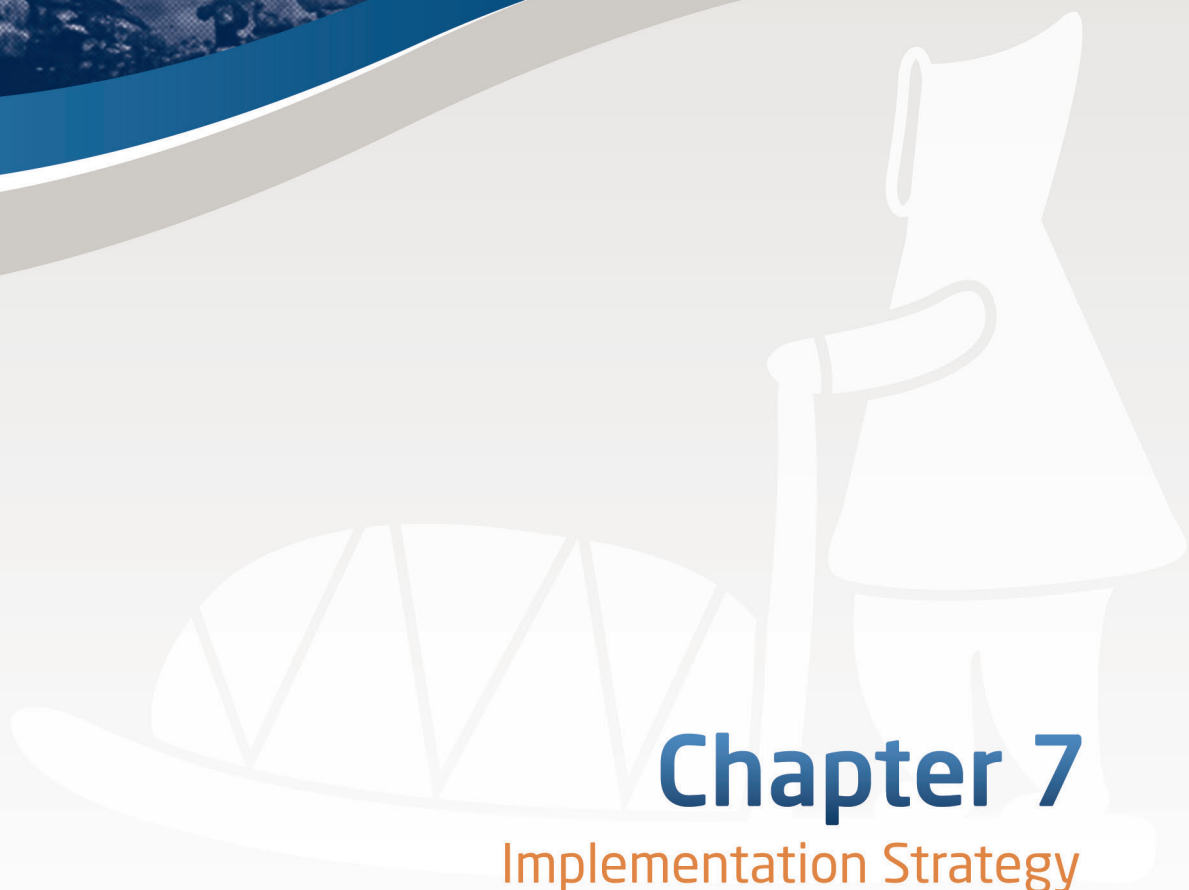
While all uses are considered to conform to the Plan in Mixed Use areas, many of the areas are subject to Direction to Regulatory Authorities to mitigate impacts on values and priorities that have been identified.

Where the foot print or study area of a project proposal occurs in more than one land use designation it will be considered to conform as long as all aspects of the project are considered to conform with the requirements of each Designation. For example, Project Proposals that conform to the Plan in a Protected Area or Special Management Area will also conform to the Plan in a Mixed Use Designation.

Figure 2: Mixed Use







# Chapter 7

Implementation Strategy



## 7.1 Responsibilities for Plan Implementation

Nunavut has an integrated regulatory system established by the Nunavut Land Claims Agreement. It is further defined by the *Nunavut Planning and Project Assessment Act* which is not in force yet and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

NUPPAA adds responsibilities to the Commission which will not be implemented before the Bill is enacted. For instance the Plan references an on-line public registry and timelines neither of which is in place. It is important to also recognize that this is a draft plan, and is open to additional input at the Public Hearing. Final revisions to the plan will occur after the Public Hearing and prior to submission for approval. The plan and the Nunavut Planning and Project Assessment Act (NUPPAA) will be new to the Nunavut regulatory system. To assist in understanding the relationship between the two the draft plan contains verbatim linkages to NUPPAA that are intended to aid the reader. The final version of the Plan will not contain verbatim references.

Through an integrated regulatory system, the Nunavut Planning Commission coordinates and cooperates with the Nunavut Impact Review Board, the Nunavut Water Board and other agencies to implement the Plan. Land use plans are implemented on the basis of jurisdictional responsibility. All federal and territorial government departments and agencies must conduct their activities and operations in accordance with the plan as approved. For clarity, each federal or territorial minister, each department or agency and each municipality must, to the extent of their authority to do so, implement any land use plan that is in effect and carry out their activities in conformity with it. Each regulatory authority must, to the extent of its authority to do so, ensure that any licence, permit or other authorization that it issues implements any applicable requirements of the Plan.

The Nunavut Planning Commission, as an Institution of Public Government, is responsible for preparing and implementing land use plans in a designated area which includes the Nunavut Settlement Area and Outer Land Fast Ice Zone. As a public land use planning agency, the NPC undertakes the following tasks to implement the plan:

- determine whether a project proposal is in conformity with the requirements of the Plan;

- consider requests for Minor Variances when the plan makes provision to do so;
- consider requests for Plan Amendment;
- monitor projects to ensure they are in conformity with the plan;
- conduct periodic reviews of the plan content; and
- undertake land use planning studies that will help further inform and implement the Broad Planning Policies, Objectives and Goals.

Central to the implementation of the Plan are the Institutions of Public Government (IPGs). Established under the Nunavut Land Claims Agreement, IPGs share responsibility for regulating and monitoring land use in Nunavut. The Nunavut Impact Review Board (NIRB) is responsible for screening, determining the scope of the project and when appropriate, reviewing the ecosystemic and socio-economic impacts of project proposals. The Nunavut Water Board (NWB) has responsibility and powers over the regulation, use and management of inland water in the NSA. The Nunavut Wildlife Management Board (NWMB) is the main instrument of wildlife management and the main regulator of access to wildlife in the Nunavut Settlement Area (NSA). The NWMB may also identify wildlife management zones and areas of high biological productivity and provide recommendations to the NPC with respect to planning in those areas. The Nunavut Surface Rights Tribunal (NSRT) is established for the purpose of providing an independent mechanism for the resolution of disputes arising from: 1) access to surface land in Nunavut; 2) claims for compensation arising from loss or damage to wildlife, carving stone and other specified substances from development in Nunavut.

## 7.2 Public Registry

The NPC is required under NUPPAA to develop an on-line Public Registry to support implementation of the Plan. The NPC on-line Public Registry will be located at [www.nunavut.ca](http://www.nunavut.ca).

The registry will contain information such as:

- notices of receipt of project proposals and a summary of the project, including a description of its nature and an indication of where it is to be carried out, and the proponent's name;
- annual reports related to the implementation of land use plans;

- reports related to: the results of public hearings to review draft plans, plan amendments, minor variances or project proposals undertaken in cases of emergencies;
- notices of public hearings;
- approved by-laws and rules;
- any draft land use plan and any comments received on its content; and
- any decisions it makes in relation to conformity determinations, plan amendments, minor variances and land use plans.

Application Forms and Technical Procedures used to implement the Plan through the various administrative processes described below are also available on the NPC on-line Public Registry.

### 7.3 Project Proposal Application

A proponent of a project to be carried out in the designated area must submit a project proposal to the NPC. In general, a Project Proposal consists of: a description of the proposed activity, its nature and location, as well as any supporting information that may assist the NPC in making a Conformity Determination.

The identification and inclusion of local Inuit Place Names with the submission of a Project Proposal would greatly assist residents with understanding the exact location of the project and its various activities. Local Inuit Place Names would also limit confusion within the community during the review and assessment of the project.

A proponent who intends to undertake two or more projects that are so closely related that they can be considered to form a single project must submit a single project proposal in respect to those projects.

Project Proposals should be submitted on the NPC on-line Public Registry. However, applications will be accepted at any NPC office either in person, by facsimile, mail or email.

The NPC will publish on its on-line Public Registry a notice of receipt of the project proposal once it is deemed to be complete. Interested parties may subscribe to receive a notification when Project Proposals are submitted or approved on the NPC on-line Public Registry. The notice will contain a summary of the project, including a description of its nature and an

indication of where it is to be carried out, and the proponent's name.

### 7.4 Land Use Designations and Terms

Three land use designations provide for the conservation, use and management of land: Protected Area, Special Management Area and Mixed Use. These Land Use Designations generally manage land use through the following concepts:

**Prohibited uses:** identify incompatible land uses that do not conform to the Plan.

**Terms:** identify requirements such as setbacks that land users must follow, as well as areas where there are cumulative impact concerns.

**Direction to Regulators:** identify issues that regulatory authorities, where appropriate, need to address during the regulatory review of Project Proposals.

**Priorities and Values:** identify priorities and values of residents that need to be considered in the design, review, and conduct of the activity. Priorities and Values can apply to all Land Use Designations.

The land use designation applied to each area may be specifically tailored to reflect the unique characteristics of the area. For instance:

#### Protected Area:

- Restricts access to uses that are incompatible with environmental and cultural values.
- May include terms to guide land use.
- May include direction to regulatory authorities.
- May identify priorities and values that NIRB, NWB and other regulatory authorities, where appropriate, need to mitigate impacts.

#### Special Management Area:

- May restrict access to some uses.
- Includes terms to guide land use.
- May include direction to regulatory authorities.
- May identify priorities and values that NIRB, NWB and other regulatory authorities, where appropriate, need to mitigate impacts.

#### Mixed Use:

- Allows all uses.
- May include direction to regulators.

- May identify priorities and values that NIRB, NWB and other regulatory authorities, where appropriate, need to mitigate impacts.

#### **Direction to Regulatory Authorities:**

- Direction to Government departments, agencies and other regulatory authorities.
- May identify priorities and values that NIRB, NWB and regulators, where appropriate, need to mitigate impacts.

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

Land Use Designations are illustrated on Schedule A. Each Protected Area and Special Management Area has a numeric identifier. The requirements applicable to each of these Land Use Designations identified on Schedule A are contained in Table 1.

The Mixed Use Designation provides for a mix of project proposals with varying characteristics to co-exist. All project proposals occurring in the Mixed Use Designation will be considered to conform to the Plan.

Where the foot print or study area of a project proposal occurs in more than one land use designation it will be considered to conform as long as all aspects of the project are considered to conform with the requirements of each Designation.

Direction to Regulatory Authorities identify operational activities that require the NIRB, NWB and federal or territorial government to take specific actions as described in Table 1 and Schedule B.

Priorities and Values are listed by Water Management Area for terrestrial areas and by community for marine areas in Tables 3 and 4. NIRB, NWB and other regulatory authorities, where appropriate, will need to determine mitigations measures to address Priorities and Values.

In some Special Management Areas identified on Schedule A, the NPC may refer Project Proposals falling within NLCA Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities. Project Proposals that may be considered to raise cumulative impact concerns will include uses such as:

- Low-level flights using fixed or rotary winged aircraft;
- Prospecting Permits and Leases;
- Studies for all weather roads;
- Seismic research;
- Transportation of goods, people or services by ship;
- Ice breaking in marine environments; and
- Use of less than 50 cubic metres of water per day and generate noise.

The NPC also works with the Nunavut Impact Review Board and Nunavut Water Board when determining if there is a concern regarding cumulative impacts.

## **7.5 Generally Permitted Uses**

The following project proposals are considered to conform to the Plan and may occur in any Land Use Designation:

- Remediation and Reclamation.
- Accessory Uses.
- Establishment of National Historic Sites administered by Parks Canada.

## **7.6 Existing Rights**

In accordance with NUPPAA transitional clauses the approved Plan does not apply to:

- (a) a project that is being assessed or is being, or has been, lawfully carried out on the day on which the Plan comes into force;
- (b) a project that was approved before the day on which the Plan comes into force, was commenced and then stopped or shut down for a period of less than five years, calculated from that day;
- (c) the rebuilding of a work that has been closed for a period of less than five years calculated from the day on which the Plan comes into force, if it relates to a project that was approved before that day and lawfully carried out; and
- (d) a project that was approved before the day on which the Plan comes into force and commenced within five years of that day.

For greater certainty a land use plan or plan amendment will not apply to project proposals with existing rights.

Despite the above, if, after the Plan comes into force, there is a significant modification to a project referred to in any of paragraphs (a) to (d), the Plan applies to that project.

## 7.7 Conformity Determinations

Under the *Nunavut Planning and Project Assessment Act* the NPC is the gatekeeper of an integrated regulatory system in the NSA.

All project proposals must be submitted to the NPC for a conformity determination against the requirements of the approved plan. Project proposals must conform to the requirements of the plan, receive a minor variance or ministerial exception before the project can advance for further consideration in Nunavut's regulatory system.

The NPC is the authority responsible for determining whether a project proposal carried out in the NSA conforms to the provisions of the Plan. The process by which the NPC makes this decision is referred to as a Conformity Determination.

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

The Commission must exercise its powers and perform its duties and functions related to reviewing project proposals within 45 days after receiving a complete project proposal application. NPC staff may, at any time during the assessment of a project proposal, make a written request to the proponent for additional information. Any time required for the proponent to provide additional information does not count as part of the 45 day period. If the proponent fails to provide the information required the Commission may suspend its assessment activities until the proponent provides that information and must make the reasons for the suspension public. If a proponent does not provide the information requested within three years after the day on which the request was made, the assessment of the project is terminated.

### Project Proposal Considered To Conform

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

If the project is not exempt from screening the NPC must send the project proposal with its conformity determination and any recommendations to NIRB in order for it to conduct a screening.

### Project Proposal Exempt from Screening

#### No Cumulative Impacts Concerns

If a project is exempt from screening and the NPC does not have concerns in respect of the cumulative impacts it must indicate in the decision that the assessment of the project has been completed. The proponent may carry out the project, in accordance with any requirements of the Plan and subject to obtaining any licence, permit or other authorization required by or under any Act of Parliament or any territorial law and complying with any other requirements set out in such an Act or law. For greater certainty, a regulatory authority may impose, to the extent of its authority to do so, requirements that are in addition to, or more stringent than, the requirements of the Plan.

A regulatory authority may consult the Commission with a view to determining the most effective means of complying with its obligation to implement the requirements of the Plan and may, for that purpose, send a draft licence, permit or other authorization to the Commission in order to obtain its comments and recommendations.

#### Cumulative Impacts Concerns

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



## Project Does Not Conform

If the Commission determines that the project is not in conformity with an applicable land use plan, it must verify whether the Plan authorizes it to grant a minor variance with respect to such a project and whether the conditions set out in the Plan are met.

If the Project Proposal is not eligible for a Minor Variance, the proponent may:

- modify and resubmit the Project Proposal;
- request a Ministerial exemption from the requirements of the Plan;
- apply for a Plan Amendment; or
- abandon the Project Proposal.

## Project Proposals Exempt From Conformity Determination

The following project proposals are exempt from the requirements of the Plan. Projects undertaken in cases where:

- an emergency has been declared by the appropriate federal or territorial Minister; or
- for National Security as declared by the Minister of National Defence.

A flowchart of the Review of Project Proposals is included in Figure 3.

## 7.8 Minor Variance

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

Major changes to the Plan such as requesting that a project proposal for a land use prohibited by the Plan be considered as conforming to the requirements of the Plan will not be considered as eligible for a Minor Variance.

A request for a minor variance will only apply to Terms that include setbacks or seasonal restrictions. To be considered minor the change must be less than a 50% reduction to: the distance established by a setback or; the timing of a seasonal access restrictions as established in the Plan.

The conditions that will be considered to determine if a project proposal is eligible for a minor variance are:

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

If the Commission determines that a project is not in conformity with an applicable land use plan, any time required for the exercise of powers or the performance of duties or functions relating to minor variances does not count as part of the 45 day period.

If the land use plan authorizes the granting of minor variances and if the conditions are met the Commission may, within 20 days after its determination that the project is not in conformity with the Plan either; grant a minor variance or refuse to grant a minor variance.

Before granting a minor variance the Commission must make the proposed minor variance public and must do so in a manner designed to promote participation in its examination by the public. Public reviews will, whenever necessary, coincide with regularly scheduled meetings of the Commission's Board of Directors.

Any interested person may, within 10 days after the proposed minor variance is made public, indicate to the Commission in writing that the proposed minor variance should not be granted because:

- (a) the land use plan does not authorize the granting of the minor variance;
- (b) the conditions subject to which a minor variance may be granted are not met; or
- (c) the minor variance is not appropriate, in their opinion, for any other reason that they specify.

The Commission may only grant a minor variance after taking into account any reasons for which an interested person has indicated that it should not be granted and, if it considers it appropriate to do so, conduct a public

review and take into account any submissions made during that review.

If the Commission conducts a public review of a Minor Variance any time required to conduct it does not count as part of the 45 day period.

If the Commission is of the opinion that more time is needed to make a decision it may extend the period by up to 10 days and must notify the proponent of the extension in writing.

If a minor variance is granted the Commission must verify whether the project is exempt from screening and whether it has cumulative impacts concerns.

## 7.9 Ministerial Exemption

If the Commission determines that the project is not in conformity with the Plan, the proponent may request an exemption from the federal Minister or the territorial Minister, or both, taking into account their respective jurisdictions, within 60 days after that determination, if:

- (a) the land use plan does not authorize the granting of a minor variance or if the conditions are not met; or
- (b) the Commission's decision is to refuse to grant a minor variance.

The Minister or Ministers, as the case may be, must, within 120 days after receiving a request either:

- (a) grant the exemption, in which case the Commission must make the decision public, verify whether the project is exempt from screening and whether it has any cumulative impacts concerns; or
- (b) refuse the exemption.

An exemption may only be granted after consultation with the Commission and the relevant regulatory authorities and relevant departments or agencies that are not regulatory authorities.

If a Minister who has received a request is of the opinion that more time is needed to make a decision, that Minister may extend the period by up to 60 days and must notify the proponent and the Commission of the extension in writing.

For greater certainty, the Commission is not authorized to send the project proposal to the NIRB if it has determined that the project is not in conformity with the Plan and no minor variance or ministerial exemption has been granted.

If the Commission determines that a project is not in conformity with an applicable land use plan, any time required for the exercise of powers or the performance of duties or functions relating to ministerial exemption does not count as part of the 45 day period.

## 7.10 Plan Amendment

The NPC will consider all applications for Plan Amendment. Plan Amendments will be considered for major changes to the Plan such as: formal updates to the Plan content, changes to uses considered to conform or are listed as prohibited under land use designations, changes to the application of terms and direction to regulators.

The federal minister, the territorial Minister, the Designated Inuit Organization or any person, including a corporation or other organization may propose an amendment to the Land Use Plan at any time.

The NPC must consider the proposed amendment and, if it considers it appropriate to do so, conduct a public review.

If the NPC conducts a public review in respect of a proposed amendment, the NPC must make the proposal public in a manner that is designed to promote public participation in its examination. Public reviews will, whenever necessary, coincide with regularly scheduled meetings of the Commission's Board of Directors.

The NPC must consider the submissions made during the public review in respect of a proposed amendment and may make any revisions to the proposed amendment that it considers appropriate

The NPC must submit the original or revised proposed plan amendment to the federal Minister and the Designated Inuit Organization with a written report of any public review and its recommendation as to whether the amendment should be accepted or rejected, in whole or in part

To determine whether a Plan Amendment should or should not be granted, the NPC will:

- (a) Review the request and supporting material.
- (b) Request any additional information, studies or reports by recognized and qualified professionals that may be needed to support the application.
- (c) Notify the public of the request on the NPC On-line Public Registry and through relevant media sources.

(d) Review all public feedback, information, reports and any other applicable information and establish whether or not the proposed amendment would:

- maintain the intent of the Plan;
- result in an incompatible or obnoxious land use when viewed in the context of surrounding uses or interests;
- have an adverse impact on wildlife, wildlife habitat or community land use;
- contribute to the implementation of the Commission's Broad Planning Policies, Objectives and Goals;
- protect and promote the existing and future well being of the residents and communities of the NSA, taking into account the interests of all Canadians; and
- be consistent with the specific planning objectives and planning variables identified for any applicable planning region the factors referred to in section 11.3.1 of the NLCA; Inuit objectives for Inuit Owned Lands and the priorities and values of residents.

(e) Generate a report compiling the above information and prepare options to address the Plan Amendment.

Based on all available information, the NPC will then make a recommendation to the Ministers whether the proposed Plan Amendment should be accepted or rejected.

## 7.11 Periodic Review and Monitoring

The Commission may review the Plan periodically to verify whether, and the extent to which, it continues to:

- achieve the purpose of land use plans set out in the NLCA;
- support the implementation of the Commission's Broad Planning Policies, Objectives and Goals, and
- provide for the conservation and use of land and guide and direct resource use and development.

The NPC is committed to ensuring the Plan continues to reflect the changing needs and environment of the NSA and its residents. As part of this commitment, the NPC will review and monitor the provisions of the Plan and rely on plan amendments over the short term to keep the plan current and address planning partner concerns.

The NPC will prepare an annual report to the Ministers and DIO's regarding the implementation of the Plan. The annual report will include, but not be limited to, the following information:

- (a) the number and nature of plan amendments that were accepted or rejected;
- (b) the number and nature of Minor Variances that were granted or refused;
- (c) the number and nature of applications for conformity determination;
- (d) the number and nature of projects found not to conform with the Plan;
- (e) the number and nature of projects that were granted or refused a ministerial exemption;
- (f) the number and nature of violations of projects with regard to the applicable requirements of the Plan and the enforcement activities taken in response to the violations; and
- (g) the statistics on the time taken to process applications associated with items (a) to (e).

The NPC, in conjunction with its Planning Partners, will monitor projects to determine whether they are operating within the parameters which they were considered. In fulfilling this responsibility, the NPC may:

- (a) Conduct site visits;
- (b) Review permits, licenses and authorizations issued by Regulatory Authorities;
- (c) Consider monitoring and inspection reports from NIRB, DIOs and other agencies; and
- (d) Consult with Planning Partners.

A Periodic Review should occur every 5 years. This process may be a combination of formal and informal processes. Such a review could include consideration of questions in relation of the Plan content such as:

- (a) Are the requirements of the Nunavut Land Claims Agreement being achieved?
- (b) Do the NPC's Broad Planning Policies, Objectives and Goals reflect current values and political views?
- (c) Have specific planning objectives and planning variables identified for the Planning Regions been met?
- (d) Are Inuit objectives for IOL being achieved?
- (e) Does the Plan efficiently guide and direct resource use and development?

- (f) Is the Plan effectively providing for the conservation and use of land?
- (g) Have plan amendments undertaken to incorporate the results from research and additional planning studies improved decision making?
- (h) Do the results of the annual reporting on plan implementation and project monitoring identify matters that require substantial changes to the Plan?
- (i) What is the level of planning partner satisfaction with the Plan?

Information obtained from the annual reporting and periodic review provides important information on the effectiveness of the Plan and areas in which it should improve. The Commission may, in conducting its periodic review of the land use plan, hold a public hearing.

The Commission will also evaluate the results of its annual reports and periodic reviews to determine the timing or need for a comprehensive review and revision of the entire Plan content. When a periodic review determines that a comprehensive revision of the Plan should be undertaken, this will be a public process. A review of the Commission's Broad Planning Policies, Objectives and Goals will precede a comprehensive public review of the Plan.

## 7.12 Additional Research and Studies

The NPC recognizes that support from Planning Partners is essential to advance the objectives and initiatives identified by the Plan. Initiating and completing studies and research to further the policies and objectives of the Plan cannot be achieved without involvement from all Planning Partners.

Additional land use planning studies that will guide the implementation of the Plan include undertaking regional and sub-regional land use planning studies to allow for more comprehensive analysis of land use planning issues. When appropriate to do so, regional and sub-regional planning studies should rely on watershed and water management areas as the study boundary.

To support on-going planning studies the following is a list of research priorities, in no particular order, from which the information collected would support the fulfilment of the NPC responsibilities:

- Caribou:

- Identify acceptable noise levels to minimize disturbance on caribou from industrial project proposals and low flying aircraft during the sensitive calving and post-calving times and regular seasonal activities.
- Climate Change:
  - Identify how increases in the amount of fresh water entering the marine environment will impact salinity levels and temperature of key marine habitats over time;
  - Identify how changing salinity levels and temperature will affect food sources of sea mammals;
  - Identify how changing salinity levels and temperature may cause changes in the location of historic hunting grounds for sea mammals and location of floe edges and polynyas.
- Cumulative Impacts:
  - Identify acceptable thresholds and indicators to manage the impacts from commercial and industrial project proposals on:
    - fresh water quality within Nunavut's Water Management Areas and smaller watersheds under development pressures;
    - marine mammals from commercial shipping;
    - the ability of Inuit to travel on sea ice as a result of regular ice breaking; and
    - important habitat relied upon by walrus, polar bear, seals, whales, caribou and migratory bird species.
- Oil Exploration, Development and Transportation:
  - Identify how potential oil spills will react and impact marine and coastal ecosystems by determining processes for tracking the movement and dispersal of oil under sea ice, and methods to enable the clean-up of spills when sea ice is present, and
  - Identify how seismic research impacts sea mammals.
- Sea Mammals:
  - Identify acceptable noise levels to minimize disturbance on walrus when on sensitive



walrus haul outs from commercial and industrial project proposals, and

- Identify acceptable noise levels to minimize disturbance from ocean shipping on walrus, seal and whales.

In addition to the research priorities noted above, other issues that were raised during community consultations that may be considered as priority include: concerns raised with mining activity on the Belcher Islands and the impacts on fresh water and cultural values; transboundary impacts from hydro development in Quebec and Ontario on sea mammals and Eider duck bird habitat near the Belcher Islands; cumulative impacts of research projects undertaken in the high Arctic and Ellsemere Island, specifically; managing impacts of mining development in caribou calving and post calving grounds; identification and management of transportation infrastructure including all weather roads, shipping and ice breaking;

The Commission also encourages on-going Use and Occupancy research to collect land use information from residents to understand trends and patterns in Inuit land use, and the further consideration of important areas identified during community consultation workshops.

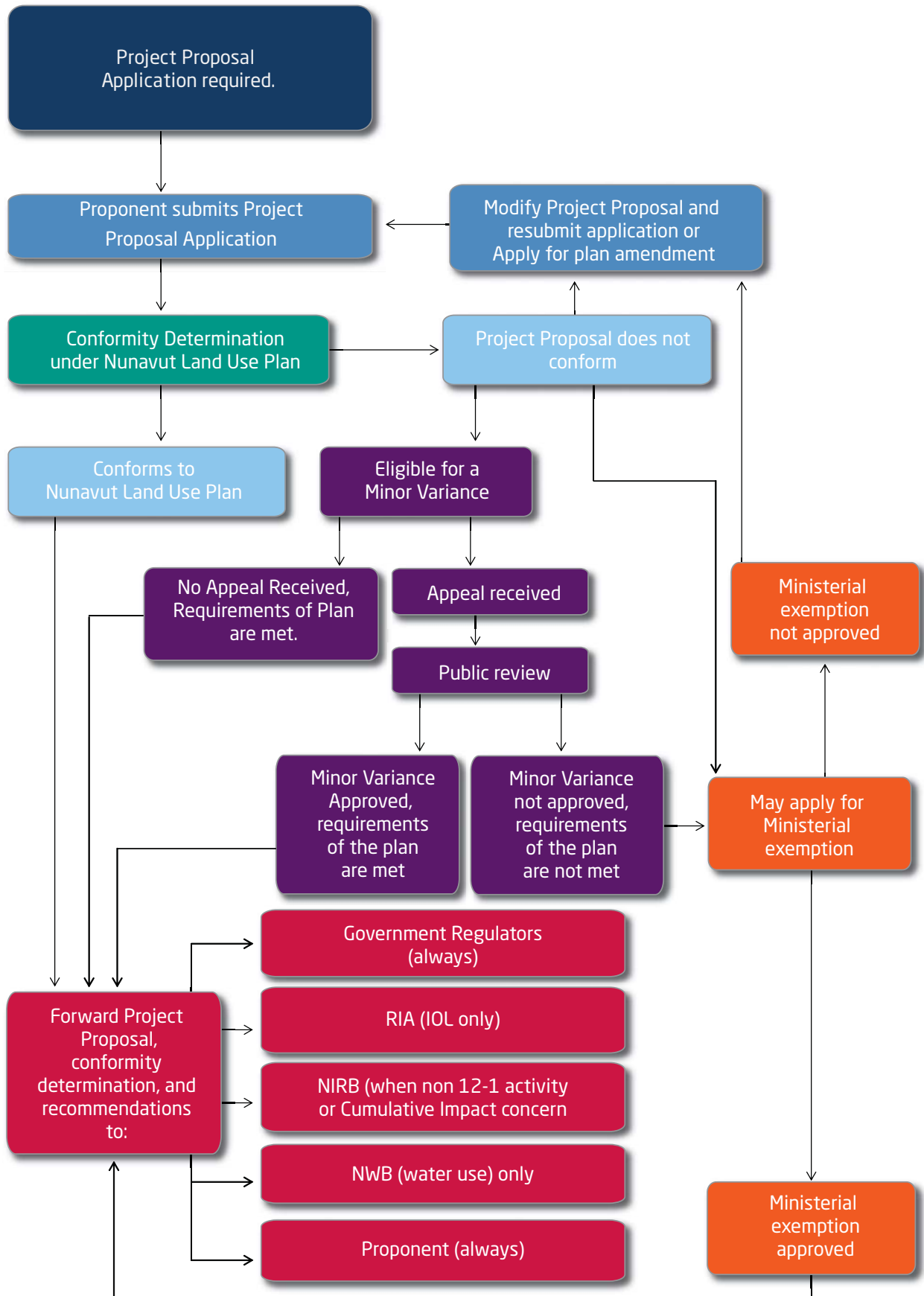
### 7.13 Enforcement

The federal Minister may designate any employee, or class of employees, of a department or agency to exercise powers related to verifying compliance or preventing non-compliance with the *Nunavut Planning and Project Assessment Act* once enacted.

Any project proposal that has not received a minor variance or ministerial exception and contravenes the requirements of Table 1 is considered to be a prohibited use.



Figure 3: Review of Project Proposals



**Table 1: Land Use Designations**

1	Key Bird Habitat Site - Coats Island Lowlands	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	
2	Key Bird Habitat Site - Boas River (Outside of MBS)	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial setbacks) and coastal waterfowl and seaducks (marine and terrestrial) during the issuance of permits, licences and authorizations.</p>	
3	Key Bird Habitat Site - McConnell River (outside of MBS)	[Special Management Areas]
4	Key Bird Habitat Site - Middle Back River	
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	
5	Key Bird Habitat Site - Frozen Strait	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"><li>• Oil and gas exploration and production;</li><li>• Related research</li></ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
6	Key Bird Habitat Site - Adelaide Peninsula	[Special Management Areas]
7	Key Bird Habitat Site - Melbourne Island	
8	Key Bird Habitat Site - South Eastern Victoria Island	
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	

9	Key Bird Habitat Site - Bathurst / Elu Inlets	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial setbacks) and coastal waterfowl and seaducks (marine and terrestrial) during the issuance of permits, licences and authorizations.</p> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p>	
10	Key Bird Habitat Site - Kagloryuak River	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	
11 12	Key Bird Habitat Site - Lambert Channel Key Bird Habitat Site - Nordenskiöld Islands	[Protected Areas]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
13	Key Bird Habitat Site - Rasmussen Lowlands	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	



14 15	Key Bird Habitat Site - Cape Graham Moore Key Bird Habitat Site - Cape Hay	[Special Management Areas]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
16	Key Bird Habitat Site - Cape Liddon	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine) and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	
17	Key Bird Habitat Site - Frobisher Bay	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds and coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
18	Key Bird Habitat Site - Hell Gate and Cardigan Strait	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), all seabirds (aerial and terrestrial), and coastal waterfowl and seaducks (aerial) during the issuance of permits, licences and authorizations.</p>	
19	Key Bird Habitat Site - North Spicer Island	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for sea-level nesting birds (marine), and coastal waterfowl and seaducks (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	

20 21	Key Bird Habitat Site - Prince Leopold Island outside of MBS Key Bird Habitat Site - Scott Inlet	[Special Management Areas]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	
22	Key Bird Habitat Site - Seymour Island (outside of MBS)	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds (aerial), and ivory gulls (terrestrial) during the issuance of permits, licences and authorizations.</p>	
23	Key Bird Habitat Site - Abbajalik and Ijutuk Islands	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
24	Key Bird Habitat Site - Baillarge Bay outside of Sirmilik National Park	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	

25	Key Bird Habitat Site - Belcher Islands	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
26 27	Key Bird Habitat Site - Buchan Gulf Key Bird Habitat Site - Cape Searle / Reid Bay (outside of NWAs)	[Protected Areas]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	
28	Key Bird Habitat Site - Cheyne Islands	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial), sea level coastal nesting birds (marine), and all seabirds (terrestrial and marine) during the issuance of permits, licences and authorizations.</p>	
29	Key Bird Habitat Site - Creswell Bay	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks (aerial), all seabirds (marine), and all migratory birds (terrestrial) during the issuance of permits, licences and authorizations.</p>	

30	Key Bird Habitat Site - East Axel Heiberg Islands	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	
31	Key Bird Habitat Site - Eastern Devon Island	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for ivory gulls (marine and terrestrial), and all seabirds (aerial) during the issuance of permits, licences and authorizations.</p>	
32 33	Key Bird Habitat Site - Eastern Jones Sound Key Bird Habitat Site - Eastern Lancaster Sound	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
34	Key Bird Habitat Site - Fosheim Peninsula	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	



35 36	Key Bird Habitat Site - Foxe Basin Islands	[Protected Areas]
	Key Bird Habitat Site - Great Plain of the Koukdjuak (outside of Dewey Soper MBS)	
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seabirds during the issuance of permits, licences and authorizations.</p>	
37	Key Bird Habitat Site - Grinnell Peninsula	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
38	Key Bird Habitat Site - Hobhouse Inlet	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
39	Key Bird Habitat Site - Inglefield Mountains	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds (aerial) and ivory gulls (terrestrial) during the issuance of permits, licences and authorizations.</p>	

40	Key Bird Habitat Site - Markham Bay	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seabirds during the issuance of permits, licences and authorizations.</p>	
41	Key Bird Habitat Site - Nasaruvaalik Island	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds, and coastal waterfowl and seabirds during the issuance of permits, licences and authorizations.</p>	
42	Key Bird Habitat Site - North Water Polyna	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Oil and gas exploration and production;</li> <li>• Related research</li> </ul> <p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
43	Key Bird Habitat Site - Northwestern Brodeur Peninsula	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds (aerial) and ivory gulls (terrestrial) during the issuance of permits, licences and authorizations.</p>	

44	Key Bird Habitat Site - Sabine Peninsula	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
45 46	Key Bird Habitat Site - Sleeper Islands Key Bird Habitat Site - Western Cumberland Sound Archipelago	[Protected Area]
	<p><b>Prohibited Uses:</b> Activities associated with these uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mining;</li> <li>• Oil and gas;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
47	Core Caribou Calving and post-calving areas	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul>	
48	Core Caribou Calving and Post-Calving Areas with High Mineral Potential	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulatory Authorities, where appropriate, need to mitigate impacts on calving and post-calving areas.</p>	
49	Polar Bear Denning	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> Regulators, where appropriate, need to mitigate impacts on polar bear habitat.</p>	

50	Walrus Haul-outs	[Special Management Area]
	<p><b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.</p> <p><b>Direction:</b> NIRB and other regulators, where appropriate, need to mitigate impacts on walrus haul-outs.</p>	
51 52 53 54 55 56 57 58 59 60	National Parks Awaiting Full Establishment - Ward Hunt Island National Parks Awaiting Full Establishment - Ukkusiksalik Katannilik Territorial Park Mallikjuaq Territorial Park Sylvia Grinnell Territorial Park Inuujaarvik Territorial Park Proposed National Park - Blue Nose Lake Area Proposed National Park - Quasuittuq (Bathurst Island) Peary Caribou Habitat Adjacent to Proposed Quasuittuq National Park Aggutinni Study Area	[Protected Areas]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul>	
61	Proposed Lancaster Sound National Marine Conservation Area	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development; and</li> <li>• Related research</li> </ul>	
62	Thelon Wildlife Sanctuary	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul>	



63 64 65	East Bay Migratory Bird Sanctuary Harry Gibbons Migratory Bird Sanctuary McConnell River Migratory Bird Sanctuary	[Protected Areas]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seabirds during the issuance of permits, licences and authorizations.</p>	
66	Queen Maud Gulf Migratory Bird Sanctuary	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seabirds, and all migratory birds (aerial and marine) during the issuance of permits, licences and authorizations.</p>	
67	Bylot Island Migratory Bird Sanctuary outside of National Park	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
68	Dewey Soper Migratory Bird Sanctuary	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial), and coastal waterfowl and seabirds (marine and terrestrial) during the issuance of permits, licences and authorizations.</p>	

69	Prince Leopold Island Migratory Bird Sanctuary	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	
70	Seymour Island Migratory Bird Sanctuary	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for ivory gulls (terrestrial), and all seabirds (aerial and marine) during the issuance of permits, licences and authorizations.</p>	
71	Akpait National Wildlife Area	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	
72	Ninginganiq National Wildlife Area	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences and authorizations.</p>	

73	Nirjutiqavvik National Wildlife Area	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences and authorizations.</p>	
74	Polar Bear Pass National Wildlife Area	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>	
75	Qaulluit National Wildlife Area	[Protected Area]
	<p><b>Prohibited Uses:</b> The following uses are prohibited:</p> <ul style="list-style-type: none"> <li>• Mineral exploration and production;</li> <li>• Oil and gas exploration and production;</li> <li>• Quarries;</li> <li>• Hydro development;</li> <li>• All-weather roads; and</li> <li>• Related research</li> </ul> <p><b>Direction:</b> Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for northern fulmar (marine), and all seabirds (aerial and terrestrial) during the issuance of permits, licences and authorizations.</p>	

76	National Historic Sites of Canada - Kodlunarn Island	[Protected Areas]
77	National Historic Sites of Canada - Inuksuk	
78	National Historic Sites of Canada - Port Refuge	
79	National Historic Sites of Canada - Wreck of the HMS Breadalbane	
80	National Historic Sites of Canada - Beechey Island Sites	
81	National Historic Sites of Canada - Erebus and Terror	
82	National Historic Sites of Canada - Fall Caribou Crossing	
83	National Historic Sites of Canada - Arvia’juaq and Qikiqtaarjuk	
84	Historical Sites - Dealy Island	
85	Historical Sites - Beechey Island	
86	Historical Sites - Marble Island	
<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Quarries;</li><li>• Hydro development;</li><li>• All-weather roads; and</li><li>• Related research</li></ul>		
87	Soper Canadian Heritage River Management Area	[Protected Area]
<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Quarries;</li><li>• Hydro development;</li><li>• All-weather roads; and</li><li>• Related research</li></ul>		
88	Kazan Heritage River	[Special Management Area]
89	Thelon Heritage River	
<b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region.		
<b>Direction:</b> The NWB, where appropriate, needs to mitigate the impacts of the following project proposals on the waters flowing into the heritage river to ensure that the integrity of the river system is maintained: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Quarries;</li><li>• Hydro development;</li><li>• All-weather roads; and</li><li>• Related research</li></ul>		
90	Community Area of Interest - Hiukitak River	[Protected Area]



95	<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Quarries;</li><li>• Hydro development;</li><li>• All-weather roads; and</li><li>• Related research</li></ul>	
91	<b>Community Area of Interest - Duke of York Bay</b>	<b>[Protected Area]</b>
	<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Hydro development; and</li><li>• Related research</li></ul>	
92	<b>Community Area of Interest - Foxe Basin</b>	<b>[Protected Area]</b>
93	<b>Community Area of Interest - Moffett Inlet</b>	
	<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Commercial shipping;</li><li>• Cruise ships;</li><li>• Hydro development; and</li><li>• Related research</li></ul>	
94	<b>Community Area of Interest - Nettilling Lake</b>	<b>[Protected Area]</b>
95	<b>Community Area of Interest - Walrus Island</b>	
96	<b>Areas of Equal Use and Occupancy</b>	
97	<b>Denesuline Land Withdrawals</b>	
	<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Quarries;</li><li>• Hydro development;</li><li>• All-weather roads; and</li><li>• Related research</li></ul>	
98	<b>Unincorporated Community - Bathurst Inlet</b>	<b>[Protected Areas]</b>
99	<b>Unincorporated Community - Umingmaktok</b>	
	<b>Prohibited Uses:</b> The following uses are prohibited: <ul style="list-style-type: none"><li>• Mineral exploration and production;</li><li>• Oil and gas exploration and production;</li><li>• Hydro development; and</li><li>• Related research</li></ul>	
100	<b>Alternative Energy Sources - Jaynes Inlet Reservoir</b>	<b>[Special Management Areas]</b>
101	<b>Alternative Energy Sources - Quoich River Reservoir</b>	
102	<b>Alternative Energy Sources - Thelon River infrastructure</b>	

	<b>Prohibited Uses:</b> All uses are prohibited within 100m of the three high potential alternative energy sites, except activities associated with hydro-electrical generation.	
103	Community Water Source Watershed - Pangnirtung	[Special Management Areas]
104	Community Water Source Watershed - Grise Fiord	
105	Community Water Source Watershed - Coral Harbour	
106	Community Water Source Watershed - Arviat	
107	Community Water Source Watershed - Repulse Bay	
108	Community Water Source Watershed - Chesterfield Inlet	
109	Community Water Source Watershed - Kugaaruk	
110	Community Water Source Watershed - Arctic Bay	
111	Community Water Source Watershed - Pond Inlet	
112	Community Water Source Watershed - Kugluktuk	
113	Community Water Source Watershed - Baker Lake	
	<b>Terms:</b> The NPC may refer a project proposal falling within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the planning region. <b>Direction:</b> The NWB, where appropriate, needs to mitigate impacts on community water drinking supplies to ensure that the integrity of the drinking water is maintained.	
114	PIN-4 Byron Bay Distant Early Warning System Site Land Remediation	[Special Management Areas]
115	CAM-5 Mackar Inlet Distant Early Warning System Site Land Remediation	
	<b>Prohibited Uses:</b> All uses are prohibited except Government of Canada activities and activities associated with the remediation and monitoring of the sites.	
116	PIN-C Bernard Harbour Contaminated Site	[Special Management Areas]
117	FOX-D Kivitoo Contaminated Site	
118	CAM-C Matheson Point Contaminated Site	
119	FOX-E Durban Island Contaminated Site	
120	CAM-E Keith Bay land Contaminated Site	
121	ROBERTS BAY MINE Contaminated Site	
122	PIN D - ROSS POINT Contaminated Site	
123	PIN B - CLIFTON POINT Contaminated Site	
124	CAM F - SARCPA LAKE Tier II Contaminated Site	
125	CAM F - SARCPA LAKE Non-haz Contaminated Site	
126	FOX C - EKALUGAD FIORD Contaminated Site	
127	CAPE DORSET 2 (NOTTINGHAM IS.) Contaminated Site	
128	PADLOPING ISLAND Contaminated Site	
129	ENNADAI LAKE Contaminated Site	
	<b>Prohibited Uses:</b> All uses are prohibited except remediation and monitoring of the sites.	
130	Canadian Armed Forces Station Alert	[Special Management Areas]
131	DND Establishment - Fort Eureka	
132	Nanisivik Naval Site	
133	High Arctic Data Communication System - Blacktop Ridge	
134	High Arctic Data Communication System - Yankee	
135	High Arctic Data Communication System - Whiskey	
136	High Arctic Data Communication System - Grant	

	Prohibited Uses: All uses are prohibited except Government of Canada activities.	
137	BAF-2 Cape Mercy North Warning System Site	[Special Management Areas]
138	BAF-3 Brevoort Island North Warning System Site	
139	BAF-4A Loks Land North Warning System Site	
140	BAF-5 Resolution Island North Warning System Site	
141	CAM-1A Jenny Lind Island North Warning System Site	
142	CAM-2 Gladman Point North Warning System Site	
143	CAM-3 Shepherd Bay North Warning System Site	
144	CAM-4 Pelly Bay North Warning System Site	
145	CAM-5A Cape McLoughlin North Warning System Site	
146	CAM-A3A Sturt Point North North Warning System Site	
147	CAM-B Hat Island North Warning System Site	
148	CAM-CB Gjoa Haven North Warning System	
149	CAM-D Simpson Lake North Warning System Site	
150	CAM-FA Lailor River North Warning System Site	
151	CAM-M Cambridge Bay North Warning System Site	
152	DYE-M Cape Dyer North Warning System Site	
153	FOX-1 Rowley Island North Warning System Site	
154	FOX-2 Longstaff Bluff North Warning System Site	
155	FOX-3 Dewar Lakes North Warning System Site	
156	FOX-4 Cape Hooper North Warning System Site	
157	FOX-5 Broughton Island North Warning System Site	
158	FOX-A Bray Island North Warning System Site	
159	FOX-B Nadluardjuk Lake North Warning System Site	
160	FOX-CA Langok Fiord North Warning System Site	
161	FOX-M Hall Beach North Warning System Site	
162	PIN-1BG Croker River North Warning System Site	
163	PIN-2A Harding River North Warning System Site	
164	PIN-3 Lady Franklin Point North Warning System Site	
165	PIN-DA Edinburgh Island North Warning System Site	
166	PIN-EB Cape Peel West North Warning System Site	
	Prohibited Uses: All uses are prohibited except Government of Canada activities and activities associated with the remediation and monitoring of the sites.	
167	High Mineral Potential	[Special Management Areas]
168	Oil and Gas Significant Discovery License	
	Prohibited Uses: The following uses are prohibited: <ul style="list-style-type: none"><li>• the establishment of tourism facilities;</li><li>• the establishment of Conservation Areas and Parks;</li></ul>	
169	Cumberland Sound Turbot Area	[Special Management Area]
	Prohibited Uses: The following uses are prohibited: <ul style="list-style-type: none"><li>• Oil and gas exploration and production;</li><li>• Related research</li></ul>	

**Table 2: Migratory Bird Setbacks**

Bird Group	Aerial Setbacks <sup>1</sup>	Marine Setbacks <sup>2</sup>	Terrestrial Setbacks
All Migratory Birds	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> All overflying aircraft: <ul style="list-style-type: none"> <li>• maintain minimum vertical setback of 1100 m (3500 feet) in areas where concentrations of birds are present</li> <li>• maintain minimum lateral aerial setback of 1.5 km from concentrations of birds (e.g. bird breeding colonies and moulting areas)</li> </ul>	None	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> <ul style="list-style-type: none"> <li>• 300 m setback from concentrations of birds (e.g. bird breeding colonies and moulting areas)</li> </ul>
Sea-level Coastal Nesting Birds	See All Migratory Birds above	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> <ul style="list-style-type: none"> <li>• 1 km setback for ships from coastlines where there are known concentrations of sea-level nesting birds</li> <li>• 300 m setback distance from sea-level coastal nesting bird concentrations for zodiacs, kayaks and other small launch vessels</li> </ul>	See All Migratory Birds above
All Seabirds	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> Setbacks for All Migratory Birds above, plus <ul style="list-style-type: none"> <li>• lateral setback of 3 km from the seaward side of seabird colonies</li> </ul>	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> <ul style="list-style-type: none"> <li>• 60 km setback from seabird colonies for gillnetting (including bottom set nets)</li> <li>• 500 m setback for ships from seabird colonies when birds are present</li> <li>• 100 m setback from seabird colonies for zodiacs, kayaks and other small launch vessels</li> </ul>	See All Migratory Birds above
Northern Fulmars	See All Migratory Birds above	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> See All Seabirds, plus <ul style="list-style-type: none"> <li>• 60 km setback from fulmar breeding colonies for longline fishing</li> </ul>	See All Seabirds above
Ivory Gulls	See All seabirds above	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> <ul style="list-style-type: none"> <li>• 2 km setback distance from breeding sites</li> </ul>	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> <ul style="list-style-type: none"> <li>• 2 km setback distance from breeding sites</li> </ul>



Bird Group	Aerial Setbacks <sup>1</sup>	Marine Setbacks <sup>2</sup>	Terrestrial Setbacks
Coastal Waterfowl and Seaducks	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> All migratory birds above, plus <ul style="list-style-type: none"> <li>• lateral setback of 3 km from flocks of coastal waterfowl and seaducks</li> </ul>	<b>SEASONAL (WHEN BIRDS ARE PRESENT)</b> <ul style="list-style-type: none"> <li>• 500 m setback distance from seaduck colonies, moulting aggregations of seaducks and waterfowl</li> </ul>	See All Migratory Birds above

- <sup>1</sup> subject to pilot discretion regarding aircraft and human safety, and except for specified operational purposes such as take offs and landings, etc.
- <sup>2</sup> subject to safe navigation considerations.

## Table 3: Community Priorities and Values for WMAs

	Water Management Area	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	BB	CC	DD		
1	Seal Watershed	x	x		x			x					x				x			x					x					x	x	x	
2	Thlewiaza Watershed	x	x		x	x	x						x		x		x		x	x					x	x	x	x		x	x	x	
3	Geillini Watershed	x	x		x	x		x					x				x		x	x		x			x					x	x	x	
4	Tha-anne Watershed	x	x		x	x	x	x					x		x		x		x	x		x								x	x	x	
5	Thelon Watershed	x	x			x	x						x				x	x		x		x			x								
6	Dubawnt Watershed	x				x	x						x				x	x	x	x	x		x			x							
7	Kazan Watershed	x				x	x						x				x	x	x	x	x		x			x	x	x	x	x	x	x	
8	Baker Lake Watershed	x				x	x	x			x		x		x	x	x	x	x		x		x			x							
9	Quoich Watershed	x				x	x	x			x		x				x			x		x			x								
10	Chesterfield Inlet Watershed	x				x	x	x			x	x	x				x	x	x	x		x			x	x							
11	Maguse Watershed	x	x		x	x	x	x					x		x	x	x			x		x	x	x			x			x	x		
12	Ferguson Watershed	x	x		x	x	x	x					x	x	x	x	x	x	x	x		x	x	x	x								
13	Wilson Watershed	x	x		x	x	x	x			x	x	x				x	x	x	x		x			x								
14	Lorillard Watershed	x	x		x	x	x										x	x		x													
15	Wager Bay Watershed	x	x	x		x	x	x		x			x				x	x	x	x						x							
16	Hudson Bay Islands Watersheds (All Islands HB+JB)	x	x	x	x	x	x	x		x			x			x	x	x	x	x	x				x	x							
17	Northern Southampton Island Watershed	x	x	x	x	x	x	x		x			x				x	x	x			x	x			x							
18	Repulse Bay Watershed	x	x	x	x	x	x	x		x			x				x	x	x	x		x			x								
19	Barrow Watershed	x	x	x	x	x	x	x		x			x				x	x	x	x	x					x							
20	Kingora Watershed	x	x	x	x	x	x	x		x	x		x				x	x	x	x		x	x	x	x								
21	Gifford Watershed	x	x	x	x	x	x	x		x	x	x	x		x	x	x	x	x	x		x	x			x							
22	MacDonald Watershed	x	x	x	x	x	x	x		x	x	x					x	x	x	x		x				x							
23	Prince-Albert Sound Watershed	x			x	x												x															
24	Koukdjuak Watershed	x			x	x	x	x					x	x			x	x	x	x	x	x				x							
25	Aukpar Watershed	x		x	x	x	x	x					x	x	x		x				x				x								
26	Great Bear Lake	x																x															
26	Great Bear Watershed	x				x	x											x															
27	Amundsen Gulf Watershed	x			x	x	x								x			x	x		x												
28	Coppermine Watershed	x			x	x	x						x					x	x		x			x									
29	Coronation Gulf Watershed	x			x	x	x	x					x	x				x	x	x	x	x	x	x									
30	Queen Maud Gulf Watershed	x	x		x	x	x	x					x					x	x		x	x	x	x		x							
31	Back Watershed	x			x	x	x						x					x	x														
32	Back-Hayes (NU) Watershed	x	x		x	x	x						x					x	x	x	x												
33	Rasmussen Watershed- Larsen Sound Watershed	x	x		x	x	x	x			x		x	x	x	x	x	x	x	x		x				x							
34	Gulf of Boothia Watershed	x	x	x	x	x	x	x		x								x	x	x	x		x			x							
35	Northwestern Victoria Island Watershed																																
36	Hadley Bay Watershed	x																															
37	Eastern Victoria Island Watershed	x	x															x	x		x												
38	Southern Victoria Island Watershed	x			x	x			x					x	x					x	x		x	x									
39	Prince Charles Island Watershed						x											x															
40	Minto Inlet Watershed	x																															
41	King William Island Watershed	x	x		x	x	x	x			x			x			x	x	x	x	x		x			x							
42	Western Prince of Wales Island Watershed	x	x			x												x															
43	Eastern Prince of Wales Island Watershed	x	x		x	x	x	x			x			x					x	x		x			x								
44	Western Somerset Island Watershed	x	x		x	x	x	x		x	x							x	x	x	x				x								
45	Eastern Somerset Island Watershed	x	x		x	x	x	x		x	x							x	x	x	x				x								
46	Western Brodeur Peninsula Watershed	x	x	x	x	x	x	x					x	x					x	x	x				x								
47	Admiralty Inlet Watershed	x	x		x	x	x	x		x	x			x	x			x	x	x	x				x								
48	Eclipse Sound Watershed	x	x	x	x	x	x	x		x	x		x	x	x	x		x	x	x	x				x								
49	Southwestern Baffin Bay Watershed	x	x	x	x	x	x	x		x		x	x					x	x	x	x				x								
50	Northwestern Davis Strait Watershed	x	x	x	x	x	x	x						x				x	x	x	x				x	x							
51	Northern Cumberland Sound Watershed	x	x	x	x	x	x	x			x		x	x	x			x	x	x	x				x								
52	Southern Cumberland Sound Watershed	x	x	x	x	x	x	x				x		x	x				x	x	x				x								
53	Frobisher Bay Watershed	x	x	x	x	x	x	x		x	x							x	x	x					x								
54	Melville Island Watershed																																
55	Bathurst and Cornwallis Islands Watershed	x	x	x	x	x	x	x	x					x				x	x		x												
56	Western Devon Island Watershed	x	x	x		x	x	x	x	x	x							x	x	x	x	x				x							
57	Eastern Devon Island Watershed	x	x	x	x	x	x	x			x	x						x	x	x	x				x								
58	Sverdrup Islands Watershed	x	x																														
59	Nansen Sound and Eureka Sounds Watershed	x	x	x		x			x									x	x	x	x				x								
60	Greely Fiord Watershed	x																															
61	Arctic Ocean and Lincoln Sea Watershed																																
62	Northeastern Ellesmere Island Watershed																																
63	Southeastern Ellesmere Island Watershed	x	x			x												x	x	x	x				x								
64	Southern Ellesmere Island Watershed	x	x	x	x	x	x	x											x	x	x				x								
65	Hudson Strait Watershed (North and West) (All Islands - Qc)	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	x	x	x	x				x							

### Values Reference List

<b>A</b>	<b>Caribou</b>	<b>K</b>	<b>Preferred shipping routes</b>	<b>U</b>	<b>Concerned about impacts</b>
<b>B</b>	<b>Polar Bear</b>	<b>L</b>	<b>Drinking water</b>	<b>V</b>	<b>Concerned about transportation infrastructure</b>
<b>C</b>	<b>Walrus</b>	<b>M</b>	<b>Rivers and lakes of interest</b>	<b>W</b>	<b>Support transportation infrastructure</b>
<b>D</b>	<b>Birds</b>	<b>N</b>	<b>Fishing lakes and rivers</b>	<b>X</b>	<b>Wildlife (general)</b>
<b>E</b>	<b>Fish</b>	<b>O</b>	<b>Contaminated Sites</b>	<b>Y</b>	<b>Denesuline Burial or Sacred Site</b>
<b>F</b>	<b>Would like to see protection</b>	<b>P</b>	<b>Areas of cultural value</b>	<b>Z</b>	<b>Denesuline archaeological Site</b>
<b>G</b>	<b>Marine Mammals</b>	<b>Q</b>	<b>Potential economic development</b>	<b>AA</b>	<b>Denesuline Cabin</b>
<b>H</b>	<b>Polynyas</b>	<b>R</b>	<b>Existing economic development</b>	<b>BB</b>	<b>Denesuline Camp</b>
<b>I</b>	<b>Concerned about oil and Gas</b>	<b>S</b>	<b>Land mammals</b>	<b>CC</b>	<b>Denesuline Hunting</b>
<b>J</b>	<b>Concerned about shipping</b>	<b>T</b>	<b>Shellfish</b>	<b>DD</b>	<b>Denesuline Trapping</b>

**Table 4: Community Priorities and Values for Marine Areas**

Community	A	B	C	D	E	F	G	H	I	J	K	L	M
Arctic Bay	x	x	x	x	x	x		x		x		x	
Arviat	x		x	x	x	x						x	
Baker Lake			x	x	x							x	
Cambridge Bay													
Cape Dorset		x	x	x	x	x				x	x	x	x
Coral Harbour	x	x	x	x	x	x		x					x
Chesterfield Inlet		x	x	x	x	x				x	x	x	
Clyde River	x	x	x	x	x	x		x	x		x	x	
Grise Fiord	x	x	x	x	x	x							
Gjoa Haven	x		x	x	x	x				x		x	
Hall Beach	x	x	x	x	x	x						x	
Igloolik	x	x	x	x	x	x				x	x	x	
Iqaluit	x	x	x	x	x	x							x
Kugaaruk			x	x	x	x						x	x
Kugluktuk	x		x	x	x	x						x	
Kimirut	x	x	x	x	x	x		x				x	
Pangnirtung	x	x	x	x	x	x				x			x
Pond Inlet	x	x	x	x	x	x		x		x		x	
Qikiktarjuaq		x	x	x	x	x							x
Resolute	x	x	x	x	x	x	x			x		x	
Rankin Inlet	x		x	x	x	x						x	
Repulse Bay	x	x	x	x	x	x		x				x	
Sanikiluaq	x	x	x	x	x	x						x	x
Taloyoak	x		x	x	x	x						x	
Whale Cove	x		x	x	x	x						x	
Ivujivik	x	x	x	x	x	x							
Salluit	x	x	x	x	x	x						x	x

**Values Reference List**

<b>A</b>	<b>Polar Bear</b>	<b>H</b>	<b>Concerned about oil and Gas</b>
<b>B</b>	<b>Walrus</b>	<b>I</b>	<b>Support oil and gas</b>
<b>C</b>	<b>Birds</b>	<b>J</b>	<b>Concerned about shipping</b>
<b>D</b>	<b>Fish</b>	<b>K</b>	<b>Preferred shipping routes</b>
<b>E</b>	<b>Would like to see protection</b>	<b>L</b>	<b>Land mammals</b>
<b>F</b>	<b>Marine Mammals</b>	<b>M</b>	<b>Shellfish</b>
<b>G</b>	<b>Polynyas</b>		

### Table 5: Community Land Use for Water Management Areas

Number of recorded points in the NPC's Use and Occupancy Mapping, data, organized by Water Management Area.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	24	25	26	27	28	29	30	31	32	33	34	36	37	38	39	41	43	44	45	46	47	48	49	50	51	52	53	55	56	57	59	62	63	64	65	N/A	Total																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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Beluga Whale			1							1	8		26	1	1	8	3			8	1	2				1									3		1			1	1			2	4	10	8				20	1	1083	1,195																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
Berries		1		3	16		2	33		12	62	15	51	3		1		2		2		1				15	2	12	45	4		25	33			2				54	6	5		5	13	35				15	63	60	598																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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Birth Site		2		1	4	2		2		1	1		1	1					2	8	4	2					1		4	6		1	2			3		1			6		29	1	9	2				3	2				1	2	2	37	143																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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**Table 6: Data Sources for Nunavut Land Use Plan - Draft 2014**

Goal / Theme	Subcategory		ID Labels	Provider
PSE	Key Bird Habitat Sites		1-46	Environment Canada; original data updated 2014 excluding new National Wildlife areas and refined Migratory Bird Sanctuaries. Refer to data originator for data updates and usage policies. Original source: P.B. Latour, J. Leger, J.E. Hines, M.L. Mallory, D.L. Mulders, H.G. Gilchrist, P.A. Smith, D.L. Dickson, 2008
	Caribou	Calving and Post-Calving	47-48	Government of Nunavut; Department of Environment, original data provided in 2014 based on data collected between 1993 and 2012
		Trans island movements	D3	World Wildlife Fund; provided in 2014, digitized by WWF Global Arctic Programme from Figure 7 of D. Jenkins & N. Lecomte (2012). All about ice: Peary Caribou Movements in the Bathurst Islands Complex. Highlights report, Department of Environment, Government of Nunavut.
	Polar Bear Habitat		49	Government of Nunavut; Department of Environment, Polar Bear Denning, 2014
	Walrus Haul-Outs		50	Digitized May 28, 2014 by NPC, based on a report by Government of Canada Department of Fisheries and Oceans. Stewart, R.E.A., J.W. Hamilton, and J.B. Dunn. "Results of Foxe Basin walrus surveys"; 2010-2011. May 2013.
	Marine Areas of Importance	Ecologically and Biologically Significant Areas (EBSA)	D18 - D59	Department of Fisheries and Oceans; 24/11/2011.
		Polynyas	D1	World Wildlife Fund; original data created for World Wildlife Fund Global Arctic Programme, provided 2014.
	Transboundary Considerations		D2	Created at NPC in 2009 by clipping Natural Resources Canada basin data to reflect importance shown in Sahtu Land Use Planning Board draft plan
ECP	National Parks awaiting full establishment		51	Created at NPC in 2010 from extraction of Ward Hunt Island from NTDB data
			52	Ukusiksalik, Wager Bay; Parks Canada, 2012
	Proposed National Parks		57	Blue Nose Lake Area; Provided as part of original Jacques Whitford Report, 01/09/2008; reviewed by GN Department of Environment, 2009-10, original data from Parks Canada
			58	Quasuittuq (Bathurst Island); Parks Canada, June 2014
			59	Protection adjacent to Quasuittuq (Bathurst Island) proposed National Park; created at NPC in response to submission from Parks Canada, April 2014
	Territorial Parks awaiting full establishment		53-56	Government of Nunavut, provided May 2014.
	Territorial Park Study Area		60	Aggutinni (Clyde River) Study Area, Government of Nunavut, provided May 2014.
	Proposed National Marine Conservation Areas		61	Parks Canada, 11/03/2011
	Thelon Wildlife Sanctuary		62	Atlas Of Canada conservation areas from 01/11/2009, clipped to Nunavut Boundary at NPC
	Migratory Bird Sanctuaries		63-70	Environment Canada; original data updated 2014 with new National Wildlife areas and refined Migratory Bird Sanctuaries. Refer to data originator for data updates and usage policies.
	National Wildlife Areas		71-75	Environment Canada; original data updated 2014 with new National Wildlife areas and refined Migratory Bird Sanctuaries. Refer to data originator for data updates and usage policies.
	Historic Sites		76-83	Parks Canada National Historic Sites, 23/02/2010

Goal / Theme	Subcategory	ID Labels	Provider
BHC		84-86	Created from coordinates in Territorial Historical Resources Act (June 4, 2010), and based on text, capture of features (i.e. islands) described at location
	Heritage Rivers	87-89	Government of Nunavut, provided May 2014.
	Areas of Community Interest	90	Hiukitak River digitized at NPC in 2011 from PDF provided by Kitikmeot Inuit Association.
		91, 93-95	Moffett Inlet, Duke of York Bay, Nettilling Lake, and Walrus Island digitized by NPC by waterbody feature layer (1:250,000) derived from Nunamap II with waterbodies over 50 hectares and a 1-km buffer applied.
		92	Marine Protected Area Igloolik based on area identified by DFO with a 1-km buffer applied.
	Area of equal Use and Occupancy	96	Existing data at NPC from section 40-1 of NLCA
	Denesuline Land Withdrawal areas	97	Provided by Manitoba Denesuline. May 7, 2014. Lands protected from further disposition under the Territorial Lands Act withdrawal order SI/2013-62
	Athabasca Denesuline Area of Asserted Title Claim	D10	Athabasca Denesuline, 2011
	Manitoba Denesuline Area of Asserted Title Claim	D11	Manitoba Denesuline, 2011
	Unincorporated Communities	98-99	Bathurst Inlet and Umingmaktok, digitized with 2 km buffer at NPC
	Alternative Energy Sources	100-102	Digitized by NPC from Qulliq Energy Corporation study (Identification and Evaluation of Hydro-electric Generation Opportunities - 2008)
	Community Drinking Water Supplies	103-113	Created at the NPC on 29/09/2009 by delineating from 1:250,000 Nunamap II data
	Land Remediation	114-115	300 metre buffering of DND and INAC points of remediation point references, 07/11/2010, updated from list provided in April, 2014 GOC submission.
	Contaminated Sites	116-129	Government of Canada: Table in Annex C of comment submission for landfills - update from Northern Contaminated Sites Program Data - buffered at NPC from original data provided by AANDC
	DND Establishments	130-136	Government of Canada: Table in Annex C of comment submission.
	North Warning System Sites	137-166	Government of Canada: Table in Annex C of comment submission.
ESED	Mineral Development leading to mining activity	240-247	Data provided by AANDC with submission to NLUP April 2014
	Oil and Gas Significant Discovery Licenses	168	Oil and Gas Significant Discovery Licenses, from Northern Oil and Gas Management, INAC, 2008
	Commercial Fisheries Potential for Char and Turbot	D16-D17	Provided as part of original Jacques Whitford Report, 01/09/2008; reviewed by GN Department of Environment, 2009-10 Original data from Arctic Marine Workshop, 1991.
	Cumberland Sound Turbot Area	169	Digitized from map provided as part of DFO comments in GOC submission, July 2013
Administrative Base	IOL inside Municipal Boundaries	N/A	Natural Resources Canada Cadastral data
	IOL outside Municipal Boundaries	N/A	Nunavut Tunngavik Incorporated
	Area of equal Use and Occupancy	N/A	Existing data at NPC from section 40-1 of NLCA
	Municipal Boundaries	N/A	Natural Resources Canada Cadastral data, 2010
	Nunavut Settlement Area	N/A	Geobase
	Outer Land Fast Ice Zone	N/A	Digitized by NPC from pdf provided by Natural Resources Canada and Government of Nunavut, and crosschecked with Nunavut Land Claims Agreement for accuracy

Goal / Theme	Subcategory	ID Labels	Provider
	Draft NPC Planning Regions	N/A	NTI, Regional Inuit Association boundaries, 2011
	LUPDNA	N/A	Area where NPC land use plan does not apply. Established Parks from Geobase, updated with information from Government of Nunavut, Department of Environment, May 2014
	Key map (land)	N/A	Atlas of Canada 1 to 1 million scale data
Base	Bathymetry	N/A	Geogratis
	Land outside Nunavut	N/A	Geogratis
	National Road Network	N/A	Geobase
	Water Features in Nunavut	N/A	Nunamap II, created by NPC from original Natural Resources Canada Topographic data at 1:250,000 scale
	Basemap with hillshade	N/A	Created at NPC using ESRI spatial analyst and swiss hillshade method from Canada 3DEM data.
	Baffinland Marine Transportation Corridor		NPC generated for North Baffin Regional Land Use Plan amendment
	Mining related transportation corridors		Data provided by AANDC with submission to NLUP April 2014
	Proposed Manitoba Road		Economic Development and Transportation, Government of Nunavut, J.D. Mollard and Associates, 03/03/2011
	Meadowbank Road		Originally built from text coordinates received from Agnico Eagle, 2008
	Milne Inlet Tote Road		Original file from Baffinland Mary River Project, received 16/04/2009