

Review of NPC's comments on Draft Nunavut Land Use Plan			
Comment #	Previous Comment from <i>Government of Canada Technical Priorities and Comments Draft Nunavut Land Use Plan Technical Submission, July 2013</i>	Requested Clarification from NPC, December 2013	Clarification
Section 1 – AANDC			
1	The overall vision and purpose of the plan, as well as its intended effect, must be better defined	<p>NPC agrees that a better defined and articulated “vision” be included in the revised DNLUP.</p> <p>NPC feels that any vision included in a NLUP must be the shared vision of all of NPC’s planning partners.</p> <p>As such, the NPC will wait to receive feedback from all its planning partners, including DIOs, government and communities, about what should be included in an NLUP and how the NLUP would be most effectively used. This will help better define the vision section contained in the NLUP.</p> <p>In the meantime, the NPC would encourage AANDC to provide, in any future, comprehensive submission, text that captures AANDC’s “vision” for the NLUP. It would be most beneficial to the NPC if the text provided was reflective not only of AANDC but, as the lead on the LUP file, all federal agencies and departments.</p>	AANDC and other Federal departments and agencies would welcome the opportunity to discuss the topic of a “vision” for the NLUP with NPC.
2	<p>The methodology sections needs strengthening to assist comprehension of the plan. The following are some areas that should be discussed in the DNLUP;</p> <p>....Plans role in the integrated regulatory system</p>	<p>As you are aware, the NPC is soliciting comments on the implementation of the NLUP and its role in the integrated regulatory system as part of the development of the Working Together Document. Information that is included in the Working Together document will be used to further inform the NLUPs role in the integrated regulatory system.</p> <p>The NPC appreciates the comments provided by AANDC so far on</p>	<p>AANDC would welcome the opportunity to discuss this topic further with NPC. As contemplated in NUPPAA, AANDC sees the NLUP as crucial to enhancing the existing integrated regulatory system in Nunavut by providing an effective and certain regulatory regime.</p> <p>The effectiveness of the NLUP is dependent on the plan’s consistency with legislation, its ability to clearly</p>

		<p>the Working Together Document. The comments have proved very useful.</p> <p>NPC would encourage continued dialogue on the Working Together Document with AANDC. In particular, NPC would like a more informed discussion on how AANDC sees the role of the NLUP in informing all federal permitting and licensing processes.</p> <p>The NPC would be pleased to receive this information in a submission from AANDC; however, we would encourage continued dialogue through the continued development of the Working Together Document.</p>	<p>describe and inform users of conformity requirements and adequately incorporating concerns and values of Nunavut residents and stakeholders. The NLUP should provide an early filter (conformity determination phase) on project applications. When projects are found to be out of conformity with the plan these applications are stopped before the project screening phase.</p>
3	<p>AANDC recommends simplifying land use designations as much as possible by reducing the variability within each designation. This could be achieved by regrouping of land use designations by their permitted and prohibited uses.</p> <p>For the Plan to be effective there is a clear requirement to introduce the land use designations with an explanation that clearly and unambiguously describes the purpose, rationale, permitted and prohibited uses and associated terms and conditions</p>	<p>NPC would like to explore this further with AANDC and encourages further dialogue.</p> <p>The NPC will follow up with AANDC via email to suggest a time/times for further discussion.</p>	<p>AANDC and other federal departments and agencies would welcome the opportunity to discuss this issue further with NPC.</p> <p>As the DNLUP is currently written the reader is not presented with a clear idea on what land use activities are allowed and prohibited for particular areas. There are several reasons for this confusion.</p> <p>For example, the use of land designations syntax is unique compared to other land use plans in Northern Canada. Therefore to understand the meaning of land designations requires additional effort and the plan as a whole is more complicated to use and less clear.</p>

4	<p>This section should include proposed transportation corridors that are part of project proposals already put forward by proponents. These include:</p> <ul style="list-style-type: none"> the proposed 350 kilometre all weather access road and port for the Izok Corridor project; BIPAR’s proposed road corridor; the Mary River railroad, as approved in the original Mary River project certificate; the proposed winter road for the Back River gold project; the previous extension of the Tibbitt-Contwoyto winter road into Nunavut to Lupin and Jericho; the road option under consideration for the Kiggavik uranium project. <p>AANDC suggest one way to represent the proposed transportation corridors on Schedule A would be to indicate the corridors using dashed lines</p>	<p>Can AANDC clarify whether it is recommending these proposed transportation corridors should be assigned land use designations in the DNLUP similar to those already identified?</p> <p>NPC acknowledges this as a reasonable way to deal with proposed Transportation Corridors.</p> <p>NPC requests confirmation from AANDC about this approach for existing (or future existing) corridors. If the corridors identified as “proposed” in the AANDC submission were to be developed in the future, should they remain dashed in the NLUP?</p>	<p>Yes, AANDC is recommending these proposed transportation corridors be assigned a land use designation (BHC-1 - Building Healthier Communities) similar to other proposed corridors that have been put forward by proponents.</p> <p>AANDC agrees that when the corridor is developed that its depiction in the plan should be changed from a dashed line to a solid line.</p>
5	<p>AANDC should have full access to Northern Contaminated Sites</p>	<p>The NPC would appreciate a coordinated response from DND and AANDC on what types of activities should be <u>prohibited</u> on all Northern Contaminated Sites and who should have access/jurisdiction over each site.</p>	<p>The Contaminated Sites Program (CSP) is working with DND to coordinate a response regarding this issue. The proposed approach would be to create a new BHC designation. This new designation would have sites that would have Permitted/Prohibited Uses by both AANDC as well as DND. BHC-9 and BHC-10 would remain solely with DND while new BHC would have all sites that are shared between DND and AANDC. This information will be provided at a later date as both parties are still determining which sites are shared. See Annex B for</p>

			information on DND sites.
6	The NCSP as well as the AANDC's Nunavut Regional Office (NRO) encourages the open use of lands in Nunavut. While certain investments on site need to be protected, this does not preclude all other uses in the area. In some cases there are no investments left on site and full access and use would be acceptable.	<p>The NPC would like clarity on what is meant by “open use of lands in Nunavut.” Does this apply to all lands in Nunavut or is it specific to NCSP sites?</p> <p>The NPC would request specific “cases” that would be considered appropriate for full access be identified in future submissions.</p>	<p>The concept of “open use of lands in Nunavut” is meant to have as few prohibited uses as possible. Once a site is remediated, it should not preclude other uses of the site however we would like to protect any investments left on site. For example, if a site has been remediated however there is a landfill remaining on site. This landfill is considered an investment by AANDC. We would not want to refuse the use of an entire area simply because there is a landfill on site. What we would request is that certain uses be prohibited on the landfill and a buffer area. For example, it would not be acceptable to build a camp on a landfill, as it would affect the integrity of the permafrost in the landfill and could cause a failure. On the other hand, if someone wanted to use the landfill as a helicopter landing pad, that would be acceptable as there would be no or very minimal impacts on the landfill. In addition, we would like to be assured that no additional contamination would be left at the site. Sites where full access should be granted are sites where the remediation has been completed and there are no remaining investments on the site. The reason CSP would like to still have the site listed is to identify that it was previously a contaminated site. An example of a site that falls within these conditions is PIN-E. This site has been remediated and should be noted as a remediated site however nothing is left at the site. AANDC can provide a list of all the sites that fall into each of the categories however it should be noted that it will need to be updated regularly with the advancement of the program.</p> <p>See Annex C – list of AANDC Contaminated Sites</p>
7	It is unclear why all the sites have been identified on	It would be useful for AANDC to identify the sites it considers as	See Annex C – list of AANDC Contaminated Sites

	the map. The larger contaminated sites should be identified as it could impact land use. However, the smaller waste sites will not likely affect the use of the land as they are often abandoned barrel caches.	“larger contaminated sites” that may be useful for inclusion in the revised DNLUP as well as list of potentially <u>prohibited</u> uses on or around these sites.	
8	The NCSP does not see value in keeping records of identified potential contaminated sites. Furthermore, since the status of the sites changes on an annual basis, having it reflected in a future approved NLUP would make the plan outdated within a year of it coming into affect.	Please clarify if AANDC would prefer larger sites included, or no sites included.	<p>AANDC CSP can only supply sites for which it is responsible. There are sites with other Federal custodians (Department of National Defense, Environment Canada, Royal Mounted Police, Department of Fisheries and Oceans, and Parks Canada are known custodians) as well as Government of Nunavut (GN) custodians which have sites. Here are some options for a path forward:</p> <ul style="list-style-type: none"> a) For all federal contaminated sites, you can reference the Federal Contaminated Sites Inventory (http://www.tbs-sct.gc.ca/fcsi-rscf/home-accueil-eng.aspx) <ul style="list-style-type: none"> a. Pro: This lists ALL federal sites (small and large) and is updated by Environment Canada annually. This would also include all AANDC sites. You would not have to provide a map as the sites can easily be found on the website with their coordinates. b. Con: This only has federal sites, this would not have GN sites. You would need to consult the GN on their sites. Unfortunately this website includes all sites in the inventory, including suspected sites which have not yet been confirmed. b) CSP would recommend having a minimum standard for having a site on the map (i.e.

			confirmed significant contamination) to avoid having many small waste sites on the map. Having all types of sites on the map would misrepresent the state of the territory, having it appear more contaminated than it is.
9	...it should be made clear both in Sections 5.1.1 and Chapter 6: Mixed Use, that all areas outside community boundaries, parks, bird sanctuaries and critical wildlife habitat are open to exploration and potential resource development	<p>Is this statement generally referring to Mixed Use areas being open for exploration and potential resource development, or is it suggesting specifically that areas outside community boundaries, parks, bird sanctuaries and critical wildlife habitat should be open for development (potential resource development should not be prohibited)?</p> <p>Further, could AANDC please define areas that are “critical wildlife areas”?</p>	<p>We were of the understanding that the Mixed Use area is all of the area outside community boundaries, parks, bird sanctuaries, critical wildlife habitat, and other ecologically important areas. The question asked indicates that the Mixed Use areas will be smaller.</p> <p>We strongly recommend that all areas in Nunavut, with the exception of communities, parks, protected bird sanctuaries, critical wildlife habitat, and other ecologically important areas, be open for exploration or open to some limited extent. As such, we will adjust the language in our revised text to reflect that and not make reference to Mixed use, since this is a smaller subset of the area available. See Annex A Comments on Chapter 5: Encouraging Sustainable Economic Development with Figure 1: Draft Map of Potential Areas of Exploration Leading to Mining Activity Proposed under the Land Use Classes Designated for Mining and Mineral Development.</p>
10	Figure 1: Draft Depiction of Nunavut Mineral Potential	<p>NPC greatly appreciates this information and finds it very useful; however, it is noted that it is in draft and is provided in concept only.</p> <p>NPC would greatly appreciate that future submissions contain more definitive data and potential terms/prohibited uses in these areas.</p>	<p>We believe that the task and decisions for creating land use classes for Nunavut is the purview of the Nunavut Planning Commission. To assist NPC, we have provided a revised version of this map. The effort to create it involved much more definitive data, however we advise NPC to consult other sources and stakeholders to add to this designated land use class. We have consulted with NRCan and received feedback on the map. It remains as a suggested starting point for this land use class. The map (ESRI SHP file to be sent separately) provided</p>





			<p>should be considered a minimum area to consider in this class.</p> <p>In the text, we have added qualifiers which outline the types of compatible and incompatible activities that can be associated with Mineral Development and Mining Land use class.</p> <p>See Annex A Comments on Chapter 5: Encouraging Sustainable Economic Development with Figure 1: Draft Map of Potential Areas of Exploration Leading to Mining Activity Proposed under the Land Use Classes Designated for Mining and Mineral Development.</p>
11	<p>AANDC is concerned with the absence of greater discussion of areas of oil and gas potential. While commercial fishing is considered as a potential economic activity, it is unclear why oil and gas is not treated in a similar manner. To improve balance across the range of potential economic activities, the discussion of areas of oil and gas potential could be framed as follows: “ Project proponents should collaborate with conservation interests to ensure that optimal best practices are used to optimise economic potential and conservation interests”</p>	<p>The preferred approach for the NPC at this time is to identify areas of importance, prohibit certain activities that could detract from the qualities or importance of the area and provide a recommendation to other regulators.</p> <p>NPC would appreciate discussing uses that may be inappropriate in areas with oil and gas potential (if any) and better defining recommendations to other regulators.</p>	<p>In areas of potential importance for future economic activities such as petroleum exploration, it is recommended by AANDC that zoning which excludes exploration activities be used sparingly in the expectation that proponents can mitigate for environmental risks to the extent that is reasonably practical.</p> <p>We would note that commercial fishing and petroleum exploration activities can coexist through cooperation and information exchange. Similarly, petroleum exploration activities are often of short duration and seasonal. To the extent that is reasonably practical they can be planned to avoid specific areas at specific times of year.</p>
Section 2: Environment Canada			
12	<p>It is predicted that some areas of Nunavut will be susceptible to significant biophysical and geophysical change related to climate warming. Other areas will</p>	<p>The NPC would request that EC provide the location of the areas discussed in future submissions. A list of potentially prohibited activities/recommendations for these areas for the NPC’s</p>	<p>From the context of community planning, Climate Change Adaptation Plans (Government of Nunavut) may be useful sources of information concerning impacts of</p>

	<p>be more resilient and will undergo relatively little change. It is prudent to account for degree of susceptibility to climate-induced change in the land use planning process</p> <p>Planning for future change should include discouraging development in areas where climate change effects (e.g. coastal erosion, permafrost loss/slumping, drying of ponds, lakes, and wetlands, etc.) is most likely to have significant negative effects on infrastructure. This determination should be made in the context of community planning (where to extend community residential areas) as well as for industrial developments (e.g. mining waste management practices that depend on intact or consistent permafrost would be discouraged in areas likely to experience permafrost loss).</p> <p>Future planning should also support conservation of biological “resilience” in Arctic ecosystems –by safeguarding areas that are least likely to experience significant ecosystem change (indicators of change could include species composition, moisture regimes, etc.) due to climate warming. These resilient areas will, in time, take on a relatively higher level of importance to conservation of Arctic species, as baseline ecosystem conditions change.</p>	consideration in the revised DNLUP would also be beneficial.	<p>climate change for the NLUP.</p> <p>For further detailed information from NRCAN and for links to relevant research and mapping that has been conducted, please refer to Annex D “Sources of Information Relevant to Development of Nunavut Land Use Plan”.</p> <p>As we become aware of further information sources on this topic we will endeavor to make these known the NPC.</p> <p>The Arctic Council, through its Arctic Climate Adaptations project (AACA-C), is doing a pilot project in the Baffin Bay-Davis Strait region. That exercise might prove informative for the land use plan. The contact person is Russ Shearer, AANDC (Russell.Shearer@aandc.gc.ca)</p>
Section 3: Fisheries and Oceans Canada			
13	A. Exploratory/ Commercial Fisheries and Subsistence Fisheries		DFO is concerned about the uncertainty that would remain if the DNLUP does not identify commercial fisheries to be a permitted use in the identified Atlantic

	<p>Exploratory/ Commercial Fisheries</p> <p>Need for Additional Details on Permitted Activities</p> <p>DFO notes that on page 38 of the DNLUP, Table 1, under the Protecting and Sustaining the Environment (PSE) land use designations, the PSE-2, ID 73, Cod Lakes, that there is currently an exploratory fishery for Arctic Char on Qasigialiminiq Lake, with the Pangnirtung Hunting and Trappers Organization (HTO) as the license holder. The PSE-2 designation states that permitted uses are “Tourism, Recreation, and Research” and lists no prohibited uses. DFO assumes that the DNLUP allows for the continuation of this exploratory fishery, as well as the possible future commercial fishery for Arctic Char that might follow the exploratory fishery.</p> <p>The above comments may also apply to page 38 of the DNLUP in Table 1, PSE-2, ID 74, Cod Lakes - Tariu jarusiq Lake. This site may also be an exploratory fishery for Arctic Char, with Pangnirtung HTO as the license holder. The uncertainty may be due to some confusion about the name of the lake, as this name has also been used to refer to a lake near Kimmirut, which also reportedly has cod. If this refers to the lake near Pangnirtung, there is also an exploratory fishery for Arctic Char and a possible future commercial fishery DFO therefore strongly suggests that the land use designation include exploratory and commercial fisheries as permitted uses for the two Cod Lakes.</p>	<p>The DNLUP does not identify commercial fisheries to be a permitted use in the identified Atlantic Cod Lakes. However, if there is an existing exploratory licence, the use would likely be a legal non-conforming use discussed in Section 7.9 on the DNLUP.</p> <p>Yes, Tariu jarusiq Lake is near Pangnirtung.</p> <p>Can DFO explain why commercial fisheries are an appropriate use in these small lakes if the Atlantic Cod in them are being considered for listing under the Species at Risk Act?</p>	<p>Cod Lakes. The indication that NPC “would likely” consider existing exploratory licenced fisheries to be legal non-conforming uses under Section 7.9 of the draft NLUP leaves uncertainty and the categorization of those exploratory licenced fisheries as “legal non-conforming uses” does not reflect that they are initiatives by local communities. As well, if the science is available to make this management decision, exploratory fishing will lead to commercial opportunities.</p> <p>Both Qasigialiminiq and Tariu jarusiq Lakes (located adjacent to Cumberland Sound) have active exploratory fisheries for Arctic Char. (Ogac Lake is located in the southern portion of Frobisher Bay, and does not have an exploratory fishery.) Inuit organizations have sought to create economic opportunities to support communities through the development of fisheries. In order for a fishery to show commercial viability, sustained effort over a 5 year period is required through the exploratory licence phase to allow for proper assessment towards a commercial fishery status/ operation. It is important to enable economic opportunities on these lakes as science and traditional knowledge information becomes available.</p> <p>Given the current draft NLUP designation of “PSE”, and considering that legal rights of a non-conforming use terminate when that use ceases, relying on a “non-conforming use” does not provide an indication to DFO or to the licence holders (such as Pangnirtung Hunting and Trappers Organization for Qasigialiminiq Lake exploratory fishery) that the NPC would allow the “non-conforming use” to change from an exploratory fishery to a commercial fishery.</p>
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14	At page 39 of the DNLUP, Table 1: ECP-1, ID 76, National Parks Awaiting Full Establishment – Ukkusiksalik, listed permitted uses include “Tourism, Recreation, and Research” and prohibited uses are “All other uses”. Please note that Wager Bay is a Schedule V water body identified in the NWT Fishery Regulations that might have commercial fishing, and there may be others. DFO recommends that “existing commercial fisheries” be added to the listed permitted uses until such time as Ukkusiksalik	Can DFO confirm that it considers commercial fishing to be an appropriate use of the area?	Wager Bay is on Schedule V of the NWT Fishery Regulations under the <i>Fisheries Act</i> , and DFO confirms that commercial fishing continues to be an appropriate use of Wager Bay. As earlier stated, after Ukkusiksalik National Park is formally legislated under the Canada National Parks Act, commercial fishing in the Park will be guided by the NLCA, which limits commercial fishing opportunities to beneficiaries of the agreement, by any applicable legislation and regulations, and by the IIBA for

	<p>National Park, already an operating park, is formally legislated under the <i>Canada National Parks Act</i>. Afterward, commercial fishing will be guided by the NLCA which limits commercial fishing opportunities to beneficiaries of the agreement, by any applicable legislation and regulations and by the IIBA for Ukkusiksalik National Park.</p>		<p>Ukkusiksalik National Park.</p> <p>An excerpt from the NWT regulations (ss.17, 18, 19) is attached here for NPC's information, with the Schedule V excerpt applying to Wager Bay.</p> <div data-bbox="1876 407 1951 472" data-label="Image"> </div> <p>NWT Fish. regs.sch.V excerpts.docx</p> <p>It is important to ensure that Subsistence, Exploratory, Commercial and not yet developed Emerging Fisheries (or fishing opportunities) be afforded Land Use Designations and/or specified as permitted uses. Inuit representatives have underlined the reliance of beneficiaries under the Nunavut Land Claims Agreement on natural resources to maintain and enhance community development.</p>
15	<p>Commercial/Exploratory and Subsistence Fisheries Should Be Given Land Use Designations</p> <p>DFO strongly suggests that commercial/exploratory and important subsistence fisheries are given land use designations. [detailed list also included] While the designations of commercial and subsistence fishing areas may overlap, it is recommended that important subsistence char fishing areas be explicitly protected.</p>	<p>Can DFO provide advice on how a land use designation could protect commercial/exploratory/subsistence fishing areas? Are there particular uses that should be prohibited?</p> <p>It should also be noted that commercial fisheries would be a permitted use in all Mixed Use areas of the DNLUP.</p>	<p>It is important to ensure that Subsistence, Exploratory, Commercial and Not yet developed Emerging Fisheries (or fishing opportunities) be afford Land Use Designations and/or specified as permitted uses. Inuit representatives have underlined the reliance of beneficiaries under the Nunavut Land Claims Agreement on natural resources to maintain and enhance community development, including reliance on current Commercial Greenland Halibut and Shrimp fisheries.</p>
16	<p>DFO strongly suggests protecting the following commercial fishing areas through a land use designation:</p>	<p>There are several hundred water bodies identified in the regulations. Can DFO provide a shapefile identifying these water bodies?</p>	<p>DFO does not have shapefiles for all of the Schedule V of the Northwest Territories Fishery Regulations lakes, however shapefiles are in the process of being developed for some of those lakes. DFO will provide</p>

	<p>The Schedule V of the Northwest Territories Fishery Regulations list of water bodies that can be fished for commercial purposes in Nunavut</p>		<p>those shapefiles to NPC when they are finalized.</p> <p>The number of commercially fished water bodies under schedule V fluctuates based on conservation priorities and local HTO requests. While all of the Schedule V waterbodies for Nunavut may be fished for commercial purposes, a small number of those waterbodies have been closed for conservation purposes at the request of local Hunter Trapper Organizations. Of the hundred or more lakes that are listed in Schedule V, 54 waterbodies are currently open in Nunavut for commercial fishing. Unless there were conservation concerns, DFO would open additional Schedule V waterbodies if requested by local Hunters and Trappers Organizations.</p> <p>Attached are two variation orders (in both French and English versions) for schedule V waterbodies in Nunavut. These orders list the 54 waterbodies open in Nunavut for commercial fishing and include the coordinates for those waterbodies.</p> <div>  </div> <p>NU-2013-2014 V-002 NU-2013-2014 V-002 NU-2013-2014 FR - Schedule V - Varia EN - Schedule V Varia V-001-A1 FR - Schedu</p> <div></div> <p>NU-2013-2014 V-001-A1 EN - Schedu</p>
17	<p>Application of Plan to National Marine Conservation Areas (NMCAs)</p> <p>DFO suggests that the wording of passages that discuss the application of the draft NLUP to NMCAs</p>	<p>To clarify, the plan will apply to “Conservation Areas” as defined under Article 9 of the NLCA (this list does not include NMCAs). NUPPAA clarifies that the plan will not apply to established NMCAs.</p>	<p>With respect to NPC’s clarification that the plan will apply to Conservation Areas as defined under article 9 of the NLCA, and will not apply to established NMCAs, DFO notes that Marine Protected Areas can be established</p>

	<p>be modified to provide greater consistency and address the following concern. The draft states at page 14, 1.3.4, “Application of the Plan”: “The Plan does not apply within established National Parks, National Marine Conservation Areas...” At page 2, 3.1.1.3, “National Marine Conservation Areas” the draft Plan again indicates that “land use plans developed by the Commission do not apply within established NMCA’s”. Page 16, 2.1 sets out that the Commission’s Objectives include to “manage land use in and around areas of biological importance, Conservation Areas...” and to “address the requirements for conservation, management and protection of aquatic resources, their habitats and ecosystems.” DFO suggests that the objectives statement make it clear that the objective is not to manage land in Conservation Areas (as currently stated), so that the objectives are consistent with the stated application of the Plan.</p>		<p>under the <i>Oceans Act</i>. While national parks and NMCAs are specifically exempt from the draft NLUP, an Oceans Act Marine Protected Area (MPA) created in the Nunavut Settlement Area is not specifically exempt from the draft NLUP.</p>
18	<p>E. Data Layers and Shape Files DFO suggests including the following DFO data layers into the draft NLUP:</p> <ul style="list-style-type: none"> • Land locked Cod Lakes; • Arctic Ecologically and Biologically Significant Areas (EBSAs); • Arctic Marine Workshop, Areas of High Biological Importance (HBI); • Traditional Knowledge; and • Foxe Basin Area of Interest 	<p>It would be beneficial if DFO could advise the Commission on how these areas may need to be managed.</p>	<p>DFO is reviewing EBSAs in the Nunavut Settlement Area with a view to possibly identifying areas of heightened ecological importance. Further information on the EBSAs may be submitted to NPC for its consideration under the ‘Protecting and Sustaining the Environment’ designation. Information that will inform how these areas may need to be managed may also follow.</p>
Section 4: National Defence and Canadian Forces			
19	ITEM 11.	Can DND clarify which sentence needs rewording?	See Annex B.

	<p>4.4.2 Last Paragraph</p> <p>Sentence should be reworded so that it does not indicate DND directly requested the 300m set back.</p> <p>Recommended:</p> <p>"A 300m setback will be applied to areas under the administrative control of the Department of National Defence."</p>		
Section 5: Parks Canada			
20	<p>The NLUP should not prevent advancing new Park or Conservation Area proposals within the Nunavut Settlement Area and Outer Land Fast Ice Zone, nor amendments to the boundaries of the currently proposed protected areas that are indicated in the land use plan, subject to meeting all relevant requirements set out in the <i>Nunavut Land Claims Agreement</i> and the <i>Nunavut Planning and Project Assessment Act</i> and respecting relevant Government of Canada policies.</p>	<p>NPC would request that Parks Canada Agency provide confirmation that it does not want the establishment of Parks or Conservation Areas or National Historic Sites prohibited anywhere in the NSA, including areas where there is known potential for and/or existing resource development in the NSA.</p> <p>NPC would request that Parks Canada Agency provide confirmation on what it considers a “Conservation Area.”</p>	<p>PCA recommends that the NLUP does not prohibit the establishment of NPs or NMCAs or the designation of NHSs anywhere in the NSA subject to meeting all relevant requirements set out in the <i>Nunavut Land Claims Agreement</i> and the <i>Nunavut Planning and Project Assessment Act</i> and respecting relevant Government of Canada policies.</p> <p>The comment that the NLUP should “not prevent advancing new Park or Conservation Area proposals within the Nunavut Settlement Area and Outer Land Fast Ice Zone, nor amendments to the boundaries..” was provided as a joint comment from EC, PCA and DFO on September 16, 2010. The comment was reiterated in 2013 because it is unclear how it is being addressed in the draft NLUP. The definition of “Conservation Area” is that found in the NLCA and NUPPAA.</p>
21	<p>PCA has in the past discussed the idea with NPC of a “notification zone” around existing national parks, national marine conservation areas and national historic sites to inform PCA of proposed projects outside of these Parks and Conservation Areas that could affect them. It is not clear currently how this concept is being integrated in the DNLUP.</p>	<p>NPC would like clarification and further information on the proposed “notification zone”. Can PCA confirm that the proposed “notification zone” would not involve any terms/prohibited uses that should be included in the plan? Also, an extent of 50 km was discussed for National Parks, but nothing was discussed for NMCAs or NHSs.</p>	<p>Comments were provided by PCA to NPC on that issue in 2010 and these comments are still valid:</p> <ul style="list-style-type: none"> • June 15, 2010 email from Maryse Mahy to Jonathan Savoy and Adrian Boyd: <p>“Please also note that, further to our discussion of</p>

			<p>informal notification zones around national historic sites, the proposed 25km notification zone may change for some sites as a result of future NHS-IIBA negotiations on these national historic sites.”</p> <ul style="list-style-type: none"> • June 8, 2010 email from Maryse Mahy to Jonathan Savoy and Adrian Boyd: <i>“NPC proposal:</i> As suggested in your February 23, 2010 email, an “informal notification zone” can also be used for National Historic Sites, similar to the proposal for National Parks. We propose the notification area be 25 km. Notification can be given for all projects, or for a list of activities chosen by Parks Canada. Please let me know Parks Canada’s preference for the size of the notification area and the type of activities to be referred. Note that this is not an official zone that will be included on the Plan, but an informal administrative tool used by the NPC to inform Parks Canada of activities near National Historic Sites. <p><i>PCA Comment:</i> Thank you. The proposed notification approach (25 Km notification zone) seems to address our concerns. At this point, we would appreciate being notified of any project that NPC assesses for conformity, whether or not it is sent to NIRB for review, because we are currently unsure of the scope of NPC's conformity assessments. We also would like to know if it will be possible to adjust this later (possibly by identifying types of projects about which we would like to be notified) if we realize that being notified of any project assessed by NPC for conformity is unnecessary.”</p>
22	The DNLUP does not identify polynyas either generally (except in the second bullet under “to achieve these Objectives...” on page 16, or by	NPC would request that in future submissions, these areas be delineated, discussed in more detail as to their particular importance and that potential management terms and/or prohibited uses that	Please see DFO’s suggestion that EBSAs be identified. Information on this topic can be found via the Canadian Science Advisory Secretariat (CSAS) process. (Please

	reference to particular ones requiring protection under the PSE designation (aside for the North Water Polynya and Belcher Island Polynyas, proposed as key bird areas with PSE-3 zoning). This is in strong contrast to categories such as “key bird habitat sites” and “caribou habitat” that are afforded that recognition. Similarly, no reference is made to key marine mammal habitats akin to that made for key bird habitats. Several such areas are well known, such as Koluktoo Bay, Cunningham Inlet and Creswell Bay to name but three, although the last of these does have a PSE-3 designation that appears to be related to the bay being a key bird habitat. PCA suggests that NPC takes this information into consideration when making further land use decisions.	may be acceptable be identified for the areas.	refer to http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2011/2011_055-eng.pdf .)
23	Lancaster Sound National Marine Conservation Area		Update on Lancaster Sound NMCA Feasibility Study Parks Canada, the Government of Nunavut and the Qikiqtani Inuit Association participated in 2 consultations sessions (summer 2012 and fall 2013) with 5 communities (Pond Inlet, Grise Fiord, Arctic Bay, Resolute, Clyde River) to inform them of the Lancaster Sound NMCA feasibility study project, present study results and consult them on a proposed boundary. The recommended boundaries will be presented in a feasibility report that will be prepared by the PCA-GN-QIA Lancaster Sound NMCA Steering Committee. Any modifications on proposed boundaries will be provided to the NPC as soon as possible.