



Speaking Notes
NWT CEAM FRAMEWORK:
Five-Year Review and Future Directions
Panel - Land Use and Conservation Planning

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Introduction

Nunavut Land Use Plan
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February 19, 2008

I would like to take this opportunity to thank the organizers for inviting the Nunavut Planning Commission to participate in this initiative. It is a pleasure to be here.

The purpose of this presentation is to provide an update on the land use planning activities of the Nunavut Planning Commission. We will also outline how the land use planning activity relates to the management of cumulative impacts in Nunavut.

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Presentation Overview

Our presentation will include an overview of:

- Land Use Planning Under the Nunavut Land Claims Agreement;
- Building the Nunavut Land Use Plan;
- Cumulative Effects Assessment and Management;
- Nunavut General Monitoring Plan;
- Challenges; and
- Where to from here?

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Land Use Planning Under the Nunavut Land Claims Agreement

The Nunavut Planning Commission is a public agency with its roles and responsibilities set out under the Nunavut Land Claims Agreement (NLCA), Article 11, Land Use Planning.

The Commission is a co-management organization with decision making responsibilities protected under the NLCA. The NPC consults with government, Inuit organizations and many different organizations but it is the Commission's responsibilities to make the final decisions on how land use plans will be developed and how the plans will manage the land in Nunavut. Once these decisions are made the plans are sent to Government for approval. We also include Nunavut Tunngavik and the RIAs in the approval process.

The Nunavut Planning Commission has a mandate under the Nunavut Land Claims Agreement to prepare and implement land use plans that guide and direct resource use and development. This includes referring projects to the Nunavut Impact Review Board (NIRB) for screening when the NPC has concerns about cumulative impacts.

Land use plans apply to land, water and resources, and they consider the social, cultural, economic and environmental concerns associated with land use. Under the NLCA, land includes freshwater, salt water and resources. Resources include fish, wildlife, minerals, oil and gas, other forms of energy like hydro power, gravel, tourism sites, etc.

Land use planning is important because people use the land, water and wildlife for different reasons.

Sometimes people disagree on how the land should be used. People might not want a mine built because it is where they go hunting and / or the area might have cultural importance. Land use planning works to solve these disagreements.

Land use plans in Nunavut deal with how resources will be used and how the land, water and Inuit culture will be protected as development occurs.

The Commission has land use planners that work with Inuit to find out where the important areas are located. These areas are put on maps.

Planners also work with communities, hunters and trappers, government, industry and others to make maps. These maps tell people how the land is being used today and what types of things might happen in the future.

Land use plans must protect the rights of Inuit set out under the NLCA. For instance land use plans must:

- Devote special attention to protecting and promoting the existing and future well-being of Inuit and Inuit Owned Lands;
- Reflect the priorities and values of residents;
- Take into account cultural factors and priorities;
- Give great weight to the views and wishes of the municipalities;

- Be consistent with NLCA Article 5, Wildlife and Article 7 Outpost Camps, and
- Take into account Inuit goals and objectives for Inuit Owned Lands.

Land use plans bring many different people to the table to talk about how to balance development with protection of the environment and Inuit goals. By working together we can use land use plans to identify what types of land use communities support, where it should occur, and how it should occur.

The money that comes from developing resources and the jobs that are created are worth billions of dollars. These land uses provide benefits today, tomorrow and into the future.

A good land use plan sets the minimum requirement for how development of the land should proceed. Plans bring the community voice into the decision making process so government and developers will address the concerns of Inuit.

The approved Nunavut Land Use Plans tell government, the Nunavut Impact Review Board and Nunavut Water Board, RIA land managers and developers which types of development are appropriate, identify goals and land use issues that require management. This includes referring projects to NIRB for screening when the NPC has concerns regarding cumulative impacts.

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Building the Nunavut Land Use Plan

The Nunavut Land Claims Agreement requires the Commission to develop a Nunavut Land Use Plan (NLUP). The NLUP will manage land use at 3 levels: areas around communities, the regions, and all of Nunavut. We build the plan by talking to communities to learn what their goals and concerns are for the land lying outside their municipal boundaries. We talk to the Regional Inuit Associations to see what goals and issues are important across each of the regions, and we talk to Nunavut Tunngavik Incorporated to see which goals and issues are common to all of Nunavut. As a public agency we have the same discussions with government, industry and other interested groups.

Land use plans take a long time to develop. We have to talk to a lot of people and do a lot of research to understand the different land uses, the issues and find a way to solve these issues. Nunavut cannot wait 8 more years for a land use plan. If there is no land use plan, there is no direction for industry and government about how communities want to see the land managed. Without the NLUP there will be no broad framework in place to review projects to NIRB for screening as a result of concerns associated with cumulative impacts.

To get land use plans in place for all of Nunavut quickly the NPC will be building the plan in stages. We already have approved plans for the North Baffin, Kivalliq, a draft plan in the West Kitikmeot and have completed planning work in the South Baffin. All of this work will be up dated and brought into the Nunavut Land Use Plan. We want to understand the goals and set broad direction for all of Nunavut based on this information to begin to promote community interests as soon as possible. We can do this in a few years. Once the broad Nunavut Land Use Plan is approved we will continue to work at the 3 levels – Nunavut wide, Regional and Community to complete more detailed planning on the difficult issues where getting agreement on how to manage the issues might be more challenging. Then as we complete more research and consultations and we find solutions to the more complex issues, we will update the plan to reflect what we've learned.

Building the Nunavut Land Use Plan is like building an igloo.

- 1 First we need to select an area with the right kind of snow. This is the broad land use planning policies, objectives and goals for the Nunavut Settlement Area. [Approved by NPC Nov 2007]
- 2 Then we have to decide how big the igloo will be. This is the identification of land use planning issues and goals for the regions and communities. The blocks of snow represent the issues and goals. The bigger the igloo, the bigger the blocks of snow and the longer it takes to build the igloo. Likewise, the bigger the issues the longer it takes to find solutions and the longer it takes to complete the land use plan.
- 3 Then we start to cut the blocks and put them around the outside. Then we build the walls and roof. This represents the general Nunavut wide land use plan. It is important to make certain the slant on the blocks is cut right so the blocks of snow will fit together. It is also important that the broad Nunavut Land Use Plan supports the main issues and goals of the regions and communities so that our future land use planning work fits within the NLUP.
- 4 Finally the building of the bed and floor represents the fine detail of the NLUP where all of the complex regional and community issues are resolved and added to the NLUP.

In summary the broad NLUP will include regional and community land use planning issues. What we are doing differently is that we are not delaying completing the NLUP for years while our many planning partners debate complex land use planning issues. We are taking the planning work we have completed, updating the issues and goals and where there is agreement right now and preparing to submit that plan for approval. As the complicated issues are resolved we will revise, update and add to the Nunavut Land Use Plan.

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Cumulative Impacts Management

The Nunavut Land Claims Agreement Articles 12.3.3 and 13.4.4 directs the NPC to forward project proposals and water applications to NIRB for screening when the NPC has concerns regarding the cumulative impacts of development activities in a planning region.

The NLCA also requires under Section 12.7.6 states that *“Government, in cooperation with the NPC, shall be responsible for developing a general monitoring plan and for directing and co-coordinating general monitoring and data collection. The NPC shall:*

- (a) in accordance with the plan, collate information and data provide by industry, government departments and agencies, amongst others.*
- (b) in accordance with the plan, report periodically on the ecosystemic and socio-economic environment of the Nunavut Settlement Area*
- (c) use the information collected under Sub-section (a) and (b) to fulfill its existing responsibilities under Article 11.”*

The NPC currently collates information and data from a broad range of interested party as part of its land use planning process. The information currently collated includes current social and demographic data. Areas of potential economic development. Sensitive habitat and wildlife areas and community use areas. This information forms a comprehensive background report which, once completed for the Nunavut Land Use Plan will serve as the periodic report on the ecosystemic and socio-economic environment.

There is a Nunavut General Monitoring Plan workshop the week of March 17 in Iqaluit. This is an information gathering meeting. We will be looking at a few other monitoring programs, determining the current state of knowledge models, discuss current monitoring activities and needs. Identify data needs and gaps.

The Nunavut Impact Review Board (NIRB) is also able to recommend project specific monitoring under NLCA 12.7.1. *“The purpose of a monitoring program set up pursuant to Section shall be:*

- (a) to measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;*
- (b) to determine whether and to what extent the land or resource use in question is carried out within the predetermined terms and conditions;*
- (c) to assess the accuracy of the predictions contained in the project impact statements.”*

The Cumulative Impacts Methodology implemented under the NLUP, the Nunavut General Monitoring Plan and project specific monitoring need to be dovetailed to ensure the programs are mutually supportive. Through monitoring research we hope to be able to learn more about indicators, thresholds and levels of acceptable change.

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Framework Components

The NPC is currently finalizing a request for proposals regarding the establishment of a Cumulative Impacts Management Framework to be used as part of the Nunavut Land Use Plan. We expect to use the results of the RFP to identify clear, defensible criteria for which NPC would refer a project proposal to NIRB for concerns respecting cumulative impacts.

Factors to be considered in developing these criteria will include, but not be limited to:

- The nature of the project (e.g. creation of permanent infrastructure that may induce further development, project splitting);
- Spatial elements (e.g. development in sensitive areas, concentration of development); and Temporal elements (sensitive seasons, many projects at once).
- The necessary components for an effective Cumulative Impact Management Framework in Nunavut.
- Accepted and appropriate cumulative impact assessment and management methodologies relevant to Arctic environments.
- Valued ecosystem, social, cultural and economic components (VECs, VSECs).
- Appropriate cumulative impact indicators, where sufficient information exists.
- Appropriate thresholds for each indicator, where sufficient information exists.

The framework will need to be agreed to by the parties responsible for approval of the Nunavut Land Use Plan.

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Challenges

- Before the NPC can implement the NLCA obligations related to cumulative impacts it must have an acceptable framework in place to identify when we would refer a project for cumulative impact concerns. This does not currently exist.

- Shared responsibility – need buy-in from Government, Inuit, and industry
- Lack of research to determine thresholds
- Thresholds are often perceived as limiting development
- How do we advance implementation of a framework in the absence of agreement on thresholds and indicators?
- Can a spatial framework serve in the interim of established indicators and thresholds?
- Will the Nunavut General Monitoring Plan fill the knowledge gaps?

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Where do we go from here?

- We are initiating research on appropriate practices, values, indicators and thresholds for Nunavut
- We will advance discussions with planning partners through plan development process and the Nunavut General Monitoring Plan
- We will implement the framework as a component of the Nunavut Land Use Plan

Thank you