

PO Box 614
Rankin Inlet, NU X0C 0G0

8 February, 2023

Board of Directors
Nunavut Planning Commission
PO Box 1797
Iqaluit, NU X0A 0H0

Subject: Comments on Draft Nunavut Land Use Plan

Dear Directors,

I wish to make some comments on the 2021 Draft Nunavut Land Use Plan (DNLUP) with a focus on Limited Use areas, and in particular my support to maintain the Kivalliq caribou critical habitat areas protected as Limited Use.

To protect plant and wildlife who have historic presence to all the lands and waters of Nunavut long before the very concept of land use plans and permits was contemplated, we must make every effort to ensure our human industrial activities do not create negative impacts on these environments. Although terminology such as adaptive management, mitigation and restoration may suggest we can fix whatever negative impacts we create, these are only nice sounding words that do not in any way guarantee we can repair damages done and restore the environment to pre-activity conditions. Therefore, it is incumbent on us to ensure the lands and waters of Nunavut are protected.

In the Draft Plan there are many Limited Use designations for small areas where migratory birds nest in colonies and where walrus haul-out and these must absolutely be protected because there are essentially no alternate sites where these species can breed, nest and rest. Any disruptive activity in these areas would cause irreversible impacts on these populations, especially a species like the Ivory Gull. There must be a large enough "no activity zone" around these specific sites to ensure detrimental disturbances cannot take place.

For caribou, and specifically for the Kivalliq herds, there must be protection for the calving, post-calving and migratory areas from industrial activities otherwise the herds will be negatively impacted leading to their decline with little hope of a rebound within the lifetime of a human Kivalliq resident. You have heard how important food security is and the reliance of traditional foods to prevent insecurity. Therefore, if commercial and industrial disturbances cause the caribou population to decline, the first thing that wildlife managers will do is implement harvesting restrictions which clearly will lead to food insecurity. This is a situation that must be avoided at all costs.

Of course, there is an economic development and job creation aspect to land use which Governments and Regional Inuit Organizations appear to prioritize with perhaps little regard to the potential negative consequences to our renewable resources. Nunavut residents can earn income from mining activities, for example, which then gives them the monetary resources to purchase hunting equipment so they, as individuals, can pursue their traditional harvesting activities. For sure this is a good thing, but if activities on the land and water drive away the animals, then what good is owning harvesting equipment if there is nothing to harvest, or if animals have moved beyond the reasonable reach of harvesters, or regulations are put in place to limit harvesting activity?

That being the case, then legal action can be taken against the parties that have led to the demise of a harvestable resource but the litigation process would be onerous and lengthy with really no positive outcome in terms of restoring the population and the most likely result being a monetary settlement. In other words, we could all buy chicken and beef at the stores with the settlement funds which is not an appealing outcome.

And supposing the worst case scenario, and we have to be cognizant that a worst case scenario is realistic, then what are the impacts on the intergenerational transfer of traditional knowledge? We typically learn by seeing and doing guided by a person with experience and if there is no harvesting because for example there are no caribou, then how can knowledge and skills be passed on? Some may say through written and visual sources (books, videos, Utube) but that is not the traditional way of learning – it is a cold and impassionate way to learn.

I advocate for total protection of caribou habitat.

Mobile Protection Measures have been proposed as an alternative method to allow for potential variations in caribou movement to allow for mineral exploration. Interestingly the draft document prepared for the Kivalliq Inuit Association in 2015 did not say to abandon protected areas and proposed mobile measures as a mechanism to reduce exposure to disturbances if the herds moved outside the protected areas. Now it is being pushed as the best method to protect caribou, but it is a method that is unproven and relies almost exclusively on the exploration company to implement, monitor and report. Essentially it is up to the exploration company to self-regulate its activities which has proven in other industries to not be effective. It is akin to having the wolves guard and protect the caribou. (Note, I could have used the classic phrase about the fox guarding the henhouse but we do not have henhouses so the wolf and caribou idiom is more appropriate.)

The use of mobile measures for exploration has other implications not debated. It is conceivable that under this regime there could be any number of exploration companies working in sensitive habitats and when considered individually, their specific activities may be deemed to be nondisruptive. However, the cumulative effects of multiple activities may be more detrimental and disruptive when taken in the context of a larger area. What you might have then are caribou ‘pinballing’ between different exploration camps causing undue stress to these animals. In this scenario, who would be monitoring and documenting this behavior? For sure not the individual exploration companies as they are only focused on their sphere of activities.

Collared caribou data may document this ‘pinballing’ but given there is a miniscule percentage of the caribou population collared, it is very possible that no collared caribou are in the area of concentrated exploration activity and it follows therefore that what is actually happening on the ground is not observed and reported.

The proposed use of mobile measures for exploration in a scenario where there is no Limited Use designation to the land then leads to the possibility of mine development. As the Planning Commission is well aware, the Nunavut Impact Review process then comes into play and it is their jurisdiction to undertake the necessary assessments and decide if the development may proceed. The Impact Review Board considers the development application as a stand-alone project and decides on approval, or no approval, based on their defined process which does not take into account the cumulative exosystemic implications in the context of other developments. This is a weakness in the regulatory system and needs to be addressed.

Assuming a Kivalliq mine development proposal is submitted and approved under Conditional Land Use scenario, i.e. if the Limited Use designation is removed for Kivalliq caribou, then it is highly probable that road access will be required to move materials and supplies from the Hudson Bay coast westward to an inland location. Given the migratory Kivalliq caribou move south to north in the spring and north to south in the fall, there is a high probability there will be direct contact with this road. Given mining companies generally only invest in mines with estimated multi-decade lifespans, it is probably that over the next thirty or forty years there could be two or three mines developed with more roads crossing the caribou migratory routes.

Then to compound matters, the Kivalliq Inuit Association is pushing to have a hydro/fiber optic line built from Manitoba to the southern Kivalliq communities, and to any mine sites. If that project proceeds then we have compounded the potential negative disruptive impact on caribou. Plus, we will be scarring the land with unsightly infrastructure. Communities in Northern Manitoba call the power line structures “steel trees” and one has to assume this is not a complimentary description.

The Kivalliq Inuit Association is proposing mobile protection measures to advance mineral exploration and potential mine development in order to add more customers to their power grid, plus they will need the land for the power lines to not be listed as Limited Use. There is however an alternative to an overland power grid. It is possible to run underwater cable for power and fiber optic. Scotland is now serviced with power from Norway via an underwater cable and the Government of Nunavut is pursuing a fiber-optic cable from Newfoundland. The engineering is there to make this happen in Hudson Bay.

The counter argument for not using underwater cable is that it cannot be repaired in winter due to ice cover. True. But how likely is the cable to be damaged under the ice? Not likely. And how do you get the cable from the seafloor onto the land? By horizontal drilling under the tide zone so the cable can run from deep water in the ground under the area where ice contact would occur to an on-land portal. And even if the power is disrupted in winter, each community on the grid will still have to retain diesel generators as backup because even overland powerlines can be damaged. Look at the ice storm in Quebec twenty-five years ago – the same can happen here. In fact half the power poles between the town of Whale Cove and the airport were taken down by an icing event twenty years ago (give or take). Our weather conditions would stress any overland power line to its limits and undoubtedly there will be any number of power disruptions on an annual basis.

The protection of lands from human activities is a topic of concern internationally and as global citizens we need to contribute to efforts to protect our environments. Of course the Nunavut Planning Commission's mandate does not speak to the international agenda but there is much we can garner from research and dialogue on environmental protection – specifically, it is not the quantity of land that is critical, it is the quality of the land that we need to protect. In that context, we know well from historical and traditional knowledge and recent scientific documentation, the Kivalliq caribou populations must have their migratory routes, calving and post-calving grounds protected from commercial and industrial activities.

Protection of our lands is imperative as there will continue to be pressure for development regardless of the regulatory system we have in place because as the following news story demonstrates, environmental protections can be circumvented due to economic or political motivations.

<https://www.bbc.com/news/world-europe-64253708>

BBC News, 12 January, 2023 “Huge rare earth metals discovery in Arctic Sweden”

“The newly discovered raw materials may not reach the market before 10-15 years' time, the LKAB mining company's CEO Jan Mostrom said. Permitting processes take time due to environmental risk evaluations.

But Mr Mostrom called on authorities to speed up the process, "to ensure increased mining of this type of raw material in Europe".”

The above quotation comes from the BBC News story from 12 January, 2023 and is representative of the type of pressure corporations can apply to the regulatory system when they wish to push their profit motivated agenda.

I recognize the diverse experiences, opinions and expectations of the many individuals, organizations, governments and corporations who have made presentations to the Nunavut Planning Commission, and the challenge you have in finding a balance for the final land use plan, and I encourage the Board to weigh heavily towards the protection of our renewable resources.

Sincerely,

Brian Zawadski

Via email submissions@nunavut.ca