



Beverly and Qamanirjuaq Caribou Management Board

10 February 2023

Mr. Andrew Nakashuk, Chairperson
Nunavut Planning Commission
P. O. Box 1797
Iqaluit NU X0A 0H0

Via e-mail: submissions@nunavut.ca

Dear Chairperson Nakashuk:

BQCMB Post-hearing Comments on 2021 Draft Nunavut Land Use Plan

Thank you for providing the Beverly and Qamanirjuaq Caribou Management Board (BQCMB) with the opportunity to participate in this review and to submit further input to support development of the first Nunavut Land Use Plan (NLUP). As you know, the BQCMB has participated for well over a decade in discussions about a new land use plan for Nunavut. We have provided numerous sets of comments and recommendations over the years to the Nunavut Planning Commission (NPC), including our October 2021 and April 2022 written submissions and September 2022 hearing presentations on the 2021 Draft Nunavut Land Use Plan. On behalf of the BQCMB, I would like to state for the record that our positions have not changed as a result of the 2022 hearings or other post-hearing events.

I gave a presentation in my role as Chair of the BQCMB at the September 2022 public hearing in Rankin Inlet, as did our Executive Director at the Thompson hearing the following week. We were both moved by the passionate statements made at the hearings by many Indigenous participants from across the Beverly and Qamanirjuaq caribou ranges. These included descriptions of the importance of caribou to Inuit, Dene and Metis cultures, the sacredness of calving grounds, and the need for protection of key caribou habitats. We also heard Inuit hearing participants urge repeatedly that planning use of their lands should focus primarily on benefits for current and future generations of Nunavummiut, and Dene hearing participants ask for planning that respects the land, caribou, and caribou people.

In response to what we heard, we have created a short video based on hearing content that highlights the points summarized above: <https://www.youtube.com/watch?v=CktL2ALbBOU> The video will be made publicly accessible on Monday 13 February 2023.

We invite NPC Commissioners and staff and all participants in the land use planning process, particularly the three signatories to the final plan, to view the video and take its messages to heart. We believe it will help various parties, especially those participants who were not present for key statements made by Indigenous community representatives, to better recognize and support verbal submissions made to NPC at these hearings.

We have also attached additional items for your consideration:

- Selected final points and recommendations that I presented on behalf of the BQCMB at the Rankin Inlet hearing (Attachment A).
- Our response to the question posed by Baker Lake Hamlet representative Paula Kigjugalik Hughson following my hearing presentation (Attachment B).
- Our comments on the Kivalliq Inuit Association's response to some of the questions our Executive Director posed to them at the Thompson hearing (Attachment C).

To repeat a few statements from my hearing presentation, the BQCMB urges NPC's Commissioners and the three Plan signatories to make sure that the final approved land use plan for Nunavut:

- contains meaningful protection for caribou and habitat, and
- does not provide development with higher priority than caribou in key caribou habitats.

Please remember that your decisions will affect many communities that rely on caribou across the range, not only residents of Nunavut.

Finally, we agree with this statement in your opinion piece published in the 24 October 2022 issue of the Hill Times:

Now is the time for our collective efforts to come together and complete the Nunavut Land Use Plan. It is time for us to understand and commit to the necessary compromises that will finalize a plan for Nunavut reflecting the vision of Inuit and our communities.

We look forward to seeing the final proposed NLUP, and ultimately the approved Plan. And we thank you, your fellow Commissioners and NPC staff for your hard work over many years to ensure that land use planning will play a major role in protecting the environment, which includes caribou and caribou people, while allowing development of resources responsibly and sustainably for the short term and for future generations.

If you have any questions about our comments, please contact BQCMB Executive Director Tina Giroux-Robillard (TGiroux@arctic-caribou.com) or BQCMB Biologist Leslie Wakelyn (Lwakelyn@arctic-caribou.com).

Sincerely,



Earl Evans
BQCMB Chairperson

cc. Paula Kigjugalik Hughson, Baker Lake
Luis Manzo, Kivalliq Inuit Association, Rankin Inlet

Attachment A. Key points and recommendations from the BQCMB presentation to the 2022 NPC Hearing, Rankin Inlet – selected excerpts.

The Caribou Board believes that land use planning is necessary to help manage development activities in Nunavut. We believe that the Plan could be a valuable tool to protect land, water and caribou in Nunavut

It is important to recognize that protection of animals from disturbance is not all that is needed, because protection of habitat is critical to the survival of caribou herds.

NPC has proposed using land use restrictions and prohibitions of certain activities to protect caribou habitats. We agree that some intensive land uses should be prohibited from some areas so that people will not harm the land or disturb animals there.

We support NPC proposals to:

- 1) designate Limited Use Areas for caribou with year-round prohibitions on certain land uses for caribou calving areas, post-calving areas, key access corridors and key fresh-water crossings
- 2) apply additional seasonal restrictions to further limit activities allowed during specific time periods for calving and post-calving grounds and key access corridors
- 3) designate Limited Use areas with year-round prohibitions on certain land uses for conservation areas on Beverly and Qamanirjuaq range

The Caribou Board does not support the following 2 NPC proposals, because each of them would result in less protection for important caribou habitats.

- 1) Providing special status for infrastructure developments in a Kivalliq-Manitoba corridor
- 2) Allowing projects with existing mineral rights to proceed through all stages of mineral development

These proposals would both give development projects higher priority than caribou protection in Limited Use areas for caribou where they overlap. Therefore, important caribou habitats in those areas (including calving and post-calving grounds) would not be provided with protection by the land use plan.

The Caribou Board also has concerns with some recommendations made by other participants in their submissions to NPC, because they would not support habitat protection for caribou in the land use plan. We do not support the following recommendations made by other parties:

- 1) Using mobile caribou protection measures or seasonal restrictions as the only ways to protect caribou in the land use plan
- 2) Relying completely on the environmental assessment process and mitigation measures to protect caribou.

Both of these recommendations are not adequate, as they do not provide necessary protection for habitat in key seasonal ranges (calving areas, post-calving areas, key access corridors).

Attachment B. Response to question by Paula Kigjugalik Hughson, Baker Lake Hamlet

Paula Kigjugalik Hughson asked for clarification regarding slide 24 of our presentation, which is provided below.



The slide has a green header with a wavy design. The title is in bold green text. The content consists of two main bullet points, one of which has two sub-bullets. The text is in black, with some words in italics and some underlined.

BQCMB Concerns about Recommendations from Others

- The Caribou Board also has concerns with some recommendations made by other participants in their submissions to NPC, because *they would not support habitat protection for caribou in the land use plan.*
- **We do not support recommendations to:**
 - a) Use mobile caribou protection measures *instead of measures for habitat protection*
 - b) Rely on the environmental assessment process and mitigation measures *instead of habitat protection*

24

Her question was (from p. 283, Rankin Inlet Hearing transcript):

Paula:	Paula Kigjugalik Hughson, Hamlet of Baker Lake. Thank you, Mr. Chair. Thank you, Earl from the Beverly Qamanirjuaq Caribou Management Board for your presentation today. I just wanted a clarification on Slide 24 where it says we do not support recommendations to use mobile protection measures. Instead, Beverly Qamanirjuaq Caribou Management Board would like to use habitat protection. Is that correct, and B is habitat protection.
--------	---

The verbal hearing presentation provided by Chair Evans included a slightly expanded description of these points. Additional explanation is available in our April 2022 submission to NPC.

BQCMB response:

The BQCMB does not support these recommendations primarily because these methods do not provide adequate long-term protection from damage to habitat resulting from certain land use activities in key seasonal ranges (calving areas, post-calving areas, key access corridors).

The BQCMB is not rejecting use of mobile protection measures or seasonal restrictions on land use activities as mitigation methods for avoiding or reducing the negative effects of activities such as mineral exploration on caribou, as a contribution to reducing the cumulative effects that are affecting the herds. However, the Caribou Board is concerned about recommendations made to NPC for application of these mitigation measures in the Nunavut Land Use Plan because of two main issues, summarized below.

- Some parties argue that the final approved land use plan should not protect key habitats for caribou by prohibiting activities that may destroy or create long-term disturbance to the land in designated geographic areas. They argue that mitigation of effects on caribou and/or seasonal activity restrictions are all that is needed in the land use plan to prevent land use activities, such as mineral exploration, from having negative effects on caribou populations over the long-term. They are recommending that mitigation measures and seasonal restrictions should be used instead of, or as a replacement for, the habitat protection measures proposed by NPC in the 2021 Draft NLUP.

The BQCMB does not support this argument, nor do many organizations representing caribou people, and other parties who have provided input to NPC over the years.

- We recognize that caribou protection measures have been used in the Kivalliq for decades. They were developed before there was a made-in-Nunavut environmental assessment process, and before collared caribou were used to monitor movements of the herds using satellite technology. It is not surprising that a more contemporary mitigation method is being developed using modern technology that is not entirely dependent on government resources for its implementation.

However, it is neither necessary or appropriate to use an approach in which land use planning measures are restricted to mitigation of effects on caribou, with no protection of the land from long-term damage, because:

- a) The more complex measures that have been developed in recent years can be required as operating conditions for mineral exploration projects through the Nunavut Impact Review Board (NIRB) environmental assessment process and the regional Inuit associations and federal government.
- b) These measures do not address the key role of land use planning in identifying where some activities are not appropriate, which the NIRB and numerous other parties have requested be put in place by NPC as part of Nunavut's regulatory process.

If this explanation is not adequate, we would be happy to discuss the BQCMB's perspective further with Paula.

Attachment C. Comments on the responses from Kivalliq Inuit Association to BQCMB questions.

We appreciate the responses provided in a 15 November 2022 letter on behalf of the Kivalliq Inuit Association (KIA) to BQCMB questions asked about Mobile Caribou Conservation Measures at the September 2022 NPC Public Hearing in Thompson Manitoba. The responses provided by KIA were somewhat useful in addressing our concerns and providing us with a better understanding of the status and implementation of Mobile Measures in the Kivalliq, and we are thankful for the information provided.

However, the responses to our specific questions primarily described how Mobile Measures are currently implemented by the KIA for Inuit-owned Lands, and did not address how a territory-wide system of mobile measures would work and who would be responsible for both implementation and coordination, which was our general question.

More importantly, the responses fail to address our main point, which was described in our hearing presentation and in previous written submissions to NPC. That is, without protection of significantly large and unfragmented areas of key caribou habitats through the land use plan, the ability of caribou herds to maintain their seasonal movement patterns over the landscape, and to have access to high quality habitats during sensitive calving and post-calving periods, will be eroded over time. This is fundamental to the long-term health of the herds, and to the cultures of many Indigenous caribou peoples across the caribou ranges.

The BQCMB recognizes that there is a role for caribou protection measures, including Mobile Measures, in caribou conservation. However, we are concerned with the way they are being promoted as an alternative to area protection and as a land use planning solution for protecting caribou habitat. We do not agree that this is valid.

We agree that Mobile Measures can potentially play a significant role in avoiding and minimizing both direct disturbance to animals and reduced use of habitat by caribou, and that Nunavut's environmental review process performs this function on a case-by-case basis for individual projects. However, reducing loss of habitat use by caribou is not equivalent to area protection for maintaining quality and availability of important habitats for current and future generations of caribou.

Clearly the BQCMB and KIA have divergent perspectives about the purpose of Nunavut land use planning, its role in the overall regulatory process, and the responsibility of NPC (shared with other Nunavut organizations) for protecting Nunavut's environment, land and wildlife (including caribou habitat and caribou). For additional description of our differing views, please refer to Attachment B of this submission.