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June 22, 2015

Sharon Ehaloak, Executive Director Nunavut Planning Commission P.O. Box 2101 Cambridge Bay, NU X0B 0C0

Sent by email: <u>sehaloak@nunavut.ca</u> fax: (867) 983-4626

Re: Technical Meeting Submission, Draft Nunavut Land Use Plan

Dear Ms. Ehaloak:

Please accept this correspondence as the written comments of the Kivalliq Wildlife Board (KWB), submitted in preparation for the Technical Meeting on the 2014 Draft Nunavut Land Use Plan developed by the Nunavut Planning Commission (NPC).

As mentioned in our June 1st, 2015 Application for Participant Standing, the issue of land use in barren-ground caribou calving and post-calving grounds is the main concern of the KWB. The matter of maritime shipping, and its impact on the marine environment, is likewise of particular interest to the KWB. These issues are relevant to land use planning, given that Article 11 of the *Nunavut Land Claims Agreement* includes wildlife in its definition of "land". Further, Article 11 explicitly applies to both land and marine areas within the Nunavut Settlement Area.

With this in mind, the KWB submits the following comments on the NPC's 2014 drafts of the Nunavut Land Use Plan (NLUP) and its companion Options and Recommendations (O&R) document.

Chapter 1 - Land Use Planning in the Nunavut Settlement Area

The KWB was glad to see that the NPC envisions the NLUP "guiding land use in a way that cannot be achieved by focusing on individual projects" (NLUP, p. 15). In light of the migratory nature of barren-ground caribou, a regional and comprehensive approach to land use planning seems essential.

The KWB was also pleased to note that by highlighting that consultations frequently brought out the need to "ensure that important habitat is protected" (NLUP, p. 17), the NPC



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likely took wildlife and community-level input as core considerations in its decisionmaking. This being said, the KWB believes that the NPC should give additional attention to caribou calving and post-calving grounds, as well as to shipping as it relates to marine mammals.

Chapter 2 - Protecting and Sustaining the Environment

Caribou calving and post-calving areas

The KWB supports the NPC's recognition that "calving and post-calving areas are generally acknowledged as areas where caribou are particularly vulnerable to disturbance and the need for uninterrupted foraging is greatest" (O&R, p. 41), and that "caribou cows and calves are most sensitive to disturbance during the calving and post-calving season" (O&R, p. 41). However, the NPC's proposed management of these areas, based on the mineral potential of the grounds rather than their importance to caribou, is not consistent with the above acknowledgments.

As the NPC is aware, the KWB's standpoint on the matter—a strong opposition to any form of exploration and/or development within the Kivalliq caribou calving and post-calving grounds—was expressed through a regular meeting resolution in February 2013, and later unanimously reaffirmed during the KWB's October 2013 annual general meeting. The resolutions were based on the KWB members' belief that the value of caribou as a renewable subsistence resource outweighs, and should not be compromised by, the short-term benefits of mineral exploration and non-renewable resource extraction.

The NPC states that the Special Management Area designation for areas with high mineral potential was chosen "to ensure that the integrity of calving and post-calving areas is maintained" (O&R, p. 43). The KWB instead contends that if ensuring the integrity of caribou calving and post-calving areas areas is truly the objective of the NLUP, then the grounds should be protected in their entirety. Moreover, such an outcome would be in line with the NPC's objective to "provide optimum protection to the renewable resource economy and maintains vital, healthy wildlife populations, capable of sustaining harvest" (NLUP, p. 38).

Marine areas of importance

Although the concerns and interests of Baker Lake should not be forgotten, the KWB agrees with the NPC's emphasis on there fact that "almost all Nunavut communities are located on the coast, and Inuit have long relied on marine environments to provide essential food sources" (NLUP, p. 25). Yet, the NPC proposes the Mixed Use designation to Marine Areas of Importance (O&R, p. 45) and to marine-related Community Priorities and Values (O&R,

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p. 66). Considering that "all project proposals occurring in the Mixed Use Designation will be considered to conform to the Plan" (NLUP, p. 46), it is hard to imagine how the cumulative impact of shipping on marine mammals will be taken into account.

For instance, KWB members from Arviat, Whale Cove and Rankin Inlet have voiced concerns regarding the disruption of marine mammal feeding and migration resulting from ship traffic, whereas members from Chesterfield Inlet have been especially concerned by the impact of shipping on seal abundance and distribution. In addition, KWB members from Coral Harbour have raised issues with the proximity of shipping routes to their main walrus hunting grounds, despite the NPC's proposed designation of Walrus Island as a Protected Area (O&R, p. 66).

One of the stated objectives of the NPC is to "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" (NLUP, p. 23). Accordingly, the KWB submits that a comprehensive Nunavut-wide land use plan is an ideal forum to provide broad oversight to shipping activities in a manner both responding to the community-level concerns of Inuit harvesters and contributing to the sustained health of marine mammal populations.

Chapter 5 - Encouraging Sustainable Economic Development

The Special Management Area land use designation assigned to areas of known high mineral potential "prohibits incompatible uses" (NLUP, p. 39), because these areas "have been prioritized for mineral exploration and production" (O&R, p. 79). It is difficult to understand how these 'Areas of known high mineral potential' under Section 5.1.1 (Map 180) differ from the 'Caribou calving and post-calving areas that overlap with high mineral potential' under Section 2.1.2.1 (Map 47).

The KWB therefore cannot help but wonder if the portions of the caribou calving and postcalving areas with high mineral potential have been prioritized for mineral exploration and production, despite their importance as wildlife habitat. The KWB would appreciate clarification on this matter, because this question has direct bearing on the credibility and/or effectiveness of the protection for caribou calving and post-calving grounds proposed in Chapter 2.