

# **DRAFT NUNAVUT LAND USE PLAN**

## **NUNAVUT PLANNING COMMISSION 2<sup>nd</sup> TECHNICAL MEETING**

### **TRANSCRIPT**

**CADET HALL  
IQALUIT, NUNAVUT**

**July 14 & 15, 2015**

## ATTENDEES

|  |                                |
|--|--------------------------------|
| NPC: Chair of the Commission                 | Hunter Tutu                    |
| NPC: Executive Director                      | Sharon Ehaloak                 |
| NPC: Director of Implementation              | Brian Aglukark                 |
| NPC: Senior Planner                          | Jon Savoy                      |
| NPC: Senior Planner                          | Peter Scholz                   |
| NPC: Legal Counsel                           | Alan Blair                     |
| NPC: Manager of Translations, Interpreter    | Tommy Owljoot                  |
| NPC: Inuktitut Interpreter, Regional Planner | Annie Ollie                    |
| Moderator:                                   | David Livingstone              |
| Interpreter, French                          | Abednego Shu                   |
| Interpreter, French                          | Emmanuel Griffith              |
| Interpreter, Inuinnaqtun                     | Henry Ohokannoak               |
| Interpreter, Inuinnaqtun                     | Tuppittia Qitsualik            |
| Interpreter, Inuktitut                       | Sutukie Joamie                 |
| Transcriptionist                             | Jasmine Adkins                 |
| AANDC  | Scott Burgess                  |
| AANDC  | Catherine Conrad               |
| AANDC  | Karen Costello                 |
| AANDC  | Chris Morton                   |
| AEM/Chamber of Mines                         | Stephane Robert                |
| Baffinland                                   | Erik Madsen                    |
| Baffinland/Env Dynamics Inc.                 | Mike Settington                |
| Baffinland                                   | Oliver Curran (Phone)          |
| Baffinland                                   | Joe Tigullaraq                 |
| Baffinland                                   | Mike Zurowski                  |
| BQCMB  | Leslie Wakelyn (Phone)         |
| BQCMB  | Ross Thompson (Phone)          |
| Canadian Coastguard                          | Representative unnamed (Phone) |
| CanNor                                       | Tineka Simmons                 |
| NWT/Nunavut Chamber of Mines                 | Elizabeth Kingston             |
| DFO  | Tyler Jivan (Phone)            |
| DFO  | Chris Lewis                    |
| Department of Justice                        | Sina Muscati                   |
| DND  | Dwayne James (Phone)           |
| EC   | Bruce MacDonald (Phone)        |
| EC   | Vicky Johnston (Phone)         |
| Eeyou Marine Region Planning Commission      | Audrey Lapenna                 |
| Eeyou Marine Region Planning Commission      | Lorne McNeice                  |
| GN   | Daniel Albahary                |
| GN   | Denise Baikie                  |

|                                |                          |
|--------------------------------|--------------------------|
| GN                             | Dilek Karadag            |
| GN                             | Jennifer Pye             |
| GN/ED&T                        | Lou Kamermans            |
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| GNWT                           | Karin Clark (Phone)      |
| Hamlet of Grise Fjord          | Marty Kuluguqtuq         |
| Kivalliq Inuit Association     | Jeff Hart (Phone)        |
| Kitikmeot Inuit Association    | Jeff Clark (Phone)       |
| Kitikmeot Inuit Association    | Wynter Kuliktana (Phone) |
| Lawson Lundell                 | Christine Kowbel (Phone) |
| Mayor of Chester               | Barney Aggark            |
| NRFC                           | M J Halprin              |
| NTI                            | Marie Belleau            |
| NTI                            | Bert Dean                |
| NTI                            | Miguel Chenier           |
| NTI                            | Paul Irngaut             |
| NTI                            | John Merritt (Phone)     |
| NTI                            | Hannah Uniuqsaraq        |
| NIRB                           | Sophia Granquinho        |
| NWMB                           | Jason Akearok            |
| Parks Canada                   | Alaine Joseph            |
| QIA                            | Peter Autut              |
| QIA                            | Luc Brisebois            |
| QIA                            | Rosanne D'Orazio         |
| QIA                            | Steven Lonsdale          |
| QIA                            | Nigel Qaumariaq          |
| QWB                            | Jackie Price             |
| Senator, Nunavut               | Dennis Patterson         |
| Transport Canada               | Jaideep Johar            |
| Transport Canada               | Dale Kirkland            |
| WWF Canada                     | Brandon Laforest         |
| WWF Canada                     | Rachel Gosselin          |
| Wek'èezhii Renewable Resources | Boyan Tracz (Phone)      |

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## INTRODUCTION

David L: We'll start with an opening prayer. Tommy could you do the opening prayer for us please?

Tommy: Morning. (*Opening prayer*)

David L: Good morning, everyone. Welcome back. It seems like less than 2 weeks ago, and I'm sure that everybody in the room feels the same way. We've got a smaller gathering today, which is I think a good thing given that we'd really like to have a workshop format more than kind of the larger meeting, almost conference format we had last time. It's an opportunity to try to narrow the differences, if you like, or at least clarify the differences on a number of issues – technical issues- that were discussed two weeks ago.

At the outset, I'd like to encourage people to express the interests of the organizations they represent, rather than stating positions. I'd really...everybody I think recognizes that this isn't a decision-making forum right here, right now. All the organizations have leadership that they need to report to in one form or another, but that shouldn't impede the free flow of ideas and information. I really encourage people to try to, within the room itself, reach as much of a consensus as possible. And then leadership will make a decision or make the decisions. But within the room, we've got a lot of knowledge, a lot of very smart folks, and a lot of experience. It would be a shame to not put that on the table and enable that full and frank discussion that people have been looking for, and I think want to engage in.

Housekeeping items are the usual. The washrooms are out there past the exit. The jet with the ejector seats is at the back. I don't have the first aid kit, but I'll go look for one just in case, given that this is a workshop and there maybe a little more interaction. Lunch will be at noon or thereabouts. We've got breaks scheduled. There will be some flexibility.

The agenda is essentially "Let's do some of the background work, some of the context work, and then let's get into some of the key issues that were raised at the last meeting or have been outstanding for a bit." The agenda is going to be a bit flexible. We have more time than we need for some items, and less time than we've got scheduled. So we'll work with the agenda flexibly, and we'll try to get through it certainly no later than Thursday morning, but potentially earlier. We'll see. But we will break most certainly no later than Thursday at noon.

David Boote, the co-facilitator, unfortunately, could not make it. He had some family obligations that he has to meet. Our transcriptionist will be here at noon, but she will be able to catch up on the morning conversation and put together a transcript as she did the last time. So maybe what I'll do is just go around the room and get introductions. Then I'll go back to Sharon for the opening remarks from NPC. So could we just start on my left introducing yourselves?

Alan: Good morning, all. Alan Blair, Legal Counsel for NPC.

Sharon: Good morning. Sharon Ehaloak, Executive Director with the Nunavut Planning Commission.

Brian: Good morning. My name is Brian. I'm with the NPC.

Peter: Morning. Peter Scholz. Nunavut Planning Commission.

Jonathan: Jonathan Savoy with the Nunavut Planning Commission.

Sina: Good morning. Sina Muscati, Legal Counsel for Government of Canada.

Karen: Karen Costello with Aboriginal Affairs Northern Development Canada on behalf of the Government of Canada.

Christopher: Morning. Christopher Morton. Aboriginal Affairs Northern Development Canada on behalf of Government of Canada.

Jackie: Hi there. Jackie Price. Qikiqtaaluk Wildlife Board.

Jason: Jason Akearok, Nunavut Wildlife Board.

Marty: I'm Marty Kuluguqtuq. I'm from the Hamlet of Grise Fjord.

Rachel: Rachel Gosselin for WWF Canada.

Brandon: Brandon Laforest for WWF Canada

Barney: Morning, Barney Aggark, Mayor of Chesterfield Inlet.

Elizabeth: Elizabeth Kingston, NWT and Nunavut Chamber of Mines.

Stephane: Stephane Robert, Agnico Eagle, representing Chamber of Mines.

Lorne: Good morning. Lorne McNeice with the Eeyou Marine Regional Planning Commission, Councilor.

Audrey: Good morning. Audrey Lapenna, Regional Planner with the Eeyou Marine Planning Commission.

Jennifer: Good morning. Jennifer Pye, Department of Environment on behalf of the Government of Nunavut.

Dilek: Dilek Dee Karadag. Government of Nunavut. Manager of Environmental Assessment on behalf of Government of Nunavut.

Sophia: Good morning. Sophia Granchinho, Senior Technical Advisor with the Nunavut Impact Review Board.

Nigel: Nigel Qaumariaq for the QIA.

Steven: Steven Lonsdale, Environmental and Regulatory Affairs Advisor QIA.

Miguel: Miguel Chenier with NTI in Cambridge Bay.

Bert: Good morning. Bert Dean, also with NTI based in Rankin Inlet.

Marie: Marie Belleau, Nunavut Tunngavik.

David: The channels for interpretation are on the booth over there, and I can't read it but I'm sure others closer to can. The folks around the wall, if you'd like to introduce yourselves, feel free. If you don't that's okay too.

Hannah: Good morning. My name is Hannah Uniuqsaraq from NTI.

Danny: Danny Albahary, Legal Counsel, Government of Nunavut.

Dennis: Dennis Patterson, Senator for Nunavut.

Dale: Good morning everyone. Dale Kirkland, Transport Canada.

Alaine Ulaakut. Alaine Joseph, Parks Canada.

Jaideep: Good morning. Jaideep Johar, Transport Canada.

Paul: Good morning. Paul Irngaut. I'm from Nunavut Tunngavik

David L: My name, by the way, is David Livingstone, and I'll be sort of chairing/facilitating the next few days. Jon? Oh, and thank you. Folks on the phone, could you just introduce yourselves?

Vicky: Vicky Johnston, Environment Canada.

Bruce: Bruce MacDonald, Environment Canada.

Wynter: Good morning. Wynter Kuliktana, Senior Lands Officer from the Kitikmeot Inuit Association.

Jeff: Jeff Hart, Kivalliq Inuit Association.

David: Alright, thank you. And periodically I'll go back to the phones. It turns out that at the last Technical Meeting I may not have been diligent enough in asking people on the phones for comments. So, this time in order to remind myself, what I think I'll do is when we open it up for discussion, I'll go to the phones first, and then go to the room after that. I think that's it. And I'll check in periodically with the phones just to make sure there aren't new people calling in. So, Sharon, would you like to make some opening remarks please?

Sharon: Thank you, David. Our Chair was here this morning, and I think he had a few brief hellos with everyone. On behalf of the Commission, welcome back to Session Two. We're very grateful for the feedback and for some of the submissions that we have gotten back. I think all of you got our responses – our response document – and the transcripts from the last session. So, the Commission is here, as David said. I'd just like to echo his remarks. We do want to have an open informal discussion, and the Commission staff is here. We're listening. We're hearing what is being said, and we would like to have constructive dialogue to move some of the issues that we see have been raised by planning partners forward. We look forward to a productive next day and a half, two days.

So, we've had some correspondence back. Thank you, Liz. We got the Chamber's correspondence yesterday. With that, I think I'll be brief, because we have a heavy agenda. But the Commission

team is looking forward to engaging and listening and hearing some of the options that the planning partners – if we can flush out some of the solutions as we discussed last time. So with that, I'll turn it back over to you, David.

David: Thanks, Sharon. So what I propose now is we'll go around the phone first, and then around the room, just for opening remarks from the various folks here leading the particular delegations. So, on the phone, I'll just leave it to the folks on the phone to self-identify and indicate whatever opening remarks they might have. Also, if I could, I'd ask you to outline your expectations for this workshop. So anybody on the phone, please chime in. *(Pause)* Sharon?

Sharon: Thank you, and just a reminder, we are recording the meeting. We will have transcripts, so when we do talk, if you can say your name and who you're with prior to your comments so we are clear of who is speaking in the transcripts. Thank you.

David: Thanks, Sharon. I'll go back to the phones. Environment Canada, do you have any opening remarks you'd like to make?

Bruce: Yeah, David. It's Bruce MacDonald, Environment Canada. I don't have any opening remarks. I guess as far as expectations, can everybody hear me okay?

David: Yeah, it's great.

Bruce: Okay, so that's one expectation met. The other expectation is primarily to move the Plan forward, and I think that's probably going to be shared all around the room, so thank you.

David: Thanks, Bruce. Anybody else on the phone? KIA?

Wynter: Morning. Wynter here. No general comments, but I just wanted to point out that unfortunately, Luigi couldn't make the call, and my director, Jeff Clark, will be in and out throughout the day. He can be available to answer any questions if needed as well.

David: Okay, thanks Wynter. Anybody else on the phone that has any opening remarks or expectations?

Alright, so I'll just go around the room starting with Karen.

Karen: Thank you very much, David. Karen Costello with Aboriginal Affairs on behalf of the Government of Canada. Bruce just spoke to what an expectation we'd all like to see. Like we'd like to see some movement forward. We, at the first Technical Meeting, there was some good discussion. As you said, it was a much larger group, so there wasn't perhaps as detailed a discussion. We flushed out a few issues. I think we'd just like to see some movement and see some, if you'd like, resolution or trying to reach agreement on some of these outstanding issues. From some of the colleagues of the Government of Canada, it is our hope to be able to get some more points of clarification to you.

With regard to GIS, I know there was a commitment that we would try to get our GIS experts together. I know from the Government of Canada, we've been challenged by our designated person being away on annual leave. So we haven't advanced that, but we do know who the reps are I think from the Government of Nunavut, from NTI, and from the Government of Canada. So it's just a

matter of once we get those people together, we can start moving on that as soon as they all get back from leave. Thank you.

David: Thanks, Karen. We'll just go down the table.

Jackie: Thank you. Jackie Price, Qikiqtaaluk Wildlife Board. As I have mentioned before, Qikiqtaaluk Wildlife Board represents the 13 HTOs of this region. We understand our HTOs to be independent organizations, so while QWB will have some comments to make for this Technical Meeting, in no way should our comments be read as representing the exact goals of each HTO. We're lucky to have Marty here from Grise Fjord who can speak on behalf of his board. But as an organization, we have approximately 130 HTO board members that we work with. Each HTO is a diverse group with various expectations that can be contradictory, and it's our responsibility to work with those differences, provide accurate and informed information, and then work with the boards to find a solution that works.

So, with that kind of preamble, I guess my expectation for this meeting, I hope – which I look forward to this meeting – I hope that the dialogue especially around community engagement provides enough space for communities to have those conflicting responses to this Plan and that there is enough acknowledgement that having these conversations with communities – which will be difficult sometimes, even though there has been effective consultation to date, the diverse perspectives are respected, and that we work with the communities to find a solution, because this Plan has great implications for communities and members. I don't want to scare anyone, but I just want to say that it is a lot of work, but it can be done. I would just like to remind everyone that as QWB, we're here to help in that process and provide our experience and best practices. Thank you.

David: Thank you, Jackie. Next?

Jason: Thank you. Jason Akearok, Nunavut Wildlife Management Board. I think what was said earlier here, like getting the Plan moving forward but also seeing how things proceed during this technical hearing and what the next steps might be for NPC would be informative. Thank you.

David: Thanks, Jason.

Marty: My...I guess my expectation here is to learn a lot more than what goes on around in our area. In Grise Fjord, as you may know, we're a community of 125, 130. And there are only few of us that are willing to be sitting on boards, willing to be sitting in councils or administration or both. Unfortunately or fortunately I'm one of those. So, I hope to relay what I learn and go through the Technical Meeting transcripts at the end and pass them to my people up in the North. We'll go on from here and see what comes up from this process. So I appreciate being here. Thank you.

David: Thanks. And just for the record, could you introduce yourself again?

Marty: Sorry. My name is Marty Kuluguqtuq, and I'm from Grise Fjord.

David: Thank you.

Brandon: Hi. It's Brandon from WWF Canada. I moved to Iqaluit the day before the first Technical Meeting, so I feel a little more settled for this Technical Meeting, and I'm excited to be here. As WWF, we're

appreciative as an observer and participant in this process. From our perspective, commenting on action items as listed in the agenda, we're excited from our conversations with Transport Canada. We're happy to see them here as well. We've prepared a response to the polynyas discussion that we were having with Baffinland, who I don't think is here this morning. But we have that for NPC in terms of where the conflict in the data may have been and our explanation. Yeah, just looking forward to continuing the meeting.

David: Thanks, Brandon. Barney?

Barney: Good morning. Barney Aggark, Mayor of Chester. I'm looking forward to seeing the Plan come forward, as everybody here will bring out their experience. And I'm looking forward to the second part of the Technical Meeting. Thank you.

David : Thanks, Barney. Liz?

Elizabeth: Good morning. Thank you for allowing us to participate in this second round of Technical Meetings. Just for the information of the group, we're expecting two representatives from Baffinland. They had their own submission, but I just wanted to pass that along, that they're expected later this afternoon. So you should see them.

As well for the information of the group, Sharon had indicated that the Chamber had provided a written response to the summary notes offered by the facilitators for the initial Technical Meeting, and we provided those to NPC. And as it is unlikely that you've had an opportunity to see or review these comments, we would like to highlight just a couple of items that we feel are important.

Although mining is the major economic driver to the territory, and it was discussed at length in the meetings, mineral potential is not even mentioned in the summary notes. We would have expected to see the issue of mapping areas of high mineral potential included as an outstanding item and reflected in this summary.

The approach to existing rights remains unclear. We do not believe that applications to amend the Land Use Plan should be routinely required as part of the Land Use Plan conformity review for the development of either roads or marine transportation, as part of mining projects. The suggestion that transportation corridors and shipping through ice will require an amendment in the future is not practical or supportive to land use planning.

The outcome of the caribou workshop and its incorporation into the Land Use Plan is of essential importance to industry. With respect to the Commission's July 8<sup>th</sup> response to our original written submission, we note that the Chamber offered no less than 38 points for consideration. We only received a response on 5 of those, and 4 out of the 5 responses was 'further discussion required.'

Overall, we are disappointed in this process and with the response that we've received so far to our contributions. However, we are here to continue to work with you, and we hope that this week will provide some sincere and substantive response to our concerns. These comments are meant to be constructive, and we very much look forward to getting more in-depth conversations going on the proposed agenda items. So thank you. That concludes my opening remarks.

David: Thank you, Liz. Stephane, anything? Okay. Lorne?

Audrey: Hi, good morning. Audrey Lapenna with the Eeyou Marine Region Planning Commission. I just wanted to open with thanking NPC for having us at the table. Lorne is sitting beside me on my right. He's one of my board members, and we're here as observers. Our process for developing our land use plan in the Eeyou Marine Region is just beginning, and so we're happy to observe the process that Nunavut has gone through and to take some of the lessons learned and some of the challenges and bring them to our process in hopes to doing it with some ease. So, yeah, so thank you very much for having us here.

David: I've gotta say, an easy land use planning process doesn't seem at all practical.

Audrey: I'm hopeful. I'm hopeful.

*(Laughter)*

David: Well, there are lots of lessons to be learned. Jen?

Jen: Good morning everyone. Jennifer Pye on behalf of Government of Nunavut. I'd like to begin by thanking the NPC for having a second Technical Meeting. We look forward to participating in discussions with the NPC and with everyone else around the table on the outstanding issues that have been identified in the agenda.

With that said, I'd like to say up front that due to the limited time between the first technical workshop and this one right now that internal discussions within the GN are still ongoing with respect to many of the outstanding issues. As such, we do not have any formal government positions at this time. However, we are looking to participate in discussions to share our concerns where we have them and to listen what the other participants have to say so that we can bring this information back to our government to inform the decision-making process. We are committed to this land use planning process and supportive of the Commission. We will endeavor to provide a written submission, either before or at the public hearing with our recommendations on the outstanding issues in the agenda. Thank you.

David: Thank you. Sophia?

Sophia: Sophia Granchinho with Nunavut Impact Review Board. I don't really have any opening remarks. I just want to say thank you and look forward to working with all the organizations the next few days to move the Plan forward. Thank you.

David: Looks like you, Bert.

Bert: Yeah, I just spent two weeks in BC picking cherries, so I'm trying to remember what I'm doing here. Yeah, I want to thank the Planning Commission for pulling this together, and I realize at the last Technical Meeting there was a lot of comments and input, and a lot of concern I think. People have expressed it has been a short kind-of break between the meetings, but for the people that didn't leave on holidays, they have been working on things and trying to have some of those discussions. But we still have a lot of work to do.

Sections where the Planning Commission requested alternative wording from NTI – you know, regarding the planning partners and the baseline data, the demography economic data, the environmental data – we still have a lot of work to do. So as we go through the next few days, we'll try to provide some input and discussion, but we haven't had the chance to fully flesh that out. I missed a few voicemails from different organizations asking about the caribou workshop. I know from industry as well, just in terms of some of the concerns they've had and how with the short window we respond and where things are going, and we haven't even had a chance to respond to them, let alone get prepared for this meeting. H

Having said that, some of us flew in yesterday. We met last night with the Regional Inuit Associations. I think Jeff Hart from Kivalliq Inuit Association and Wynter Kuliktana from the Kitikmeot Inuit Association were on the phone with us last night going through some of these things to provide at least some feedback for you this week.

As mentioned, consultation is a big part of this, and we're trying to find ways. How do we work with you on that process? There are different things that the RIAs are doing, and we'll get a bit more into details on some of the activities that they're doing and how we connect with the staff at the Planning Commission to make sure information that is being gathered is plugged into your process, and vice versa – how can you help us when we're doing those meetings?

Also, we've had at the end of the Technical Meeting a few weeks ago, we met with Bruce from the Canadian Wildlife Service to talk about the concerns and issues, and I think there were good discussions there. There were steps forward identified. So we'll be working with Environment Canada to address those and work with the communities affected or the regions. And again, we need to get more fully engaged with the Planning Commission staff and make sure you're part of that so you're you know, in the thick of it and hearing those concerns and issues.

And there's been a recognition if there is an impact on Inuit harvesting or subsistence harvesting, that the process at the Nunavut Wildlife Management Board has to be respected. So those discussions are ongoing as well. In some informal meetings or calls with Makivik, we also have meetings with the Dene in terms of the negotiations going on. I'm actually missing a team meeting this week where we're preparing for a meeting with the province of Manitoba and with the Dene in a couple of weeks. But we'll again, work with you on coordinating or communicating different activities that are going on.

Miguel has been doing work in terms of the GIS, and we'll see how this week goes and who we can, again, make some progress moving forward on that. As well, a lot of the IOL designations, even though there are questions from the previous meeting, there is again – it's ongoing work. Jackie summed it up well. Although we may be parent organizations – whether it's NTI or the Regional Inuit Associations – we do have a diverse set of communities that are going to have many diverse views. And how do we incorporate those or make sure those are brought into consideration as the Plan is being developed?

Again, we are committed to the process going forward. We are interested in working with you this week to keep the momentum going, and also learning, okay, where do we go from here? There are a lot of unknowns with timelines and also expectations, because I think you've grabbed everybody's attention. You've got commitment to work forward on this, but we need your help too. We need time to work on this thing – the caribou workshop, some of the GIS analysis, internally we've been

talking about a couple of other workshops – would help us internally, especially with communities or regions, and then also legal – from the legal aspect, the different implications...so if legal counsel need to have discussions and things. So how that fits in with this timeline that's currently in place, we're not sure. But again, we are committed to trying to move it forward. We...we appreciate the flexibility, I guess of how do we get there. It may take us a bit longer than November, I think. If that final hearing is still proposed for November, there's a lot of work still to do to try and incorporate everybody's concerns. Thank you.

David: Thanks, Bert. Anybody along the wall want to say anything at this point? Dale?

Dale: Good morning, again. It's Dale Kirkland from Transport Canada. I just wanted to thank the Commission for the opportunity for us to participate in the next few days. We really appreciate that. We look forward to continued dialogue and cooperation with the Commission and all parties on areas of interest over the next few days.

One additional comment here with respect to action items arising from two weeks ago. I can commit that we were tasked with providing technical publications and reference materials related to spills. And we have provided a series of links and reference materials to our friends with Aboriginal Affairs. I trust they will provide to the NPC on our behalf.

Lastly, Transport Canada, we look forward to tomorrow. We will have some additional comments and questions and points with respect to marine transportation corridors. Thanks.

David: Thank you, Dale. Anybody else that I've missed or has something to add? Can I ask somebody who was delegated to work on the caribou workshop team to update us on any conversations that might have been had in the last couple of weeks? Bert?

Bert: Thank you. Yeah, Jennifer or Jason may want to add, but as I mentioned, I was away the last couple of weeks. But at the end of the Technical Meeting, we did sit down. Mike Settington was there from industry along with Mitch Campbell from the GN. Karla and Peter Kidd were there from the NWMB as well as myself, and I probably missed a few others.

There's agreement we should do a workshop. I know the NWMB had already been planning a workshop, so there's a bit of concern as it gets larger than what they originally planned, just that it be focused. And Mike had done a good job of identifying some of that clarity and that discussion within the group as well. There was an email the other day from Mike Settington trying to see where things were at, but Mitch has been away on holidays. I've been away. Karla got stuck with some of the bad weather I guess last week, so there's some more work to do. And then I think Mike might be on by phone at some point.

Elizabeth: Yes, he can be available. I think he was planning to time it around that particular agenda item, so we can get a hold of him for questions if need be.

Bert: So, needless to say, there is still some more work that needs to be done on that. I know the NWMB was concerned about, "Okay, as it gets bigger, the costs get bigger. How is this going to be paid for?" Hopefully we can work on some of those details this week and provide an update.

David: Okay, thanks Bert. Yeah, and I appreciate the message that time is short – the time between this meeting and the previous one was short. It's summertime, although you've got to wonder sometimes with the weather. But time is also short in the sense of getting this done. You can't – I don't think people can afford to wait beyond that which is absolutely essential. As we discussed at the first meeting, the Plan is not going to be perfect. It will never be perfect. It will never address everybody's concerns to the degree that everybody would like to see addressed. But it's...you've got to start somewhere.

And on the caribou workshop, I think it's a really important workshop, and I hear the message about where's the funding coming from. But to wait until the funding is lined up and not planned, wastes time. So I would just encourage people, those who are on the working group, to plan. We'll have a more detailed discussion later in the week about the caribou issue, but don't let the absence of guaranteed funding interfere with the planning for the workshop.

Bert: Yeah, my apologies, because I should have focused on some of the progress we were able to make. With everybody's schedules, the window for the date seem to be early November – I think late October, early November. There was some discussion whether it would be held in Rankin Inlet or Iqaluit. So there's some cost analysis that needs to be done with that.

From the different organizations, that commitment is there that the workshop needs to happen. It's just, again, the discussion about what's the budget going to be and then what are the possible funding sources. So, that is being worked on, and everyone sort of agreed to go back to their respective organizations and have that discussion. So at least we have a date and two possible locations, and we'll try and provide an update as soon as possible this week.

David: Thanks, Bert. And we'll no doubt get some more direction. Jason?

Jason: Thank you. Jason Akearok, Nunavut Wildlife Management Board. Another thing, I think Bert's right. We'll probably have a discussion later on with the GN and NTI, also to consider might be the objectives of one workshop with the NWMB and one with the NPC, so that might factor in on kind of the scale as well as where it takes place. Something to mention. Thanks.

David: Thanks. Jennifer?

Jennifer: Thank you, yeah. I'd just like to add to that is something that was discussed at a very basic level, I feel, the subcommittee meeting that I think a good discussion of the objectives for each section of the workshop would be very beneficial...because it would help to scope out the level of representation and attendance at either of the sections of the workshops. So hopefully we can discuss that further when the time comes.

## **REVIEW OF FIRST TECHNICAL MEETING**

David: That sounds good. Alright, well I'm going to turn it over to the Planning Commission now to walk through the report of the last meeting. Now I know that most people didn't get a chance to go through it, let alone provide a response. I thank the Chamber for the detailed response the Chamber provided. So this is an opportunity for people to kind of reset the clock and start thinking about what happened at the last workshop and where we left off on most of the key issues. There

may have been some issue that weren't reflected in that summary report that needs to be highlighted again. So I'd encourage people to, as the Commission goes through each time to interject when they want to and not wait until the end. Then we can move on with the rest of the agenda. So I'll turn it over to the Commission. Jonathan?

Jonathan: Thank you very much, David. This is Jonathan with the Planning Commission. Sorry, before I start, just a housekeeping note for those on the phone: I've just been emailed communication that some people on the line have been having some static, and the tech support has advised to simply hang up and try dialing back in if that's occurring for you.

With that I'll start with the summary of the previous technical meeting. Again, it's listed by chapter. So in the first chapter, there was general discussion and comments received that additional background information is needed in the introduction in the Plan to provide context. Those comments are being considered and can be discussed further. There were a number of comments regarding the need for consultation on the Plan and the designations that are in the current Draft. Those were not discussed substantially during the previous technical session, but they will be discussed later today.

It was noted that restrictions on wildlife harvesting are not appropriate in the Land Use Plan itself, in particular in regards to fishing setbacks in the migratory bird areas. And migratory bird setbacks will be discussed later today or tomorrow. There was a general acknowledgement that the definitions need to be clear, and the list of prohibited uses need to be well defined and explicit and easy to determine on the Commission's part.

It was also discussed that the use of cumulative impact referrals as a term in the Plan was problematic, and that revisions should be considered. It was noted that in some areas, if the cumulative impact referrals was removed, it would no longer appear on Schedule A of the Land Use Plan, and it would simply be a direction to regulatory authorities on Schedule B.

David: Jonathan, could I just interrupt? Just to make sure – I mean we're going through these fairly quickly. If there are some thoughts around the room that people would like to throw on the table now, and I see no such indication, so... And on the phone, any comments on Jonathan's overview so far? Alright, what I'll suggest, Jonathan, is you go through the next part, we'll stop, take a breather, and go through it that way. Thanks.

Jonathan: Thank you, David. It was also suggested by the Government of Canada, I believe, that the term 'Direction to Regulators' could be switched to 'Information to Regulators or Regulatory Authorities.' There were a few other comments on the use of direction to regulatory authorities. It was also suggested that the introduction contain some language on how the online public registry is intended to function with notifications and the ability of all users to sign up for customized notifications to receive information on where project proposals are occurring.

It was also noted that if specialized data is being shared – and this was in particular with regards to mineral information and geology and that type of stuff – if it could be accompanied by an analysis. So if experts in each organization are able to provide more concise generalized recommendations to the Commission to consider, that would be more helpful than general geological information.

It was also discussed the clarification on the relationship between conformity determination and community priorities and values. It was confirmed they would not form the basis of a conformity determination. They would again be passed on as direction to regulatory authorities. The term 'Related Research' was subject to some discussion and how that could be interpreted and the need to clarify the use of that phrase. And also, a number of issues were first raised here in regards to IOL parcels and slivers and chunks and different ways in which land use designations overlap with IOL. Again, there's a need for a great deal of discussion on those and some general housekeeping GIS issues. And that will be discussed later today as well, or tomorrow.

David: Thanks, Jonathan. Any comments from anybody on the phone and around the room? I guess I'd just like to point out that the list of action items if you like, is just that. And it doesn't mean that, in some cases when people are committed to doing something that it's the end of the story. There clearly is work going on, but it's a reflection of the time available, particularly in the two weeks between the first meeting and this one.

So I'd just remind people that while the summary indicates that something is going to happen, that somebody will consider something, it shouldn't be seen as just setting that issue aside. There is real work being done behind the scenes, and all those comments are being taken seriously by all the parties in the room. Alright, Jonathan?

Jonathan: Thank you very much, David. Moving on to Chapter 2: The first topic was key migratory bird habitat. There were some concerns over how the areas were applied, in some cases, to Inuit Owned Lands, how the setbacks would be applied. It was agreed that additional discussion was needed, and we're going to have that discussion during that meeting.

On caribou, there were a number of submissions with various perspectives. Again, it was agreed that additional discussion was required, and there was general agreement to host a caribou workshop. And we will continue discussions on that later today.

In regards to polar bear denning areas, the Qikiqtaaluk Wildlife Board had suggested they be designated as Protected Areas, and there were some suggestions that additional information might be provided. For walrus haul-outs, the QWB again suggested they be designated Protected Areas, and there was discussion of the impact on marine routes and haul-out areas, and also some general discussion on shipping. Those discussions would also be furthered today.

In regards to the EBSAs, or Ecological and Biologically Significant Areas and the polynyas, one point of note was that WWF and Baffinland were going to work to sort out conflicting information, and WWF has already noted that they have prepared a response to that. So we look forward to considering that. Baffinland had separately provided to us some of the information that they had for their impact assessment.

In regards to transboundary considerations, the GN had noted a potential wider application of consideration, both on projects inside and outside of the Settlement Area. The Impact Review Board provided some clarified language regarding the particular direction that was in the Land Use Plan.

Finally on climate change in Chapter 2, the Plan does not deal with it in a very substantial way. The NPC had just noted they're open to engaging on any concerns moving forward to improve that section.

David: Okay. Thanks, Jonathan. Comments from the phone, around the table? Yeah, Jackie?

Jackie: Thank you. Yeah, Jackie Price, Qikiqtaaluk Wildlife Board. Thank you Jonathan for that summary. I think you represented what was essentially a really huge conversation well. I just wanted to take this time again to stress the role of HTOs in representing community views on wildlife and land. I appreciate a comment made earlier that finding a perfect plan will be difficult and maybe not achievable. I feel currently that – and this is my opinion – that this Plan has lots of room to grow in terms of how it engages with wildlife issues. And I just wanted to state that for this Plan to be reflective of community opinions around wildlife, it will have to engage with HTOs directly. And I think it's something that can be done. I think it's something that can be mutually beneficial, and I look forward to that discussion. Thank you.

David: Thanks, Jackie. Any comments? Alright, Jonathan, carry on.

Jonathan: Thank you, David. Moving right along to Chapter 3: It was noted that Qausuittuq National Park on Bathurst Island has been or is being established, and the Plan would need to be revised to reflect that change. I just note here looking at the list, I don't see it identified, but Ukkusiksalik National Park in Wager Bay would also be added to that list, because that's been established, and the Plan would need to be updated to reflect that in that the Plan will no longer apply in those areas.

It was also discussed that territorial parks within municipal boundaries should be designated as Protected Areas – just a note. All areas in the current Draft Plan are designated as Mixed Use, reflecting the existing community plans that apply in those areas. But it was discussed that there would be some value in designating territorial parks in particular, within municipal boundaries.

A particular IOL parcel within Katannilik Territorial Park should be excluded from a proposed protected area. I believe it was a subsurface parcel. It has economic potential. In general, a number of the territorial parks - there have been some new proposals and some potential changes to boundaries – the GN is committed to provide or confirm those park boundaries to the Commission.

The Kitikmeot Inuit Association raised questions on the status of the Bluenose Lake Area park proposal where the land withdrawal has lapsed, and Parks Canada committed to follow-up and advise on the status of that proposal. There was some general discussion, particularly between the GN and the Kivalliq Inuit Association on mineral assessment, activities that occurred in territorial parks. And it was discussed that information could be shared.

Some Peary caribou habitat east of the national park on Bathurst Island has been designated a Protected Area. The GN noted their support for that designation, and NTI identified that they would like to hear from the community of Resolute on whether that designation is appropriate.

The Chamber of Mines raised an issue that it was their understanding that the Queen Maude Migratory Gulf Bird Sanctuary boundary was under review, but at that time, the CWS representative was not aware of such an issue and had committed to provide an update on that matter.

Bruce: Jonathan, it's Bruce MacDonald from CWS. Can I interrupt here for just a second?

David: Yeah, go ahead Bruce.

Bruce: Yeah, thanks. I did send an update to Liz, specifically, who had asked that question directly. I cc'd David Livingstone as well, so there was a response. And I asked David to forward it to the Planning Commission.

David: David might have overlooked that. He will check into it immediately.

Bruce: So what I can say then to update the group is there have been no discussions of changing the boundaries. I've confirmed that.

David: Okay. Thanks Bruce, and apologies for not forwarding that on.

Bruce: No worries.

Jonathan: Thank you, Bruce. This is Jonathan again. NTI had also raised a concern over what might be called a dual designation for national wildlife areas and migratory bird sanctuaries, and in particular that the designation applied in the Land Use Plan might go above and beyond what the established protection for those areas might be.

And there were also general discussions on the designation of Canadian Heritage Rivers and the extent of the protection that would be appropriate, and also whether the Coppermine River should be included based on its proposed status.

David: Okay. Any additional comments from the phone? Just for the folks on the phone, we'll try to resolve the noise issues that people are reporting during the break. But for the time being, there's not a whole lot we can do apparently. Any comments in the room? Yeah, Jennifer.

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. I'd just like to provide a little bit of follow-up information regarding some of these action items related to territorial parks. I've had the opportunity to follow-up with our Parks staff, and there are a number of these action items that are kind of in the works now. For instance, either sometime during the workshop or right afterwards, we'll be able to provide shape files to the NPC that show the boundaries of the new proposed territorial parks.

Regarding differences of opinion over Heritage River sites and also IOL subsurface lands within territorial parks as part of their regular business, our Parks staff will be following-up with the appropriate organizations for further discussions on that. So, upon any resolution of these issues, we will of course let the NPC know.

Regarding the mineral assessment information, I've become aware that some of this is available, but not all. So we will get that information together and send it out to the NPC and also KivIA that's listed here. As for the Coppermine Heritage River, the NPC had requested that we provide the management plan for the river, and we have that information and will forward it to the NPC within the short term. Thanks.

David: Thanks, Jennifer. Alaine?

Alaine: Thanks. I just wanted to address some of the points as well. Thanks for noting the creation of Qausuittuq National Park, Ukkusiksalik as well. There's also recently been the creation of the Parks Canada administered HMS Erebus National Historic Site. As I understand, it was created by an Order in Council maybe a month ago or a couple of months ago. Even our field unit wasn't fully aware of a lot of the details around this. It's coming directly from the PMO. But as the information gets to us, we will be providing it to the Commission to other interested partners.

As for the Bluenose Lake area, those discussions are happening internally, but a lot of people are on vacation, so I unfortunately don't have any more information to bring to you guys. But I definitely do want to keep having that conversation. Thanks.

David: Thank you. Any other comments? Okay, Jonathan.

Jonathan: Thank you very much. Moving along to Chapter 4, which is Building Healthier Communities. The Community Priorities and Values were discussed as well in the context that they would be available through the online public registry in a more user-friendly format to the tables that currently appear in the back of the hard copy versions of the Land Use Plan. It was suggested there could be some additional clarity on how they work. There was also a suggestion from NTI that there be some requirement to demonstrate that direction to regulators has been acted upon.

The QIA and Makivik committed to providing a joint submission to articulate views on the Protected Area designation for areas of equal use and occupancy. There have been some general concerns raised, but they were intending to clarify and solidify that position.

There was general discussion on marine transportation regarding clarification on the enforceability of the Plan on restrictions and setbacks. That's again going to be a topic for further discussion that we look forward to during this meeting. The spill response reports and some information from Transport Canada, we've heard already today that information has been compiled and is being distributed.

It was noted that some of the alternative energy sites were not visible on Schedule A. That's just simply a matter of making them into a point source rather than a polygon and labeling them clearly. They are there in the digital data, but they were not visible. So, we will clarify that in further versions of Schedule A.

There was some discussion on an area of community drinking water supplies, and there were some discrepancies between the information NTI was using and what was in the Plan. That was going to be further looked into and clarification provided.

There was also some discussion about future use of contaminated sites and how after they would be remediated, they might be open to additional uses. That should be considered. Finally, there were a number of questions in regards to Department of National Defense sites, and there was a commitment to work together with the NPC with National Defense to clarify exactly what measures are required around the various sites that are identified in the Land Use Plan.

David: Thanks, Jonathan. Comments on the phone? Comments in the room? Jennifer.

Jennifer: Thank you, David. I just had a question. The version of the action items that was sent to me has a Number 8 that was in italics, and I don't know if it was perhaps removed from the version you're reading from, Jonathan. Oh yeah, did you address that issue? Have you reviewed recommendations for protection of water supply outside boundaries? I don't know if you touched on that just now.

Jonathan: No, sorry I didn't. I skipped over that. The italics must have lost my eye. Yeah, I think that's just generally referring to the type of protection that would apply to community drinking water supplies outside of municipal boundaries currently. Within municipal boundaries, they were designated Mixed Use in the Land Use Plan that community plans themselves would have some sort of protection measures on the drinking water supplies. I think that was just a general note to consider what would be the best way to manage land use in community drinking water supplies where they extend beyond municipal boundaries. Currently there's a direction to regulatory authorities to consider impacts on community drinking water and potential for cumulative impacts concerns were noted. But it had been suggested by a number of parties that perhaps that should be enhanced in some way. So I think that note is just identifying that we will consider additional management techniques in those areas.

Jennifer: Thank you, Jonathan. I just wanted to confirm since it was in italics and had a question mark after it. Thank you.

David: Yeah, if I could perhaps clarify that too: David Boote put this summary together, and he had questions in his own mind about it – and we didn't have the transcript at the time, so we just kind of left it as a notion that might have been better reflected than just in the previous bullet. But anyway, that's how it ended up as an italicized version and should have actually been edited appropriately. Jonathan, back to you.

Jonathan: Okay, thank you David. If there are no other comments on that, we'll move along to Chapter 5. The first point was that NTI committed to identify in particular IOL subsurface parcels that have not been selected for mineral potential. It's our understanding that they are generally intended for economic development in most cases. But it was suggested that there was some known subsurface parcels that were not selected for that purpose. And that information would be helpful for a planning process.

The second point is that in areas of high mineral potential, tourism activities were prohibited. A number of parties identified a lack of support for that prohibition, so the Commission will consider changes to that designation. And to follow-up, the third point, the Government of Nunavut in particular has identified that the prohibition in those areas in conservation areas to be inappropriate. Further to that, the NPC had noted that if both of those prohibitions were to be removed, it would effectively make those areas of high mineral potential a Mixed Use designation.

And finally on Cameron Island, there were some significant discovery licenses that were not visible in the same way that areas of alternative energy potential were not visible. That would need to be resolved. I note that Liz has already pointed out some deficiencies in this section as well in terms of the mapping needed to identify areas of known mineral potential.

David: Thanks, Jonathan. And just a question: The letter that the Chamber sent, is it already on the NPC website? Does anybody know?

Jonathan: Our apologies. It's not there yet.

David: Okay. And Bruce's update will be there as well. Alright, any comments on the phone? Any comments in the room? NTI you've got a lot of homework to do. Alright, Jonathan.

Jonathan: Thank you, David. Moving on to Chapter 7, which is the Implementation Strategy, we started our discussion of this chapter by reviewing a number of recently approved internal procedures that guide how the Commission will conduct its activities. So those were newly available to participants. They were viewed with some interest but it was discussed that participants had an interest in providing comments on those internal procedures and that they would be provided to the Commission by September 30<sup>th</sup>. I'll just also note that those procedures dealt with things like conformity determinations and periodic reviews, plan amendments, minor variance considerations – so a lot of the topics that are addressed in that chapter were further discussed in these procedures.

It was also noted that the final version of the chapter would not contain verbatim references to NUPPAA. It should be noted that those procedures were made to be consistent with the Nunavut Project and Planning Assessment Act. An additional note on place names: There was a discussion of the need to include those in both the work of the NPC and the work of proponents. It was noted that the Inuit Heritage Trust would have an extensive catalog of Inuit place names that could be drawn upon.

The issue of overlapping designations was discussed and whether there was a need to create unique designations as opposed to simply overlapping them. There was examples where in some cases, a particular prohibition might be applied, but then a migratory bird area might overlap with that designation, and in the Land Use Plan both of those designations would effectively apply. So the prohibitions and the migratory bird setbacks would apply in that area. That is causing some confusion and could deal with some clarification.

There was again, additional discussion on transportation corridors and their overlap with Protected Areas and how that would be addressed in the Land Use Plan. And again, we'll note that is being discussed further in this Technical Meeting. There was some discussion around the use of accessory uses and the need to provide clarity around how they are used. For reference, accessory uses were noted as being permitted in all designations in Chapter 7.

Another point that's going to be further discussed this week is in regard to existing rights. There were a number of comments received, and they will be further discussed later today or tomorrow. And finally again, it was noted the application of cumulative impacts and the identification of particular geographic areas in the Land Use Plan might be viewed as limiting the ability of the Commission to refer below threshold projects in general and how that should be potentially revised in the Plan itself. Thanks.

David: Thanks, Jonathan. Comments on the phone? Comments in the room? Alright, let's take a 15 minute break, and we'll see if we can't sort out some of the audio issues in the meantime. So get back about 25 to please.

Bruce: David, it's Bruce. To assist with that on the phone then, did you want us all to hang up and dial back in, or no?

David: Yeah, why don't you do that, and we'll see if it makes any difference. I'm feeling that it just may be an overload issue, but try that.

Bruce: Okay. Thanks.

## **BREAK**

### **OVERVIEW OF NPC RESPONSE TO JUNE TECHNICAL SUBMISSIONS ON THE DNLUP**

David: I don't know if the reception is improved at all, but could you identify yourselves again and let me know what the sound quality is like?

Vicky: Vicky Johnston, Environment Canada. You sound good to me, David.

David: Oh, Vicky. Where are ya?

*(Laughter)*

Anybody else? KIA?

Wynter: Hi David. It's Wynter. I haven't had any issues other than at the beginning, and it seems to have cleared up quite a bit.

David: Just like the weather. Thanks, Wynter. Okay, we'll get started again. So, we're at the review and discussion of the June 23<sup>rd</sup> meeting summary. We've completed that, so we'll get into the response to the June submissions. I think it's Peter who is going to be leading that. So we'll go through them, and again, I invite people to interrupt when they want to, and I'll do a kind-of canvas periodically. And then we'll talk about whatever issues remain outstanding, and I know the Chamber, for example, that it has identified a number of issues that weren't adequately reflected in its view. So there may be other folks who have similar concerns.

So we'll spend the...well, as much time as we need, but we'll break at noon and then get back around 1:15. So that'll be the plan for the morning. Any concerns from anybody? Alright, let's get on with it then. So Peter, can you start the process please?

Peter: Thank you. Peter Scholz, Nunavut Planning Commission. I'll try to structure this in time, this speech or talk so that it supports but does not overlap too much with the breakout or the other items on the agenda later in this session. This document, which was released last week, in essence provides initial responses by the NPC to recommendations or concerns that were listed by the other participants in their submissions. This document was not intended to be exhaustive. It deliberately did not respond to questions or concerns or comments for which staff did not have any concerns or questions at this time.

This document was made without prejudice and was not meant to state the NPC is for or against any options. What the idea is, is to help clarify what the concerns of the other participants were and to, where appropriate, try to move the conversation forward by trying to help identify potential options or routes that we could move forward for consideration.

A tabular format was developed, four columns. The first column is just the item number, the row number. The second column is the quick summary of what the recommendation was by the planning partner or the participant. The third column was a comment by staff, and the fourth column was recommended next-steps. And for many of the items in the fourth column, the next-steps is discussion at this meeting. And there is some overlap with the summary of discussion from last meeting, which Jon just completed. So I'll try to move through this fairly rapidly. If you have any questions, that's great. As I said, a lot of what is in here is going to be discussed in detail later in the session. With that, we'll just start moving through it.

So Row 00, the first set chosen at random was Government of Canada recommendation submissions. Row 00, the comments from fishing gear setbacks: This was discussed in the previous talk with Jon, and we're looking at revisions to wording regarding fishing gear setbacks. That will be reviewed prior to the Public Hearing.

Row 01 has to do with ensuring that the Plan is consistent with the United Nations Law of the Sea. Our comment on this was relating to whether the NLUP can be used...is applicable under regional agreements, which are allowed, to allow for enforcement of certain exclusion zones that have been recommended by communities, shipping corridors, that sort of thing. WWF and NTC have been looking into that. I'd recommend that we go into that discussion in detail at the transportation corridor section, which is tomorrow I think.

Row 02: Issues regarding DND and GoC. NPC and DND are discussing those directly. Row 03: The recommendation to identify subsistence marine harvesting areas. NPC has a lot of the base data to do this. It might not have all the data. It is a lot of work to create a map like this, although I can see it being valuable. We will work towards a cartographic representation of marine subsistence areas. But as I said, it is a very large cartographic project.

Row 04 has to do with the grandfathering of existing mineral rights. This is a special section in the session today or tomorrow. Row 05: Issue of proposed transportation corridors crossing no-build Protected Areas. This will again be talked about in some detail. And we'll also have a look at Annex A quickly, which talked about the three options that staff were able to identify on transportation corridors and how they should be dealt with in the Land Use Plan.

David: Peter, can I just interrupt and just ask if there are any questions on the phone, any observations at this point, and anything in the room? Okay. Sorry, Peter go ahead.

Vicky: Yeah, it's Vicky here from Environment Canada. I had a question about 00. It says, "Further discussion with participants and consideration by NPC staff is required." I thought it was fairly clear that these setbacks could not be in the Plan. What further discussion are you envisioning?

Peter: At this stage, I would say we're just looking to see if all the participants are in agreement with the EC recommendation.

Vicky: Okay, very good. And EC can commit that once you have received that consensus, we will revise the table of setbacks for migratory bird key habitats, and we'll send it to the Planning Commission for distribution.

David: Alright, thank you, Vicky. Peter, do you want to continue on?

Peter: Sure. Peter, Nunavut Planning Commission. Row 06, relating to the term "related research" not be prohibited from applicable Protected Areas and Special Management Areas. If everyone remembers in the Land Use Plan, in certain cases under certain types of designations, it will say something like, "Oil and gas development is prohibited, and related research is prohibited." So there's a request to better define what "related research" means but also to not prohibited related research in some or all of the land use designations for development exploration. We have as a recommendation that GoC look at each land use designation in the Plan and discuss where they feel related research should be removed and a rationale why.

Moving to Row 07: It's similar to Row 05, specifically for Lancaster Sound, and that will be covered in the transportation corridor section of this section. Row 08: Comments on setbacks for migratory birds. Again, we're going to talk about that. Row 09: Definition of transportation corridor. Again, we're going to talk about that.

Row 10, starting on the Government of Nunavut recommendations in the Land Use Plan: The Government of Nunavut said that the term "minor variance" is not used consistently in the Land Use Plan. The NPC staff is not able to see how it is not used...how that is true. So, we can either talk about that at this meeting with a broad audience or in a separate breakout on specifically where the term "minor variance" is not being used consistently throughout the document.

Row 11: There's a request from GN for NPC to prepare timelines on a long-term approach incremental development of the Plan. To this and the third column of Row 11, the last paragraph says, "The NUPPAA requires review of the LUP every five years." That actually is not true. The NUPPAA doesn't set a timeline for when the Land Use Plan has to be reviewed. It's NPC policy that consideration of a review occurs every three years minimum. But GN and NTI have both been asking for more solid timelines for future reviews and what future reviews would incorporate. Talking about solidifying what the 3-year review will involve is fairly easy. Talking what future plans may incorporate an addition to the sort-of factors that are considered now is quite a difficult discussion and may be premature at this stage.

Row 12: Request for detail on how the methodology of incorporating Community Priorities and Values into the Land Use Plan was done. NPC staff will look at how to talk about that in the Land Use Plan for future readers.

Row 13 has to do with co-planning, explaining how co-planning occurs in the areas of overlapping claims. For our comment, NPC staff encourages NTI and the Nunavik and Eeyou Marine Planning Commissions to engage in similar discussions. Thank you. Jen?

Jen: Thank you. I just wanted to clarify on Row 13 and then perhaps we can revisit Number 10. But from the comment by NPC, it's not clear. Will the NPC be undertaking the GN recommendation and adding that information into the Plan? Or I guess what is the follow-up that is going to occur on this item? Thank you.

David: Sharon?

Sharon: Thank you. Thank you for your question, Jen. It's Sharon Ehaloak from the Planning Commission. So all of the recommendations that are going forward and the options, the Commissioners will be the ones to make the final decision. So what will be in the Plan and what isn't, I can't say. However, I can tell you that the recommendations of what is being brought forward, the Commissioners will see and will have the opportunity to make the decisions based on all the information that is submitted. So, I want to be clear: We are listening. We are hearing. We are bringing the information forward. Thank you.

David: Thanks, Sharon. And if I could just add to that, and as I mentioned at the outset of the meeting this morning, and as we discussed at the last meeting, the Commission staff are in a bit of a bind, right? They can't commit to things that they are not mandated to commit to. But what I can tell you based on the discussions I've had with Commission staff is that they hear everything people are saying and are taking it all seriously, and they will do their best to find a solution that works for everyone. So when they say, "We'll take it under advisement," that's what they can say. But I can assure you there's discussion far beyond that. Elizabeth?

Elizabeth: I guess just around process and how this all works – and you've been saying that it's the Commission that makes the decisions, and we appreciate that. I understand that. But I guess we're wondering what staff's commitment would be towards what recommendations you're making to the Commission? I mean, could there be some suggestion as to what you'll...what you kind of agree with, with what we're saying around the table and what you believe you would take forward as an actual recommendation to your Commission so that they can make an informed decision? Thank you.

David: Sharon?

Sharon: Thank you, David. Sharon with the Planning Commission. The Commission will see all the information. They will see all the documents. They will see everything. They also will be at the Public Hearing, and they will hear all the submissions as well. So, the staff have no bias, no agenda other than to ensure that all information and recommendations are looked at, processed, and put in a document that substantiates all of the recommendations. So where there is, for example, if there's a competing interest, our job is to put all the data surrounding those competing interests together, so when the Commission does make the decision, they make an informed decision. And the process is transparent. The Public Hearing is open. And we envision full participation at that Public Hearing. All of the submissions will also be heard, and the documentation. All parties will have the opportunity to make their submissions and their presentations at that time as well. Thank you.

David: Thanks Sharon. I'm not sure that answered your question, Liz, but maybe I can try to bridge the gap a little bit, because I've been working with all the parties here. I think everybody understands the dilemma, and I think – I'm hoping, and as many of the other folks have already indicated in the remarks this morning – that in the course of the next two or three days, we will be able in this room to narrow the differences, to clarify what the concerns are.

And I'd suggest that if the parties can reach a consensus, that will make the Planning Commission's job a lot easier. So if Government of Canada and Chamber and GN and NIT and the other parties say, "Yep, we're all on the same page with respect to this issue," I'd be surprised if the end result was a different decision. So I'd encourage people to have as many of the sidebar discussions as they can to make the job of the Commission staff and the Commission itself a lot easier.

But the Commission staff - as we heard last week or last meeting and today already - can't come out and say, "Yes." There are obviously easy recommendations that people have made, easy to address. There are others that are more difficult. But I can tell you that what would make the job of the Commission easier from the perspective I have, is if others reach a consensus and present it to the Commission as a consensus. I don't know if that helps at all, but that's my sense of it. You can't get a black and white answer from the Commission staff. They're just not able to do that. Okay, shall we...any comments from the phone? Alright, Peter, you want to pick up where you left off?

Peter: Thank you. Peter with the Planning Commission. Row 14 deals with the GN's comments on caribou, which were quite extensive. A special caribou subcommittee, as we all know, has been established to plan for the caribou workshop in the fall of 2015. This workshop will address both the state of knowledge with regard to caribou in Nunavut and attempt to develop recommendations for the consideration of the Commissioners. The subcommittee will develop the terms of reference and agenda for the workshop and prepare for the workshop itself. The workshop will be designed to facilitate the development of workable caribou-related land use regulations and designations. A primary outcome from this meeting, we're hoping, is that it will give clear guidance and direction to the caribou subcommittee, and that will give a clear route to NLUP recommendations.

Row 15 - We're still on GN. Comment?

Stephane: Stephane Robert from Agnico-Eagle. I just have a question about the workshop and the timing of the hearing, because what I understand is the hearing is supposed to be before the workshop. So how it will work is really the workshop is after the hearing.

David: Stephane, I think what we heard from NITI earlier was that potentially the workshop could be held at the end of October, early November. The hearing itself is scheduled for mid-November, so it's not impossible that it could occur before.

Peter: I'll continue with Row 15. Row 15 was the GN's recommendation effectively to remove the designation 167, which identified areas of high mineral potential in Nunavut and barred conservation or tourism activities. The separate section has been established at this meeting to discuss the implications and what role the 167 designation should have.

Row 16: GN recommends consideration of all transboundary watersheds, not just the Great Bear, and cumulative impact referrals. The NPC's comment on this is that the Great Bear-Contwoyto watershed was included because of a high level of development and very large consideration transboundary cumulative impacts in that area. The other...there are many other watersheds, most of them quite small, that cross the Nunavut-NWT or Manitoba borders. Implementing these recommendations on an ongoing basis could result in quite a bit of work. So NPC staff are welcoming additional information that would support the need to include other watersheds in those referrals.

Row 17 had to do with updates to park boundaries, status, and correct spelling. I think we've already talked about that today. Row 18 is a recommendation that proposed parks be given SMA status instead of PA. I'm sorry SMA is Special Management Area, and PA is Protected Area. This related somewhat to the discussion of whether related research is warranted. It's....I'd recommend that GN and NPC have a sidebar discussion on this one.

Row 19 was a recommendation to include discussion of tourism and arts sector in the NLUP. That had to do with the tourism restrictions in 167, but there also seems to be an idea of including more discussion on the arts sector in the Nunavut Land Use Plan. Staff are not really sure on how that would work. Carving stone deposits were considered in the land use designations, so some further discussion on that would be welcome. Row 20...

David: Sorry, Jen. Go ahead.

Jen: Thank you, David. Jennifer Pye, Government of Nunavut. I'm not sure but I think some of these we could talk about right now instead of going through them quickly. For instance, just Number 19 that you were just referring to – I think our comment recommending that a discussion of the arts sector be included in the Plan is simply just that – requesting that it be included as an item in the economic development chapter for consideration of Plan users, because it is a growing sector for the territory. As for applying a recommendation to it, if that's how I understand it, I think that at this point, given you know the small nature of the sector, it would perhaps be more appropriate for other land use designations to not unnecessarily restrict the arts sector. Instead of applying an actual recommendation to the arts sector, instead, other land use designations would not unnecessarily restrict the arts sector. I'm not sure if that is clear. But I think that's what we were thinking for this item Number 19.

And then I agree we can have some sidebar discussions with respect to Number 18 and also Number 10, so perhaps at a break would be good? Thank you.

David: Okay, and I would just ask that if you do have those discussions, that the results of those discussions be reported back to the group. But it sounds like a good idea. The quicker that some of these issues can be parked, the better. Okay, Peter?

Peter: Thank you. Peter, Nunavut Planning Commission. On Row 20, a comment from GN on the role of cumulative effects on conformity determinations, it was felt that more clarity was required in the Plan to ensure objectivity and reproducibility in cumulative effects referral criteria during conformity determinations. And NPC staff felt that more discussions with participants are needed on that one.

Row 21 was a request from GN to describe the framework of the ministerial exemption process. That is outside NPC jurisdiction as to how the Minister's office undertakes exemptions. We're not able to comment on that.

Row 22 is a suggestion to unify the Land Use Plan document and the Options and Recommendations document. The Land Use Plan is deliberately short. It's going to be used on a day-to-day basis, and the information that the people that are implementing will need, and the people that need to understand it will need, are there. The O&R document is intended to be the backup of why certain designations are what they are. So, I understand there's a concern that the O&R doesn't have the same sort of legal status as the NLUP document. But the concern from our end is if the two

documents are unified, people using the document are going to be dealing with something that is almost 2 inches thick. It's going to be a lot harder to get the information you need on what is and what is not permitted under regulations.

So moving into the NTI area...sorry.

David: Just a second, Peter. I'll just ask people on the phone if they have any questions or observations at this point?

Vicky: It's Vicky from Environment Canada. I do have something on an earlier recommendation, but I'll just wait until the end.

David: Actually, Vicky, if you want to raise it now, it would probably be a good time.

Vicky: Okay, this is going back to research. Where was that? Which number was that?

Elizabeth? Number 18, I think...or 6.

Vicky: I'm just not sure, just reading what the Planning Commission has written here. I just want to confirm that the understanding of the GoC comment was correct. They were recommending that there be some sort of idea for research where it was non-commercial research that would not be prohibited, exploitative research would continue to not be permitted in these areas. I just wanted to make sure that that nuance was understood.

Peter: Thank you. That's very helpful. Yes, we are talking about Row 6.

Vicky: Yep.

David: Okay, so that comment has registered, Vicky. Anything else from the room?

Vicky: No.

David: And from the phone? Alright, let's go on to the NTI recommendations then.

Peter: Thank you. Peter, NPC. Row 23: NTI recommends that the term "planning partners" be replaced by another term. We've...NPC has requested what wording would be preferable to NTI. Row 24 – and I'll cluster these, not out of disrespect, but the theme of them is quite similar. Rows 24, 25, 26, 27, and 28 deals with requests from NTI to include more baseline data in the Land Use Plan. And this would be over and above what's in the O&R. The NPC...the staff responds with Number 1, keeping the Land Use Plan within a workable length but also putting bounds on how much baseline data is to be included, because there is a tremendous amount of baseline information that went into the Land Use Plan. I mean, my first thought was like an environmental assessment for one of the major projects is usually two or three feet wide, and that's mainly baseline information. So how much baseline information do we want... would NTI like to have included and in what framework and context to help us respond to that.

Row 29: Comment on the need for excellent consultation. There is a request for more clarity on how past consultations have informed the Land Use Plan. And our next section, I think, is discussing that, so I'll just move on to the next one.

David: Sorry, Miguel?

Miguel: Peter, just to say with regard to 29 in the comments on 13, 14, and 15, while the first half of that statement is fairly true, I think it's inaccurate to say, though, that we're suggesting that your consultations have not been done to a professional standard or with appropriate pre-notification. I think that should probably be removed or amended. We're not saying it wasn't done in an appropriate way.

David: Thanks, Miguel. I suspect that's one area where the staff could agree. Bert, did you have a comment?

Bert: Well, I'll let Peter go through the group of them, and then we can make some statements. Thanks.

David: Go ahead, Peter.

Peter: Thank you. We...that statement...I don't see any problem with removing that sentence. Row 30: Consultation of the DIOs on designations for IOL. Again, a lot of this meeting is going to be talking about that, so I won't go into detail on that one.

Row 31: NTI is requesting better protections for Inuit subsistence harvesting in the Land Use Plan. NPC staff requests that if NTI can provide more explicit in the sort-of wordings and options in the Land Use Plan that would help that be achieved, that would be quite welcome.

Row 32: Need a tool for...NTI stated...well this is NPC's summary of what NTI stated, which is "Need a tool for use of priorities and values of community residents in planning decisions." NPC staff again, are asking NTI to be clear on what sort of tool they're thinking about, how it would work, and how it would be applied.

Row 33 deals with key bird habitat sites. We didn't go into much detail on this one, not out of disrespect, but just it was sort of paralleled what was stated by GN and GoC. We have a section in this meeting on birds, on the key bird habitat sites.

Row 34: Questions on how polar bear denning sites were located. Those are listed in the Options and Recommendations document. If there are further interests in talking about the polar bear denning sites, we'd be happy to do that either as a sidebar or in this larger framework. And for Row 35, which deals with walrus haul-outs, it's the same as for polar bear.

Row 36: These have to do with Peary caribou habitat protections adjacent to Qausuittuq National Park. These are intended to be included in the caribou discussions today and in the caribou subcommittee. Peary caribou are a bit of a different animal, literally and figuratively, from the regular caribou. So it may be necessary that the terms and references that we talked about earlier will have to take that into account.

Row 37 had to do with defensibility of community areas of interest and community priorities and values. We have here referring back to Row 32, which referred to the tool for use of priorities and values.

Row 38 had to do with transportation corridors, which have been talked about. Row 39 had to do with Inuit Owned Lands around the Cambridge Bay DND sites. Jon talked about that earlier this morning. Row 40: Some subsurface IOLs are not included in the designation 167. This covers previous...this will be included as previously stated in the IOL discussions and will come up also on the existing rights discussion.

Row 41: NPC was requested to provide a number, the percentage of the area of Nunavut that will be designated Mixed Use in the Land Use Plan. We have put that request in with our GIS staff, and they are working on a number for you.

Row 42: Next steps in the Plan revision. There was a comment that NPC staff had agreed to designate Denesuline lands as Mixed Use. And I'll just read from here. What NPC did do was consider and present the area of land withdrawn under a certain Order in Council - which relates to the Denesuline lands in southern Nunavut near Arviat that are claimed by the Denesuline of Manitoba - during the final Public Hearing, as Mixed Use to be reevaluated in light of representations made during the Public Hearing. The Commission will make revisions to the Draft Plan after the Public Hearing to reflect the most appropriate land use designations.

That concludes NPC comments and questions on the NTI sections.

David: Thanks, Peter. Bert?

Bert: Thanks, David. Bert Dean with NTI. Yeah, as I tried to encapsulate in the opening comments, we have met recently just last night, and again this morning to try and you know, provide some responses to these. We have some information that we can share with you, but clearly there's more work that we need to do. So I'll ask some of the others to comment on some of the sections as we go through them.

In terms of the alternative wording, I know Marie had been working from a legal technical aspect, and I'll may be ask her to comment a bit on some potential options or things for discussion.

Marie: Marie Belleau, Legal Counsel, Nunavut Tunngavik. So on the point in the Row Number 23, an alternative to the term "planning partner," as the Nunavut Planning Commission, you are the land use planners. We have an important role within the planning process, but we are not the planners. We would suggest also to remove the definition in the Land Use Plan...remove the definition of "planning partners," as it's not necessary or appropriate within the Land Use Plan.

And if you want some suggestions, we would suggest it would depend on the context that you're describing, whether different terms could be used. For example, you can use "participants in the planning process," and if you're referring to NTI, Government of Nunavut, Government of Canada – given our approval role within the context of NUPPAA – you can call them "approval parties." Or if you're talking about Regional Inuit Organizations, you can simply say that – "Regional Inuit organizations," or using the term "interested parties," or "the public," simply using the term, "the public." And we are not...we wouldn't be comfortable with the use of the term "stakeholders,"

given that us as Inuit, we are rights holders with constitutionally protected rights. So we wouldn't want to be included under the term, "stakeholders." Thank you.

Peter: Thank you.

David: Thanks, Marie. Bert?

Bert: Thank you. Continuing on similarly to what Peter had done sort-of grouping from 24 to 28, we've had a lot of discussion on those, but clearly we are missing some of the staff from the RIAs. And again, there's a process within the organizations for any of the areas or issues that may be a bit more sensitive. But that is something that we will hopefully get to you in writing or can talk to you further about on the side.

Following up on Miguel's comment about consultation – and I realize it is a sensitive issue, and I think he has highlighted you know, the reference. I mean we don't want to be overly critical that past consultations have not been done to a professional standard or stuff like that comment that's in there. And we are – QIA will maybe want to add a bit more on this – but each of the Regional Inuit Associations are working with various communities on different issues, so we'd like to find areas where there is some potential areas to work together. Resources or finances to do that, I think, are everybody's concern, but if there are projects within each region, the Kivalliq Inuit Association is doing a lot of work in Baker Lake. They've been doing mapping and different projects. And as mentioned, the IHT work with the Inuktitut place names – that's also a helpful guide. So there are some potential areas, and I don't know if Rosanne or Nigel wants to comment a bit more on some of the QIA initiatives.

Rosanne: Thank you. Thank you, Bert. Rosanne D'Orazio with the Qikiqtani Inuit Association. I, we haven't had a lot of time to kind of look into this, but we've started putting a table together of what potential communities we should be focusing on earlier in this stage, i.e. kind of more the priorities and the communities that have the most overlapping of their IOL parcels with designations in the Land Use Plan, as well as not just the number of overlaps but the prohibitions that are included in those designations and how they could be problematic to either the...kind of...the IOL parcel – I don't want to say the intent of the IOL parcel, because it's not 100% clear always what the intent of the IOL parcel is. And that's one of the biggest reasons we want to go back into these communities to have that conversation.

So we've created a table and highlighted maybe a top 3 or 4 communities that we think it's a priority to actually go in and to actually discuss with them, and at times there are other parties that would also be involved. At times it's the Canadian Wildlife, the CWS, if it's concerning a key bird habitat. And we're hoping that by narrowing it down this way that there's conversations we can have with the Planning Commission to see where we can work together to go into those communities and have that discussion, kind of all parties together, including the community and Inuit. I don't know if there's anything else you want me to add about...I think I'll just pass it over to Nigel to just add about...he attended the consultations with the Planning Commission in that very first round.

Nigel: Nigel Qaumariaq, QIA. Yeah, with respect to the first round of consultations, a number of communities expressed that this process is going pretty fast, and there was only one scheduled visit. They felt this is going to be a big change in Nunavut, and from that NPC agreed to do their second visit where they brought back the community report into the communities. And just within QIA,

understanding the intent of the particular parcel of the Inuit Owned Land parcel, we found that as a part of this process, we've started to go back into the communities, and we've gone to two. And part of the problem with the initial intent of the parcel is the documents – some communities have better information than the others, so therefore we were able to tease out the intent.

But it's very important that we go back, because the intent can't be stuck when it was chosen. Inuit must have the right to...to...to allow different forms of development through time. So it can't be static at that one time, so therefore, it's very important that we go back. And a lot of these core designations, because of the first community trip, a lot of these core designations are quite different from the first community trip. Therefore, we've highlighted a couple of communities. But as a process issue, we feel that all communities must be...have the same level of access from NPC as well as the different parties. Thank you.

David: Okay, thanks Nigel. Bert?

Bert: Yeah, and maybe I'll just switch to the phone in case Wynter or Jeff would like to comment a bit further from their regions?

David: Wynter or Jeff, do you have anything to add at this point?

Wynter: Thanks, Bert. Just touching up on Nigel's comment: I think the KIA is in a similar situation where we don't have proper documentation on why, on certain IOLs in the regions were selected. And again, the only basis that we have is the subsurface parcels and them being chosen based on their mineral potential. But I mean, of course, Luigi would be able to comment further on this. I'm very new in the process, but at this point, that is the position that the KIA is in right now.

David: Okay. Thanks, Wynter. Sharon?

Sharon: Thank you, David. Sharon from the Nunavut Planning Commission. Nigel, can you clarify? You said you're looking for – it's a process issue with all the communities for same level of access. Can you explain what "same level of access" translates to you? Thank you.

(Pause)

David: Do you want to think about that and come back after lunch? Alright. Bert, did you want to pick up?

Bert: Thank you, David. In terms of Number 31, the better protection for Inuit subsistence harvesting, that was related to the setbacks with some of the migratory bird information, and there is ongoing discussion as mentioned. So as we have those discussions and there is progress, we'll either....Ideally we would have the Planning Commission involved with us when we're having those or provide updates or a combination of both.

Again, this tool in terms of how do we use values and priorities from the community residents is something that we're working on. I think all regions are at different levels. And maybe I'll turn back to the phone if Jeff wants to comment on some of the work that is being done in Baker Lake as an example, in the Kivalliq region as well.

David: Jeff, are you on the phone?

Jeff: Yep. It's Jeff Hart from the Kivalliq Inuit Association. Over the last month or so, we've been meeting with groups here in Baker Lake and the Kivalliq Inuit Association. I wasn't part of it myself, but we met in the other communities in the Kivalliq. And it's a long process, and we're still compiling all the Knowledge we can. But as far as the IOL selections, there are still....we are kind of in the same boat as the other two RIAs in that matter.

David: Okay, thank you. I guess just as an observation, and it's been said before, the quest for perfection interferes with getting things done at times. I certainly appreciate the loss of the historical knowledge, the original intent behind the IOLs. And I think the Commission would welcome whatever clarity that can be provided.

But at the same time, we've got to move ahead with developing the first generation Land Use Plan. So recognize that it won't be perfect. Recognize that more information will always be helpful. But also recognize that the clock is ticking and has been for the last couple of decades on a Nunavut-wide Land Use Plan. So I guess I would just suggest or recommend that people temper their expectations, their desires, to get it absolutely right in the context of getting it good enough for now, recognizing that this is an adaptive document. Rosanne?

Rosanne: Thank you. Rosanne with QIA. Just to add to that, I guess. If we had a document that clearly outlined the intent of each IOL parcel – and I think what we're trying to say is that it's dynamic in nature. Just because maybe 15, 20 years ago when that document was created, if the intent of the IOL parcel at that time...and what we have is maybe four different criteria that describes why those IOL parcels were chosen. And some of them were said they were for all four purposes. So, that doesn't necessarily provide us more direction now than it did then, which is why we're trying to understand, we're trying to see, well if we have a certain designation in front of us that's laid out in the Land Use Plan, then how does that designation impact those specific IOL parcels and the intent of them? And that's why we feel at times we would need further consultation to truly understand what the current or past intent of that IOL parcel was.

And we're trying to narrow it down so that we can focus on certain communities. Although I think what Nigel was trying to say was that in an ideal world, all communities would probably need to be consulted, and we have some of a long-term vision of doing that to better redefine the intent of the IOL parcels. But if we can whittle that down to a manageable list, I think there are certain communities that are impacted much more than others that we should probably focus on at this point. So I agree we shouldn't be looking for perfection in the sense of clearly black and white outlining what the intent of each parcel is, but to try and get through what we can so that we can move forward with the Plan at this point.

David: Okay, thanks Rosanne. Anything from the Commission on that? Just picking up on the comment earlier about planning partners and decision-making parties and so on, I mean I hear what you're saying. But I think in the context of the discussions that we're having "planning partners" is the appropriate term. In the document itself it may need to be a little more tightly defined, but I think what I'm seeing emerge over the last couple of years is a growing partnership among the parties sitting around the table. That wasn't always the case, as people well know. So it's encouraging. "Planning partners" may not be the term used in the document, but "planning partners" is the intent of gatherings like this to work together to develop a plan as partners. Okay, Sharon.

Sharon: Thank you, David. Sharon from the Planning Commission. So for the understanding of the definition, just as a clarification point, the Commissioners actually did a workshop to come up with this definition. It's a Commissioner-approved definition. So if the "planning partner" definition, if you were to have recommendations of changing it or if you were looking for – Marie, what I hear NTI saying, you would rather have specific references throughout the document, if I'm understanding correctly – we would be open to looking at that.

For the change of the definition, we would take that back for their consideration. It was...believe it or not, it's one definition, but there was a great effort to be inclusive of all who would be defined in the process, and hence – and not specific to planners but planning. And that's about land use planning. That's where the terminology came up. Thank you.

David: Alright, Bert. Anything else?

Bert: Thank you, David. Bert Dean with NTI. So again, Number 33, concerns on key bird habitat sites, we have met with Bruce and there have been conversations with Vicki over the phone. Unfortunately, she wasn't able to make it here this week, but we'll be following up with them and working on progress on that area.

Number 34 with polar bear denning sites, again we work with the local Hunters and Trappers Associations or the Regional Wildlife Boards. I know it has been a number of years since the Government of Nunavut has done any specific denning survey work, per se. It has been more on population and mark recapture-type work as opposed to denning surveys. But that's where that concern or issue came from, and we'll be following-up with the local Hunters and Trappers and seeing what update we can provide with that. Similarly with the walrus haul-outs and with the Peary caribou, with Resolute Bay – that's another area that we can follow-up on and have that side discussion on.

And again, dealing with communities, and I think Jackie again in her comments earlier in her opening comments – it always depends on who shows up at the public meeting or who is on this particular board, or what's going on in the community as to who turns out or what kind of comments you may get. And some may be really well attended and participation is good, and others there may be some more challenges. So, that's an area we're focusing on as well.

Transportation corridors, again it's a sensitive issue, so it'll be worked on more. The DND sites, we have had some conversations in the past, but that's another area we've been working on, and again, the subsurface IOLs. As you mentioned earlier, I'm not going to...we have a lot of homework still to do, and that's why I think our concerns were that to have this meeting two weeks later, we just knew we couldn't physically be ready and provide the feedback that you'd be needing or requiring. But we will be working to get that to you. Thank you.

David: Alright, thanks Bert. Any other...yeah Jennifer.

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. I just had two follow-up comments to NTI's section. First I was wondering with respect to the, I guess – I don't know, I don't know what to call them – the community consultations that could potentially be happening, I was wondering if there was maybe a timeline on these? Like if it was going to be happening before the Public Hearing, or if this is kind of a long-term vision that NTI has? Like you mentioned, it had been

narrowed down to a few communities that were priority areas where there was potentially a number of IOL parcels that were needing further discussion. I was just wondering if you had given consideration to a timeline on that?

Rosanne: Thanks. Rosanne from QIA. From our perspective – and we haven't really discussed this with the Planning Commission or internally much – but as I envisioned it, I anticipated it happening before the Public Hearings, because the feedback that we get would help provide direction, I guess, to the Land Use Plan.

David: And we'll get into that in more, in the afternoon too I think. Jen?

Jennifer: Yeah, the reason why I bring that up is you know in those cases where the IOL parcel in question is perhaps...the impact is something that maybe the GN had recommended or the GN had provided data, we would definitely appreciate being involved in those discussions.

The second comment I had was regarding polar bear denning habitat. I can just provide a little bit of an update since I have spoken recently with our polar bear biologist, and this is a comment to the action items from before. But our polar bear research team is conducting ongoing research and is coming to the end of one such population study. And so, once that research is available and the information is available, we will be providing it to the NPC, but Bert you are right that our concentration is more on population abundance than it is on denning these days. However, through those studies, we do indirectly gain an understanding of important habitat for polar bear. So, it is something that's ongoing and involving, and we'll of course be providing that information when we have it. Thanks.

David: Thanks, Jen. Any other comments? Sharon.

Sharon: Thank you. Sharon from the Commission. So in addition to any of the consultation that does take place, the Commission is part of the Public Hearing process. We'll bring five members from each community to ensure representation from the communities. We'll be participating at the Public Hearing as well. Thank you.

David: Alright, and as I said, we'll get into the discussion about community engagement a little more on. Peter, do you want to pick it up?

Peter: Thank you. Peter from the NPC. Moving on to the comments from the RIAs. Each RIA submitted a separate proposal. We put them together here not out of disrespect, but just for ease of reading. Row 43: Comment from KivIA on designation 167. The comment is that 167 is essentially too small, and geological information was provided to support that. We don't have geological expertise on the NPC, so we were asking KivIA to be talking to AANDC's geological staff on just reviewing the AANDC high mineral potential recommendations. We'll be talking more about that at this meeting.

QIA had sent comments on consultations for appropriate designations. That's Row 44. I think we've already covered that in this meeting today, and we'll be talking about that more. Row 45: Kitikmeot Inuit Association had many comments on caribou. Again, that's a sub-breakout session for this Technical Meeting.

Row 46: From Kivalliq Inuit Association, comments on ensuring protection of community water supplies. The current draft...the Draft Plan typically suggests an SMA or a PA designation on all areas upstream of community water intakes. In some cases, the key watershed may extend beyond community boundaries, and clarification may be required to some of those areas. In essence, the Plan sort of divides the communities into two batches: the Batch 1 is where the watersheds are mainly in municipal boundaries, and Batch 2 is where the watersheds are mainly outside the community boundaries. And it's where the latter batch that the NLUP kicks in mainly. So, where most of the watershed is in a municipal boundary but some of it is outside, there may be some points of clarification that need to be reviewed, and there may be other points that need to be discussed. So that's where that one is.

And I'll move on to the recommendations from the various wildlife boards. Most of these had to do with caribou. So again, I won't talk about it here. The Row 48: the KRWB commented on protecting cultural sites from shipping and cruises. My understanding was concern that either the cruises would go into very sensitive habitats during sensitive times and disrupt natural systems, or that tourists when they are allowed to disembark cruise ships may damage or destroy in some way archeological or heritage sites. NPC at this stage is feeling that discussion should probably occur in the context of transportation routes and corridors. But we might decide otherwise down the road.

Moving on to the Chamber of Mines recommendations...

David: Before you do, Jackie?

Jackie: Thank you. Jackie Price, Qikiqtaaluk Wildlife Board. This is just a technical comment. The Qikiqtaaluk Wildlife Board wasn't listed in the list of Wildlife Boards, nor were QWB'S specific concerns mentioned. Now I appreciate that our concerns focused on caribou, polar bear, and walrus, which has been discussed in other sections, but QWB did raise some concerns about how marine areas of importance and community areas of interest were specified. Thank you.

David: Thanks, Jackie. Jason?

Jason: Thank you. In the NWB as well the recommendations, but I think it has been recognized as some of the setbacks and non-quota limitations that entail from that. But I think there's going to be – based on what Peter has been going through – a discussion on that. So I just wanted to point that out. Thank you.

David: Thanks, Jason. And I've just been asked by some of the folks on the phone if everybody could speak closer to the mike. That may help in the clarity of the conversation being transmitted. I think we can move on now to the Chamber comments.

Peter: Thank you. Apologies. The Kitikmeot Wildlife Board wasn't listed here, because it was based on the written submissions. Perhaps I missed the written submissions, but it wasn't a deliberate exclusion. So I apologize for that.

The Chamber of Mines – most of the points were quite clear, so we didn't have comments or questions, so they're not included here. Of the five that were, they fit quite neatly into the five primary sub-sessions of this Technical Meeting, including existing rights, key bird habitats, caribou habitats, transportation infrastructure and corridors, and just a quick comment that there was a

concern that shipping is not allowed in the Lambert Channel. The staff looked up the map and we didn't find that restriction. So we can talk about it on a sidebar if further clarification is required.

David: Any comments on the Chamber's submission? Liz?

Elizabeth: Yes, thank you. Elizabeth with the Chamber of Mines. I just kind of want to go back a little bit to our question earlier about the timing of the caribou workshop versus the Public Hearing. And I appreciate, David, your explanation of the potential dates. But we would like to highlight – and I think it had been illustrated already this summer – that if you have the caribou workshop even as close as two weeks prior to your Public Hearing, we're not going to really have time to properly invest what has occurred at the workshop in time for the Public Hearing. So I guess we'd really like the Commission and staff to really consider that. That caribou workshop is very, very important and the information that comes from that workshop is so important to this planning process. So we would like to reiterate the importance of the timing of those two events to ensure that information is included adequately. Thank you.

David: Okay, thank you. Any other comments? Okay, Peter do you want to continue on? We'll get as far as we can before lunch.

Peter: Thank you. If you're willing to go five or ten minutes over past noon, I'm pretty sure we can wrap this one up. So WWF just highlighted two main concerns: the shipping in Lancaster Sound, which Bruce suggesting be tied into the transportation corridor discussion, and a request to allow conservation within the 167 designation, which is the high mineral potential designation. So that'll be...that discussion will be wrapped up in the existing rights sub-session.

For Makivik, this related to planning for areas of equal use and occupancy, and the PA designation may be too restrictive. So that's a discussion that does need to occur. Sabina submitted a written letter, and they just requested that existing rights be given careful consideration. It just mentions here that one of Sabina's advanced...exploration sites – I'm not sure if it's an advanced exploration site – is just south of Wager Bay. I have a map over here so people can visualize it in their mind. It's right in here. So for reference, this is Wager Bay. This is Ukkusiksalik National Park. These hatchings refer to key caribou calving habitat, and Sabina's advanced deposit is right in here. So that will be an interesting discussion on that one. And Karen had a question.

David: Karen?

Karen: Karen Costello for Aboriginal Affairs. I would just like to note that I believe in the rush to compile information, it is not Sabina. It is Peregrine Diamonds, and it is an exploration project. It's an area they've been working for a number of years, so perhaps the document can just be revised. I believe this is Peregrine Diamonds' submission, not Sabina Gold and Silver.

David: Okay, well I'll just...we don't have to discuss it. You guys can take a look at it and fix it if need be.

Peter: Thank you. I apologize if we got the names mixed up. Row 57 under Baffinland recommendations was request for more clarity on what's involved in transportation corridors. We have a breakout session on that. And then we just brought forward two points – Row 58 and 59 from the technical session. Row 58 is that the public registry – this is what we heard from participants or planning

partners. 58: Planning registry needs to be designed to enable provision of advanced notice to individuals in communities.

The NPC has developed a public registry to allow for custom notifications by planning partners. How exactly that will work technically and how to get that information to planning partners on how to set up the system will occur.

And then on Row 59: Dual designations where two types of designation are allocated on one area. Basically the two options are to leave things as they are or to develop a new set of designations that – instead of having an overlap, you’ll have a new type of designation, which just covers those areas of overlap and will take all the factors into consideration.

Under the Annexes to the submission response...

David: Peter?

Peter: Yep?

David: I think what we can do is we can get that, each of these annexes before we get into the subject discussions this afternoon. So we can stop there. Rosanne?

Rosanne: Thank you. Rosanne from QIA. I just wanted to ask a question about 58: the public registry. I noticed, and I apologize for not being here when you went through Chapter 1. But I believe one of the points here was – and I think it might be referring to the same thing - about how the public registry will provide advanced notice to individuals and communities. Is this referring to the consultation guide that QIA put forward at the very beginning? And I know we discussed that the essence of it was to provide notification on behalf of the proponent to either HTOs, communities, or different levels depending on the level of activity. The essence of that is that notification would come from the proponent prior to a conformity determination from the Planning Commission. And I guess just one clarification of this point here was to address what we’ve brought up through that guide.

David: Jonathan?

Jonathan: Thanks, Rosanne. This is Jonathan. This point in particular does not speak to that issue of the QIA notification guide and the requirement for proponents to notify in advance. This particular point is referring to the custom notifications that can be set up through our public registry.

David: Okay, and we had some discussion as I recall at the last meeting, about the Planning Commission, the challenge of requiring something of third parties. But maybe we can...yeah, go ahead Rosanne.

Rosanne: What we’re working on internally, and I think what we had got out of the last Technical Meeting was that QIA, the RIAs and NTI was going to provide kind of a template or an example of something to the Planning Commission of what could be included based on what exists on other land use plans as well.

David: Okay, thanks. I think we can take a break now. As I said, we’ll go...as we go through the subjects this afternoon and over the next day and a half or so, we’ll refer to the annexes to introduce the

topic, and then get into the discussion accordingly. So if we can get back at 1:15 that would be great. And in the meantime, I'm going to ask the cadets to see if they can build a bonfire in the middle of this freezing room.

Sharon: We have been trying very diligently to get the heat on. I apologize to each of you. Jimmy has been banging on the legion door to get them over here, and I understand they are going to look at the boiler at lunch. So hopefully this afternoon we will have heat, and it won't be so terribly cold. Thank you.

### **LUNCH BREAK**

David: Alright, so we're going to finish off the discussion that we initiated this morning, and I'll just ask people if there are any key issues and related updates that we haven't already discussed. But before I do that, if I could canvas the people on the phone again. If they could identify themselves, just let me know who is there. And please feel free to interject at any point during the discussions if you need to.

Bruce: Yeah, David. It's Bruce here from Environment Canada.

Jeff: Jeff Hart from the Kivalliq Inuit Association.

Wynter: Wynter Kuliktana from the Kitikmeot Inuit Association

David: Sorry, I'm going to have to ask the folks at the mikes if you can increase the volume on the speaker? It wasn't coming through very well, at least for me. Can I get the people on the phone to reintroduce themselves? Sorry about this.

Bruce: Hey David. It's Bruce MacDonald from Environment Canada.

Jeff: Jeff Hart from the Kivalliq Inuit Association.

Wynter: Wynter Kuliktana from the Kitikmeot Inuit Association.

David: Okay, thank you. And I think the technical difficulty was at my end. I had my mike on at the same time. Alright, so we will...I'll ask the folks on the phone if there are any remaining issues that they didn't bring up or weren't brought up this morning in that context before we move on. Anything?

Bruce: Nothing from me, David.

David: Okay, and I'll then ask Jennifer.

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. I just had a question, and I think it was brought up at the last Technical Meeting, but perhaps the NPC could provide more clarification. It's regarding Number 11 in the NPC's responses to the Government of Nunavut, talking about the timeline for review and revision of the Plan.

So the NPC's comment says that evaluation will happen every three years as to whether Plan revisions are required. My question is if it is determined that a Plan revision is not required, what

happens after that? Will there be another 3-year period until it's evaluated...until the Plan is evaluated once again to see if a revision is required, or will there be something else in place? I guess the question is coming from a concern that perhaps, you know, we could keep going through this 3-year cycle where the Plan is not updated. It's decided it is not required, and then you know, it's a lengthy process. So, perhaps you can provide some clarification on that? Thank you.

David: Peter?

Peter: Peter NPC. Thanks, Jen. The procedures in the NPC will take into account comments by planning partners, knowing that the term "planning partners" may be changed. Ultimately, the decision is the Commissioners whether to go through a Plan review or renewal process. And the comments from planning partners will be taken into consideration by the Commissioners. Thank you.

David: And can you....you said this morning when you were going through this item that the 5-year period is actually not in NUPPAA?

Peter: It is not.

David: Alright, Jen?

Jennifer: Thank you. Okay, so just to clarify....sorry I'm just trying to gather my thoughts here. So every...so in the Plan right now, and I think NPC has clarified that the Plan will undergo a periodic review every 5 years. I guess I'm just wondering how the 3-year period interacts with that 5-year periodic review, or if this 3-year evaluation to see whether revisions are required, if that trumps the 5-year periodic review? Maybe I'm just not understanding between the two processes.

Peter: Peter here. I don't think there are any 5-year stipulations in any of the documents at this stage, not in NUPPAA, not in our procedures. It's every 3 years there will be an analysis on whether the Plans need to be reviewed. The Commissioners will be making the final decision, and there is a list of criteria listed among the factors the Commissioners need to consider, including amongst them what the planning partners state. And as the approving planning partners, one would presume that the GN, as well as the GC and NTI would be giving their opinions on whether these Plan needs to be reviewed or renewed or revised in some way. It would be given great weight by the Commissioners I would presume. But it's every 3 years.

David: Alright, any other points of clarification, questions? Elizabeth?

Elizabeth: Yes, earlier, just under the reference to Sabina's comments and Karen clarified that it was actually Peregrine Diamonds that had actually written a letter and made a submission, I'm just wondering about that. And I was following-up actually with these companies before we came here. I don't see a letter of...I don't see a letter on your consultation record from Peregrine Diamonds or Sabina. However, I do see a letter from Kaizen, and I'm just wondering if you're able to provide just a comment back on their letter that they submitted. Thank you.

Jonathan: Thank you, Liz. I'll just note that the Peregrine letter came in before the comments from all of the other participants in regards to the first Technical Meeting. So I believe it's on the consultation record, but it would be further down the line, separate from the other submissions that came in.

## COMMUNITY ENGAGEMENT NEEDS AND PLANS DISCUSSION

David: Okay. Thanks, Jonathan. Any other comments? Alright, let's move into the first item for this afternoon: Community Engagement Needs and Plans discussion. This is one of those thorny issues. How much consultation is enough? When is the Commission going to be satisfied that it has enough information from the communities? NTI has raised some concerns, as have other parties, about...I guess I would characterize it as adequate community engagement above and beyond the round of consultations that were undertaken by the NPC a while ago.

At the last Technical Meeting, the Commission was pretty clear it had no – or Commission staff – were pretty clear that they had no intentions pending direction otherwise from the Commission to engage in another round of consultations. That would take far more time and money than is available. And we kind of left it with, okay, we need to be working together on this as planning partners, and leveraging or utilizing the venues that are already in place rather than doing a separate special round. And I think NTI's concerns are probably strongest in that regard. So Dean, I'd ask you to kind of pick up on where you left off this morning in terms of what NTI can suggest and offer in terms of making sure the communities are adequately aware of what's in the Plan and the Commission itself is adequately aware of what the communities' current needs and wishes might be. And you'd mentioned, or Rosanne I guess had mentioned the priority list of communities and issues.

Bert: Thank you, David. Bert Dean with NTI. Yeah, we're interested in helping build on the process. Like how can we contribute more, get more information that helps the Plan? And in our discussions – and I think everybody realizes the challenges in doing community consultation, and it's never good enough. It's always an ongoing process I think. And so we're committed to how do we help with that?

So one of the areas that's being discussed is identifying what current work each of the regions are doing and developing a table, looking at a priority list, especially if there's a fair bit of activity going on around a certain community or if there's a particular issue...or if there's a lot of interest or feedback from the community. So that evaluation still needs to take place, and that's an internal exercise we talked about conducting.

Another potential area, I think, that would be helpful – and this is from some of the experience with the NIRB process where they bring in community delegates and working with the Regional Wildlife Boards and the local Hunters and Trappers Organizations. There are challenges making those connections to the communities. How do we...you know, moving forward to a Public Hearing, there's going to be five delegates from each community...What can we help, or what can we do to help them prepare?

So they're having these discussions or we're contacting key people within the Community. And whether it's through the RIA and their reps or the Community Liaison Officer or the Hunters and Trappers Association, or the Hamlet – and again coordinating with the Planning Commission, for them well ahead of schedule, identifying who are these five people that are going to come to the Public Hearing and do they have a couple of meetings or whatever in their community prior to coming to the Hearing? So when they do come, they're prepared.

It may not be perfect, but at least there's some dialogue or discussion, because – and I'm not being critical here. It doesn't matter if it's a government consultation or NTI or NIRB or anyone. When you're bringing in delegates from communities, if you're not getting a response and it's at the last minute they appoint someone to come, you can have people arriving here and they're not even 100% exactly what meeting they're coming to. And the input is critical, right? So if you have a certain level of discussion happening at the community level prior, hopefully you'll get quality information at that Public Hearing. And that would give more confidence to NTI and the RIAs, and ideally to the communities themselves and the HTOs. They've done their homework. You know, they've planned. They've prepared. They've talked about it a bit.

If there is some groundwork that needs to be done, how can we coordinate? A lot of us are in different communities already or we may be traveling there. With the RIAs, as I mentioned, they have the Community Liaison Officers or the CLOs and the Hunters and Trappers. So there's capacity there within the community. How do we plug into that?

I mean, that's just initial. We're still trying to sort it out. And again, as mentioned earlier, there are some activities already going on, so how do we build from that? Baker Lake is a good example. They just had the Areva Public Hearing, and there was fantastic turnout from the community. They've been going through a lot of similar issues, and it's not hard to get them familiar with the discussion. And there would be people there that were quite active at the NIRB process that ideally they would be involved, if not attending the hearing, at least working with that group that's preparing. So I know the Hamlet Council, their Deputy Mayor, Silas Argna'naaq was I think quite well prepared. The Hamlet was very well represented, and the prehearing...the prehearing meeting I guess, helped contribute towards that. So by NIRB being able to do that in Baker Lake, it helped contribute to the process for that final Kikavik hearing. And you got good representation from both the Hamlet and the local Hunters and Trappers, as well as community individuals. There was I think two groups that were....one was an individual person, but there were other groups that had community residents.

So how can we build on that to help? You know, people talk about lessons learned or best practices. How can we learn from some of these other situations or other meetings? And even if it's just who are those five people going to be that are coming, so that staff aren't running around at the 11<sup>th</sup> hour trying to figure out who is going to be coming, where they're going to be staying, etc. etc. Again – and I don't want to speak for others – but it's such a large task, and I know NIRB can appreciate this. But it entails a lot of cooperation from the host community as well, like when people come in. So that's just a start to what we're looking at. But again, we still have a lot of work to do to how do we prepare for that.

David: Yeah, and as I've said and others have said, the clock is ticking. November is not far off. And it would take some time to get that organized. And the summer is pretty much for most folks anyhow, hit or miss. Well back...I guess I'd ask the Commission, in terms of the five community reps, how do you guys...do you simply contact the community and say, "Send 5?"

Sharon: Thank you, David. And Bert, thank you for your comments. It's Sharon from the Commission. So I'm going to ask Brian if I miss anything in our strategy that he helped me out. So the Commission takes the five people coming from each community very seriously. Part of our consultation process on our second visit was to engage with communities about who they would send, the types of individuals. We want to ensure that we have the HTOs represented as part of those 5 people, as well as the Hamlet Council working with us.

So our team, out of Brian's shop, does the initial communications with each of the communities and works with them. That's important to us, as was our engagement strategy when we were going into the communities to ensure that we had the HTO and Hamlet participation and support for a positive turnout in the communities. And the model that we use is working quite well as with the media and the notice at the local level. We did use the liaison officers. They were very...provided a lot of support to us in the communities as well as the GN offices. They were very good with the DIOs. Everybody collectively supported the consultation process.

So when those five people are chosen, they will know what they're coming to. They will know what the process will look like, as the parties want to know, the communities want to know the same. So I'll ask Brian if he wants to add anything further. Thank you.

Brian: Thank you, Sharon. Brian with NPC. Just a couple of more points to add to what Sharon said. We've been communicating with the Hamlets and the HTOs on this issue since April. The Hamlets are aware that by July or mid-August, the NPC will be seeking a final list of potential participants to participate in the Public Hearing. One of the things that I stressed in speaking with the SAOs – the SAOs and the HTO managers – is that the people they select are aware of the process. They have a good understanding of what NPC has been doing over the last two years through the community consultations that we've done, and that the people that they send aren't just coming here to listen. They have to participate. They have to know the issues. They have to be well understanding of you know, implications in terms of land use within their areas of interest.

So our communication with the offices in each community has been ongoing. It will be ongoing as well right through August until we meet or select the individuals. Again, the SAOs and the Hamlets and the HTOs will come to an agreement to who those five are. Then we'll review those names as well. Now if you want to take part in that selection process, we are open to that suggestion as well.

Rosanne: Thank you. I just wanted to add a bit based on the conversations that we've – QIA – has been having since the last Technical Meeting. We've been talking with the QWB with Jackie about trying to organize meetings in the communities with the HTOs as well as our CLARCs. So our CLARCs are made up of representatives from the HTO, the Hamlet, and the usually a youth, Elders, and a woman's rep. So there's already I guess a group in each of our communities that would...

*(Technical screech followed by laughter)...*

...that would fit some of the characteristics...

*(Another technical bass sound followed by laughter).*

Sorry, it sounds like the sealift is coming in or something.

(Laughter)

So I think that we already, most communities might already have a group that fits some of the representation that you're looking for. And especially if we're going to be working with the QWB to try and hold meetings with the HTO beforehand, there might already be some designated people that are aware of the topic and that have already started discussing. So we're hoping to hold either

– this is a very preliminary discussion – but we’re trying to maybe hold meetings with the HTOs and CLARCs in the communities prior to whatever form of consultation that I guess we could agree on within this forum happens. So, ideally there will be people in communities that already have an awareness, somewhat, of kind of the Land Use Plan and the designations and the concerns that the community would have.

So we’re also hoping to work with CWS and perhaps the Government of Nunavut on certain designations that kind of overlap with areas, I guess, that fall into their legislation. So I think it would be kind of...it would probably be very useful for the Planning Commission to maybe work with the RIAs or NTI to come up with those lists of five people, because there might be people that we’re working with in the communities that might be the best ones to attend. And hopefully, we’re going to send information perhaps to the communities.

One comment that we’ve got back a lot from community members before we go in for consultations is that they would like something to read or to see so they have time to digest it before attending these hearings. So it would be important, I think or I guess I was just curious as to what information would be sent into the communities, because we could also help through our CLOs to kind of forward that or distribute that out. And perhaps help them digest and understand it as well.

David: Brian?

Brian: Thank you, David. Brian, NPC. We’ll consider that as well. Thank you.

David: I’m thinking that there are a number of issues here. One is finding that kind of consistency in terms of community engagement, finding the right people and keeping them in engaged. In terms of the information flow, it’s, I mean the Plan is available. The Options and Recommendations document is available. All that information is available. I think it’s going to be important for the communities to look at that information and identify themselves where they think there are problems and where there are issues. You can’t wait till the last minute, as people have pointed out.

So the sooner those folks are on standby, the people in the communities are identified – the individuals are identified - the better. And then they can be directed to the materials that already exist and then provoke discussion about well, is this what you are looking for? So there are several stages in this thing that I think are going to require some discussion among the parties to orchestrate effectively. I mean I guess what it comes down to is you probably need a little group representative from NTI and NPC and perhaps a couple of others to set in motion an actual plan to identify the right people and get the right information to them, some sort of strategic approach. Sharon?

Sharon: Thank you, David. It’s Sharon from the Commission. So another critical piece is when we went back to confirm the community reports, every community approved their report that the information that we gathered was correct. And they provided the Commission back with a motion supporting that their community reports be made public on our website. And that would be a critical piece of information for the communities. We left hard copies. We left CDs. We left hard copies of the Plan in every dialect, like Inuktitut, English, French and Inuinnaqtun in all the communities. So those materials are there. Our website is in every language so they can be accessed that way. And if there is any information or whatever, that our staff can support, we take this very seriously to ensure that

we have good participation and representation from the communities at the Public Hearing. Thank you.

David: Jackie:

Jackie: Hi there. Jackie Price, Qikiqtaaluk Wildlife Board. I really like the way this conversation is going so far. My job largely, I work with the HTO managers directly for this region, and I'm not speaking for the other regions in Nunavut. I'll just be speaking specifically for Baffin. But it's important that as a Regional Organization, we provide a lot of support to HTOs in the NWMB Public Hearing process, because we're wildlife focused. We're largely involved in wildlife management public hearings. That has a different rhythm than say, NIRB or the Planning Commission. But I think all the goals are the same.

So based on the experience I have with working with our communities on NWMB processes, while community knowledge is diverse, in-depth, and as it happens, as a regional organization, we are responsible for providing them with a context of the decision-making process. So as a Regional Organization, we're really responsible for kind of looking at the broader, bigger picture and interpreting it in a way that matches community level knowledge, skill and experience. While I appreciate that a lot of NPC's information is public, available, and translated, that doesn't necessarily mean it's hugely engaging for our members, specifically for our unilingual Inuktitut speaking members.

Not to say they can't get it. They can get it. You just need a different approach in engaging and matching what – in this example – what the Commission needs to their experience. And I guess from the QWB staff level perspective, that's why we had reached out to QIA after the second hearing. Me and my coworker realized that we needed to engage the HTOs much more directly in this conversation. We're limited by the fact that this is only our second meeting with the Commission, but luckily we know what the wildlife section is, so we have lots to offer there.

But I guess what I'm trying to get at is from our perspective and working preliminary with QIA on possible areas of discussion, the Planning Commission – there is a lot of information, and I appreciate what everyone is saying. Time is...it's important to consider time. So in my head I'm left wondering, okay, what is the most important issues we need to engage immediately with the 13 communities considering the diverse politics that happen every day in each specific community?

So I'm not trying to say that we can't do it. We can, but I guess I'm just trying to emphasize the amount of work that has to be done, but it can be done. So in our discussions with QIA, from a QWB perspective, I would say we're going to focus on animals and the marine and community areas of interest, and we're going to essentially – I think – engage communities in saying, "If you were asked what area is most important for your community, what would it be and why?" And I know that may sound really simple when considering the broader intentions of the Land Use Plan, asking a real structured question like that opens the door for multiple experiences to come open and I think feed all our organizations with a lot of information. So, I feel like I'm rambling, but I'm just trying to say that while there is a lot of information there, as a Regional Organization, we have a responsibility in making sure it's accessible and draws – and can connect to the high level knowledge that HTOs bring to their community and to our organizations. So, thank you.

David: Yeah, thank you, Jackie. Rosanne?

Rosanne: Sorry, I just wanted to follow-up on that quickly. I know I mentioned we had a table before where we had kind of tried to prioritize communities. Maybe I...I'm just trying to go through some more logistics in my head, and maybe I can give an example. One of the communities we've identified is Pangnirtung, because there's I guess 36 areas where there's overlap between designations and IOL parcels. So we've highlighted it as being important from that respect.

But we don't want to just look at kind of overlaps or incursions, as we've called them. But what are the prohibitions that are attached to that, and what are the concerns in the community? And I know Sharon, you mentioned that when you went into the communities for the second time, that the reports were left in the communities and that there is a lot of information on the website. And I'm trying to think if I were going to hold kind of a CLARC meeting or if we were going to go in and try and do a consultation, the information that was presented to the community, I think in 2013 when you went in, is different than what's on the map here.

So we would have to go back in and kind of highlight again the designations that overlap on the IOL parcels to have that conversation. But I'm trying to think of where this information would lie within the communities at this point, that if they were going to hold like an HTO meeting or a CLARC meeting on our own before we came in or before they came here to Iqaluit for the final Hearing, then where can they go in the communities to kind of get this information? And how can we help them maybe digest it or understand it before they come here?

Because it's easy to say, I guess, that yes, it's available on the website but I think in the past two years, it's probable that maybe some people have forgotten those consultations or what's been said. So there needs to be a bit of a refresher in a sense so that they can engage properly at that Hearing. So, we kind of have a Top 3, I guess here. There could be a couple of others added to it, depending on...we've only really analyzed it from an overlap basis at this point. But we've identified Pangnirtung, as I said, Pond Inlet, and Arctic Bay at the moment, as ones that have the most kind of overlap or need for further consultation I would say.

David: Okay, Sharon?

Sharon: Thank you, David. Sharon from the Commission. The reports were left with the Hamlet, the HTOs, and the Clarkes were part of those meetings and presentation of the reports as well. So the Clarke members in some communities did participate. They were all invited to all of them, so for sure the Hamlet, for sure the HTOs.

David: Bert?

Bert: Thanks, David. Bert Dean with NTI. If we could ask Barney or Marty like from Chesterfield Inlet and from Grise Fjord – I know Barney, you were involved in the NIRB process. You've been on the HTO and now you're with the Hamlet. Marty, you're obviously on both committees as well. What things can we do to help you with this process back in your home community, or are you comfortable that you can say, "Thanks for the help, but we got this under control, we can figure out who our five delegates will be and do this on our own?" Or just yeah, just trying to get a bit of perspective from your – and I realize every community is different, but just if you could provide us some insight, that would help us as we try and figure out a way to be helpful.

David: Barney?

Barney: Thank you, David. Barney from the Hamlet of Chesterfield Inlet. My first thought was that maybe if we could have a teleconference in an afternoon or something after the 5 people that have been selected, I think that would help a lot. And what I was planning was after this Part 2 Technical Meeting, once the five delegates are selected, that I will have a short meeting on our own before we come here, just to give them an update of what was being said here and the key points that we need to look at and their main concerns that they want to bring up.

It'll be good to have people that are outspoken, because living in our community, we know who will speak and who will just go and sit and listen. So, we made that clear within our Council and the HTO Board. We really need to select the people carefully. And one of my thoughts was a teleconference with one of the Commission at least for an afternoon just to give them a short overview of what is coming their way, I guess. Thanks.

David: Thanks. Marty.

Marty: Thank you. Marty from Grise Fjord. One of the things that is crucial when we are asked to meet with either the Planning Commission, NIRB, or anybody for that matter, whether it be a MOU on polar bear or whether it be a MOU on narwhals, muskox, whatever it might be, wildlife oriented – there's a lot more interest from the community level, which is great. I'm from a small community. I think when people come to us instead of us coming down, minus the \$7000.00 to come down per person, this is you know, something to be taken into factor.

Another thing I was going to mention was to perhaps include some kind of incentive to attract individuals from the community, whether they are lay people from the town, whether they are regular hunters, or some kind of officials from each agency, or HTOs. The cost always seems to be the factor. It's difficult enough to get down monetarily, let alone the weather. So some kind of incentive – whether it be 4- to 5-gallons of gas, whether it be....those little things are more attractive to others. So that kind of incentive might be useful to attract people. Because you know, there's limited individuals who have capacity, either speaking publically or speaking their minds and those are somewhat limited all the time. So having said that, I think some kind of an incentive from agencies or groups might be useful. Thank you.

David: Thanks, Marty. Question: Both of you guys – and I think everybody - has recognized that the individuals that are selected are key to this, preferably people who have been involved in the process already so have an understanding of what's going on and can pick up the ball fairly quickly. But if not, at least somebody engaged early and directed to the information and working collaboratively with the other four people in each community. And Brian you said that list would likely be available in August?

Brian: Thank you, David. NPC, Brian. I hope to have a complete list by the end of this month. I've been telling the SAOs and the Hamlets I will contact them after this meeting and try to get a final list from each community by the end of the month. So I guess my comment now then would be to QIA. We may have a list by the end of this month, if not early August. So there might be interest that you use those people that we select. I don't know.

We can probably kind of communicate with each other over the next few days, early next week and determine what we're really looking for, what NPC is looking for. What we've told the Hamlets and what we told HTOs of our type of people that we're looking, and there are a number of issues that we look at when we select the people. And I think if we can I guess touch base before I call the Hamlets next week. Get together on the telephone maybe with the lady down that way and come up with a list sooner than later. I'm not sure when QIA is hoping to do their consultations, in the next two months or so? I don't know about that. My list will be completed by the end of the month.

David: Sharon?

Sharon: Thank you, David. It's Sharon with NPC, and I thank Barney and Marty for your comments. We always appreciate direct feedback from the communities so we can support you. With regard to compensation, we cover the cost for the five people to come. We pay for the accommodation. We pay for their day-per-diem and the honoraria. So, there is no cost out-of-pocket for them to come. We do cover so they are comfortable here. We make all those arrangements.

The template that the Commission is using is from NIRB and Water Board, and we've engaged the NIRB staff to assist us in preparing and getting this together, because NIRB has done this a million times. Well, I don't know about a million, but they've done it several times, and they've been very supportive to us to assist us with bringing it together. So that's the template we're using, and then the compensation level is the level of what is approved through the Commission guideline with regards to honoraria. So it is costly for us to bring in the five people from every community, but in saying that, it's a cost well worth investing in, because adequate representation from every community and using the template based on the NIRB and Water Board consultations with the five people....some may say that's too many. Some may say that's not enough. That's the standard that has been set, so that's the standard the Commission is using.

And we want to ensure those five people are comfortable, are prepared, as the parties will know what the Hearing is going to look like, and what the expectation is. And it's critical – like Brian said – we're looking for a number of things like there's a representation of the HTO, that we have the Hamlet select and the HTO select an Elder, a knowledgeable Elder, a woman, and youth – that the HTOs are well represented. So it's global, that it's a global perspective...that when the communities speak, they're speaking collectively and that they're being heard from the community perspective. Thank you.

David: Thank you, Sharon. Just to get back to Marty. Were you talking about compensation to prepare for the Public Hearing or compensation to attend the Public Hearing?

Marty: Thank you. Marty from Grise Fjord Hamlet and HTO. It's not only compensation, you know. If you work for the GN with limited employment in town, you have to do either annual leave or go without pay. And I know there are honoraria and the like. Like sometimes, for example, right now by attending this, I had to take a working vacation to attend this. So it's not that we are looking for compensation all the time per se. You're sacrificing your own time from family a minimum of 10 days for a 2-day meeting out of town. It's those things you've got to worry about – the accommodations to and from. Yes, I'm not saying no, it's a compensation factor all the time. It's other factors like you're forced to take leave and away from family as well. Thank you.

David: Yeah, thanks Marty. It's really difficult, particularly in the smaller communities where capacity is limited, and those who are the ones you would like to attend are already busier than they can possibly be at times. But I think what I'm hearing is that the first – most important thing right now – is to identify the right people and identify them early and then provide or set up a process to engage them - provide the refresher, the briefing, whatever, the materials that they'll need – so they can get engaged in this process before the Public Hearing, so that the Regional Organizations understand what the issues are from the community, and the NPC does as well. So that when everybody arrives at the Public Hearing, there are no surprises.

So I get back to it. The five people from each community need to be identified sooner rather than later. And I guess I'd suggest that pretty much collectively within this room, you'd probably be able to point to five people in every community right now that you would like to be involved if they were available. I bet if you sat down and went through each community, you could collectively come up with a list of 5 or 10 or 3 and get a head start on that. Because it's...and then we can have the engagement – the conference call, making sure the materials are available for those folks that do have the time to read it, prepare for it, think about what the issues might be at the community level, and make sure those are flagged early. I mean this is not a...this is a refresher. It should be a refresher, not a reinvention. And every now and then, I tend to hear a suggestion that the Plan needs to be reinvented somehow. There ain't time for that. The ship is sailing. People need to get on that.

So to get back to it, the first step is to identify the key people. The second step is to lay out a process that ensures that those people are engaged in understanding – reading and understanding – the material and are able to feed back sooner rather than later what their concerns might be. There might be none in some communities. There might be significant ones in others that haven't been adequately addressed. That's something we're not going to be able to address in this meeting in detail, but I'd like to at least end this section of the meeting, come up with a game plan that the key organizations agree to and will implement. Rosanne?

Rosanne: Just quickly to respond to Brian's question from before about identifying people in the communities. I think we would be happy to help if you can send us, perhaps, the preliminary list that you have and provide suggestions or names from each of the communities that we could talk to our CLARCs and kind of get an idea ourselves of who might already have the knowledge or who would best kind-of suited to attend such a Hearing.

From our perspective, there are steps that we would like to get done before than hearing happens as well. And I think we've identified these priority communities, because I think it's important that we actually go into the community. And as Marty pointed out, there's a different dialogue that can happen when you're in the community and you can have a public meeting or a meeting with the right people. From our side, we're hoping that we can organize at least three or four of those meetings with the appropriate parties, whether it's with the HTOs, the Wildlife Management Board, CWS. I think it would be really important for the Planning Commission to be there to attend those priority meetings as well to hear about the community feedback on the designations that happened on Inuit Owned Land. So I'm hoping that we can continue that conversation to see when and how and if those can happen before the final Hearing as well.

David: Jeff or Wynter, do you have any comments on this in terms of communities that are likely to be the highest priority and whether you've got names in mind already?

Wynter: I think just – sorry, Wynter from the KIA here. KIA is I think supportive of what Rosanne had said. It's important for NPC to be giving the RIAs the time to be able to go back to their communities and discuss the overlap that might be designated over the IOLs in the region. And I think it's really important that – like Rosanne said – we do take these back to our communities. Having consultation and explaining what may affect IOLs in the region, it is very important, and I think that from the KIA's perspective, it's really important that these happen as well. And I think that it's important that NPC acknowledge that each Regional Inuit Association is going to need the time they need to be able to make this happen.

David: Thanks, Wynter. Jeff, any comment?

Jeff: Jeff from the Kivalliq Inuit Association. I'd have to agree with QIA on this as well. We found our CLARCs to be great resources, and we try to keep them up to date as much as possible. And the feedback we get, we find so valuable. And I think that probably many of them – I know for Baker Lake at least anyway – that some of them will likely meet on this list of 5 people to participate in the Hearing. They will be – they will have valuable input to this Plan.

David: And would you be able to – you and Wynter – be able to provide suggested names to NPC sooner rather than later? This is just to coordinate that identification of the 5 – hopefully the 5 – representatives.

Jeff: Absolutely.

Wynter: David, it's Wynter here. I just want some clarification on the 5 suggested individuals. Is it the Hamlets that are suggesting the individuals by community, or is it the RIAs that are suggesting the individuals for each community?

David: In the short-term, names from whatever source. But in the longer term, I expect that it's the community that will make the decision – the Hamlet. But I'll turn to Sharon. No? She's shaking her head.

Sharon: No, the name selection is coming from the communities. These are community members. Planning partners, RIAs have the opportunity to send their delegates as well. But these are community representatives picked by the community. And I'd be very clear and very respectful that the HTOs and the communities will pick their names, and I think that it's good that everyone want to support suggestion of names. But at the end of the day, it is the communities that are sending their representatives, and we're empowering them and supporting them to be successful with the people that they send. So it's the community issues from the community that are being heard.

Everyone else has an opportunity to send their delegates and their representatives as well - from every organization, government, NGO – all to be heard at the Public Hearing. But this is specific to community representation and respecting that the communities will select their names. I can't stress that enough. And we heard that from the communities, from every single community that was consulted. They want to be part of this, and they know what their issues are. They were very clear with what their issues were and are through the consultation, so we're very respectful of that. Thank you.

David: Yeah, and I don't think anybody was disagreeing with that. So I'll get back to it. Would you like some support from the Regional Organizations just to get potential names together, or would you just let your process unfold?

Sharon: Thank you, David. It's Sharon here. We appreciate all the support we can get and all the suggestions. Absolutely. But at the end of the day, if the community chooses different, that's their choice. That's all I'm saying. But yes, we want your help, and yes, we want your assistance. Thank you.

David: Yeah. I think everybody understands that. So, again, I'd encourage the Regional Organizations to get together with NPC and share names if nothing else and to start to develop a strategy that collectively will help the communities be fully engaged in this process when the time comes for the Public Hearing. And again, I don't think it's going to be possible to do that here, although we could try. The next step is once you've got the names and presumably that will be done by early August, then you need to engage those people and make sure that they understand the big picture and then can focus on their community specific concerns.

And that means it's going to take some effort on the part of the Regional Organizations to help that process move forward, and perhaps NPC can help provide some more, some more information beyond the conference calls and so on. But there's going to be a limited capacity for any organization to go out and do a community tour. That's just not going to happen in a structured way, like happened with the previous community tours. So I think that it's going to be important for people to share their agendas, calendars, so that opportunities are maximized. So for example, in Chester, when you set your conference call up, let NPC know, let others know, and that can be scheduled in a way that people can make productive use of that time. And then task the 5 individuals with going off and doing the homework. And then report back to the community and the Regional Organizations and having those internal meetings. That's a capacity issue as much as it is just finding the right people. It's finding the time that's necessary.

And I know from my own experience that the right people are already fully engaged. So it means evenings and weekends and that sort of stuff. And that doesn't come necessarily freely. Time is valuable. So I think some consideration needs to be given to that as well. You can't just expect people to volunteer their time – and this is just my opinion – volunteer their time until the Hearing starts. So I think the Regional Organizations need to start to think about that if they haven't already given serious thought to it. Piggybacking on existing meetings and existing venues is always really important. It doesn't always require being there in person, but it does require effort, and it does require engagement. I don't know, Bert. Do you have anything else you can kick into this?

Bert: No, I think it has been well covered. Just to emphasize that yeah, we agree the names would come from the communities. It's more, again, just getting those people identified and then making that offer. You know, if there is support required or if there are questions, whether it's with the Planning Commission or other, you know, your RIA or NTI or your HTO, we just get some dialogue.

And there are, as you mentioned, piggyback meetings. There are regional meetings – the RIAs and the Regional Wildlife Boards – have meetings coming up in the fall. And I know the Planning Commission has presented before at those different meetings. So it's just getting people familiar with it, so that when they come to the Public Hearing, they have a comfort level. And they've heard

from people in their community, and they have that confidence to speak on “These are issues from our community.”

### **PUBLIC HEARING DATE DISCUSSION AND TIMELINE OF NLUP**

David: Alright, so in order to develop the strategy that...we’ve got pieces of it. We don’t have a calendar. We don’t have the piggyback-able meetings. We need all those things. NTI and NPC are the two keys, I think, in this – GN as well. Government of Canada as well, but perhaps less directly involved.

Can I suggest that each of those three organizations get somebody to meet in a small session this week and try to flesh out some of the details about how we’re going to leverage the best available opportunities and resources, and then report back to this group, say on Thursday morning? I don’t want to just leave it hanging. We need to kind of have a plan.

And I guess the last thing I’d ask is what’s your sense of the realism – and I’m looking to NTI and the Regional Organizations, communities too – of a November hearing? Is there time to do that well?

Bert: That’s the million-dollar question. We have identified it at the last meeting. You know, if that final Hearing is fixed for November, we’re going to have some serious challenges to be prepared and ready for that. And I don’t know what the flexibility of the Commission is on that. I realize that would be something that has to go back to the Commissioners. And also, that everybody is chipping in, and I guess there’s always the concern of okay, everyone is sort of in this together and how do we make it work?

And challenges come with that because people....like with the caribou workshop, right? Like people have different objectives. They have different priorities. They may have things already scheduled. We still have to have those sessions or those meetings to see if we can work out those details. So I don’t want to give an answer or volunteer, “Oh yeah, we’ll do that.” But I think it’s fair to say we’ll have those discussions and see if there’s buy-in and support and what are the areas that we can build upon? And I think that’s why, you know, identifying a few priority areas or key areas that we can see okay, can we be successful in these one or two areas? And if we’re successful there, then let’s build on it before we kind of overwhelm ourselves with so much.

And that’s where it probably gets a bit more sensitive. If we have that looming deadline, and we’re trying to do everything before that deadline, we’re kind of pushing people to do things. And then whether they can do it or not, it’s when people are being pushed, they push back. And we’ve been working hard, I think, to get past all of those kind of dynamics and just focus on, okay, what can we do to contribute to a Land Use Plan, recognizing that it’s a 1<sup>st</sup> generation Land Use Plan. But it’s something everybody’s proud to say, “We busted our butt and produced something. And yeah, there’s more areas to build on, and we’ll do that, but we’ve done a good job in getting there.”

David: So if you had your druthers, it would be postponed? Yeah. Rosanne, any comment on that?

Rosanne: I guess I’m trying to do the math in my head and how we can consult with our communities kind-of face-to-face, or whether it’s through teleconferences, and the logistics of organizing that in the summer kind of get tricky. So I don’t see much of that happening before September maybe. And then there are caribou workshops, and I think a lot of other side meetings that have to happen. So based on the conversations I’ve had internally with QIA, I think that it would be really tough to have

one in November. Especially as the Chamber of Mines said, if there's only a two or three week gap between kind of a caribou workshop and a final hearing, it would be hard for us to inform those community members on kind of you know the outcomes or the feedback of that very important workshop before the final hearing. So I think there needs to be time to kind of digest and to be prepared and ready to have those useful conversations, I guess. So long story short, postponing would be advantageous, I think, for us.

David: Postponing for how long?

Rosanne: That's another million-dollar question. I don't know if I have the answer to that one.

David: The check's in the mail, right? Well, I mean it's been going on for a long time, right? You've got to come to the end of the discussions, put a document out, test-drive that document. I mean an approved plan is going to be – it's the first one, and it's not going to be perfect. So the first iteration is essentially a test drive. That's the way I look at it at least.

You could wait another year and do another round of consultations and lose all the corporate knowledge and start all over again, or you could do it in November. It's got its limitations. Or you could recommend a date later – January, February, March. Presumably this fiscal year would be desirable on a number of counts. I guess I'd just like your best guess as to what would be doable.

Bert: Yeah, that's a discussion we have to have. And even on the side with what are people open to or receptive? How do we build on this? Is there another Technical Meeting after this? Does it make sense to build on this and keep that momentum going? These are questions and I don't want to put anybody on the spot too, so asking for a date, we don't want to delay it too long so we lose the momentum. But we don't want it too rushed. So if there is some middle ground and it's something everyone can work with, that's something that we'd certainly have those discussions with. And part of it, I can't sit here and commit people to what they can realistically get done. But I think everybody's interested in getting a quality product or information back to the Planning Commission.

Bruce (phone): David?

Bert: And the last one, of course, is the funding. How do we pay for that? And I know even with the caribou workshop, while everybody's in support, we haven't really broached that topic in detail of how are we going to pay for it? So that's always a sensitive one to figure out.

David: Funding is always – funding and capacity are always the limiting factors. Somebody on the phone that was trying to interject?

Bruce: Yeah, David. It's Bruce from Environment Canada. Is now a good time to offer an observation?

David: Absolutely.

Bruce: Okay, the observation is at the end of the day, in our experience, it takes a fair amount of time to get anything done anyway. What can change that though is the approach that's taken. And in Environment Canada's experience, if we – and I'll use listing Species At Risk as an example – if we go out and do 'X' amount of consultation, and the impression is from others that have to accept that

consultation that it was not adequate, then they will not approve the consultation. They will not approve the listing. So that means Environment Canada has to go back and do more consultation.

So we've changed our approach somewhat, and we now do – if we look at the Peary caribou example, we've got a very complex group that we're working with. All the communities are on that group, the Wildlife Board, NTI. And in our view, we're working with folks from Day 1, and it's going to take a long time. But at the end of the day, the hope is that because people were involved in the process the entire time, there will be more comfort in approving what we've come out with as a product. Now it may not be comparable.

This isn't a criticism at all of NPC. It's just an observation to say that there's going to be someone at the end of the day that has to approve this Plan, and if they don't think consultations have been done correctly or otherwise, then they may not approve it. I'm not an approver, so it's not up to me to decide that, but again, it's an observation. From our experience, it's going to take a while to get this through anyway. So I guess I'll leave it at that.

David: Okay, thanks Bruce. Wynter or Jeff, do you have any comments? Okay, apparently not. Rosanne?

Jeff: Jeff Hart, Kivalliq Inuit Association. We'd have to agree with NTI and QIA there. We think November is going to be a little rushed for us as well as other parties. But on the same page, at this point, I can't really suggest a future date.

David: Okay. Wynter, any comment? Rosanne and then Liz.

Rosanne: I just wanted to add one thing. It seems like we're taking an approach where we want to set a date and kind of meet that date. But is there a way that we could discuss or kind of try and think about what steps need to happen in order for that success to be achieved in a sense? Like what remains to be done by November or February or whenever that date happens to be as opposed to fixing a date and trying to achieve that date.

One of the reasons why we've said maybe November wouldn't work is yes, the caribou workshop. But what's left in the process? Are there still kind-of more responses coming from the Planning Commission? Is there a Prehearing Conference that is still going to happen? Maybe it would be helpful if we could think of what the steps are that still need to be accomplished in order to get there, would maybe be a different approach.

David: Yeah, it's a good point. Elizabeth.

Elizabeth: Our question is when we do get to the Public Hearing, whether it's in November or delayed or whatever the date is set, is it going to be this current version of the Plan that's presented? Or is there a plan to take all of these comments and do a revision based on your advice and direction from the Commission to make changes? Can you comment on that? Which version or is there going to be a new version of the Plan?

David: Yeah, and I guess I'd call that another million-dollar question. Sharon?

Sharon: Thank you, David. Well, I would call it a 1.7-million dollar question or 2.4-million dollar question. We're listening to what's being said. And we at the same time, hear it time and time again - \$54

million, 15 years, no Plan. What are you doing? The ITPR said active engagement, and we've been asking for active engagement. And I as the team leader of the Commission, optimistic and very pleased to see the participation at this session and the last session. So I think the ball has started to roll.

With regards to changing the November date, I would say to all the parties, if you could put your issues, put your requests in writing, the information and what you're saying from this workshop is going forward to the Commission for their consideration. Will it be this Draft or another draft? Again, Liz, we are actively listening, and we will be bringing the recommendations and the concerns forward from the parties. And it will be the Commission's decision. We do have an approved work plan and a timeline. The timeline was set by the Commissioners. To change that timeline, we need that direction from the Commissioners as well.

So, will there be another Draft? I can't say yes that there will be. However, we are hearing the concerns that are being raised. I would also say that if the Commission was to consider – I'm not saying they are – if they were to consider a different date, I would say that you would need to collectively understand what the timeline would be. To get the date, we set these things a year ahead, and the availability for the venue, the accommodations, and recognizing that 5 people from every community, organizations are sending representation – the Denesuline, the Athabasca Dene, Makivik – will all be representatives as well as the NGOs. So we're looking between 200 to 300 people. It's not a small Hearing to put together.

If the Commission was to consider a delay – and I don't know what they will say – my guess will be if they were to consider, they would want it this fiscal year, probably by March if we could get the venue and get it together. The other piece in this is the funding, and we're working collectively with implementation branch to identify the funding for the public hearing. So, on lots of fronts, we're moving forward. Once the Commission reviews all this information, it'll be going to them at their September meeting. Decisions will be made by Commissioners, and recommendations will – your recommendations will be brought forward and your concerns.

So, if the timeline were to change, that would be their decision. If another document was going to go out... To produce this Plan – and everyone around the table knows – it's \$2.00 a word. And to do it in hard copy, it's approximately \$60,000.00 to produce the document, so that has a budget implication for us. And we would bring that forward to the Commission again if there was to be a revised document and a revised Option and Recommendation pending on changes for this.

So, we know that there's - it's very important to have a good document that is going to get approved. That is the direction from the Commission. We also recognized there are a number of things that you're identifying like the caribou workshop, the information being included and being ready for the Public Hearing. We see that as well, so we are paying attention to what you're saying.

And I guess, Liz, the answer is I can't give you an answer, but I can tell you those recommendations – your recommendations and your concerns – will be brought forward to the Commission. But I would ask each of you if it is your organization or government or the Chamber's mindset that you would like a delay, that you provide us that in writing to the Commission so the Commission also has that in writing from you and it's on record. That will go give great weight, I think, as well to their ability to review whether or not they'll change the timeline. So, that's the best I can give you as an answer.

David: Elizabeth?

Elizabeth: Yeah, thank you Sharon for that, and I certainly appreciate all of the challenges with respect to budgets. And I get all of that, and I understand that. Just so I'm clear, the intention or the goal, just from a very rough timeline, is that these meetings you're going to try and compile all the information, suggestions, recommendations, from all the sources. There's going to be a meeting – a board meeting, I guess – in September, and at that point, the Commission will decide on whether or not it would be the existing Draft or a new draft that would be presented at the Public Hearing? Just so I understand, and in between that, is there still the intention to have a Prehearing Conference before the Public Hearing?

Sharon: Sharon from the Commission. Yes, yes, and yes. Thank you.

David: Those brief answers that you've been looking for.

*(Laughter)*

Barney: Thank you. Barney from Hamlet of Chester. I don't think I really agree with delaying the Public Hearing, because while it's still fresh in our minds, I think I would like to see it pull through. And the communities are already expecting that November date to go ahead. No matter where I sit, I always remind my Board or Council that is ourselves that we are put in the spots we sit in, so we just have to pull through and gather everything that needs to be gathered and just get it done. Because this is the future for our kids we're working on. I would really love to see it pull through, the sooner the better. Because, yeah, there is still a lot of work to be done once this pulls through. Then they can look above that and say, "What else has to be done now that it's gone through?" That's just my point of view. I think I would like to see it go ahead in November, because that's what we all expected. Once we start to delay something, something else might pop up, and then it won't be done. Come two years, we're still waiting for the Public Hearing. So, that's just what I wanted to share. Thanks.

David: Thank you. Karen?

Karen: Thank you very much, David. Karen Costello for Aboriginal Affairs. Thank you, Sharon for that explanation. You mentioned about putting requests in writing in advance of the September meeting of the Commissioners. Should parties wish, do you have a specific deadline as to when you might want that request? Do you want it like within, by the middle of August? Do you want it by the end of August so you can prepare in advance for the meeting? And then I have another comment.

Sharon: Thank you, Karen. Sharon from the Planning Commission. I would say as quickly as possible. If you want a timeline, I would say at the latest the middle of August. It takes us approximately, with translations and the time required to have the packages out to the Commissioners in advance, it's at least a month. So, in the next two weeks, if you want to pick a date, I would say that is...I don't have a calendar in front of me right now, but by the 10<sup>th</sup> of August, if that's acceptable. I'm pulling that out of the hat, but just so everybody knows what the timeline would be. As well, Barney, if it is your Hamlet's desire as well to hold the hearing, I would say put that in writing so the Commission makes an informed decision of what participants and communities and organizations want, so it's reflective. Thank you.

David: Karen?

Karen: Karen for Aboriginal Affairs. I listened very carefully to what we heard from NTI and the Regional Inuit Associations, and also reviewed the list of material that is still outstanding and where discussions are still pending. I would like to suggest that - from our perspective, the Government of Canada – we would give consideration to supporting NTI's request to defer the currently planned November date for the Public Hearing.

This is a huge undertaking, the Plan. There is also a significant amount of information and check work that has been one of the big things that has come out of the Technical Meetings so far, and there is a lot of information to acquire. This binder is just the information on the responses in advance to the first Technical Meeting. This does not include the many volumes of information, which I suspect could be forthcoming after NTI has done some of the work, the various parties who made commitments to getting that information.

So I would suggest that, especially with the fact that something everyone has agreed to is quite important, which is the caribou workshop, is not going to happen until October, November – that having something so quickly in November after that, may not allow people – and I really do take pity on the NPC staff, because they're going to have to synthesize all this information for the benefit of presenting it at the Public Hearing and the benefit of the Commission to inform the Commissioners. So as much work as we have to do, we do recognize that the Commission has an equal if not more heavy lifting to do. So we would think that deferring the Hearing would be appropriate, and we'll be happy to submit comments in that respect.

David: Thanks, Karen. Liz?

Ross (Phone): Chair or Madam Chair? If I may... Can everyone here me?

David: Yeah. Who's speaking?

Ross: Yeah, it's Ross Thompson. For those that don't know me, I'm the Executive Director of the Beverly and Qamanirjuaq Caribou Board. I chaired it back in the '80s, and I'm speaking on behalf of the Board. And I just kind of joined you and hearing a little bit about the planning . So I think also Leslie Wakelyn, our Board biologist is on the line. So just in terms of process, I'm here listening, and if any comments I can add, is it okay if I chime in? I'm raising my hand right now, but people can't see me.

David: Yeah, it's because we're ignoring you, Ross. Yeah, anytime, please chime in.

Ross: Thanks very much for accommodating us, and I'm very interested in where you are on your agenda right now so I can crank my head around it.

David: We are at the 1:15 to 3:00 p.m. slot on the first day, just talking about the community engagement needs and plans for that. And we're wrestling with the notion of whether the hearing as scheduled, whether people would be okay with it proceeding or not, and requesting that they express their views in writing so that the Commission staff can then relay that to the Commissioners for their meeting in September. It would be the Commissioners that would make a decision about whether

the meeting is held as scheduled or deferred, and whether for example, another Draft Plan would be produced if the meeting is deferred, and so on. So that's the kind of discussion. We're in the pros and cons, how long do you wait?

Ross: Okay, fair enough. Mainly where Leslie and I want to add our input, of course, is when the topic of the proposed caribou workshop comes up. So when that's on the agenda, I'm hoping I'll be able to chime in.

David: Yeah, and the plan right now is to start that conversation around 3:15 today. Because I think we're kind of getting to the end point of the discussion, at least for now, on the community engagement and the Public Hearing. So what...I'm going to try to sum this up. There are two tracks that we need to be thinking about. The first is if the meeting goes ahead as scheduled in November, how do we get people ready for that? And that means getting the people in communities geared up and engaged and participating.

If the decision is to, well, so we go on that track. And we've got a little working group, I hope, that will meet during the balance of this week and bring back some thoughts and recommendations as to process. And then we've heard loud and clear from a number of organizations – both at the first Technical Meeting and today – that they would prefer that the Public Hearing be deferred. The request has come that organizations, individuals put that in writing if they haven't already. And I guess I would add to that, if you don't want the Hearing to occur in November, I would recommend that you put in a date that you would be prepared to live by. So if you don't want it in November, when do you want it, recognizing that this fiscal year is probably...the end of this fiscal year is probably the date that we don't want to go past.

Ross: Right. Okay, thank you.

David: Okay, Liz.

Elizabeth: I guess – sorry, I guess Sharon left the room, but I'll just put the question out here generally. So back to just the timeline: If the information goes to the Commission, the Commission is meeting in September, they're going to decide whether or not it'll be the existing Plan that we're reviewing right now that goes forward to the Public Hearing, or there will be a new revised Plan based on all the feedback and community consultations and what have you.

We would request that we...if that decision is made – the latter decision whereby there's a new draft, a revised draft – we would ask that we have a copy of that to review at least 60 days before the Public Hearing, or you know, we'll acquiesce and say a minimum of 30 days before the Public Hearing, which is the same timeline that the Commission is being given to, you know, review submissions. You mentioned a 30-day timeline that the Commission has to have their packages so that they can do a proper review. We would ask for consideration of that, a similar timeline, or up to and including 60 days to do a proper review so that we can actively participate in the process. Thanks.

David: Thank you, Liz. And I guess I'm speaking somewhat out of turn here, but recognizing that September is a long way off and November quickly follows, that it might be...it might be appropriate for the Commission to meet on this issue sooner rather than later and come to a conclusion. So the sooner rather than later that people can get their letters in, the better. And I would suggest that, I

think Sharon said August 10<sup>th</sup> as a target, certainly no later than that. That's a Monday. Aim for sooner would be my recommendation. Whoops, sorry. Go ahead, please.

Dee: This is Dee from Government of Nunavut. I just want to extend what Rosanne said earlier. I think it would be really benefit to look at what NPC's approved plan, work plan, and try to fit what, you know, caribou workshop or the community consultation. How would that fit, and do we have to delay the Public Hearing and how much before GN puts any letter forward for proposed date. I think it will be really benefit to get together with the parties and discuss that work plan.

David: Yeah, I would agree. And I would ask that those organizations – their representatives – get together and figure that out. There would be...well there's a whole bunch of legal requirements in the Commission's procedures, timeframe and so on. The Prehearing Conference has to take place so many days in advance of the Hearing and all of that. And that kind of discussion is probably best left to a small group to just work it through. So I'll ask the organizations that want to be part of that discussion to maybe at the break – which we're going to have in about a minute – go into that corner and figure out when you can meet in more depth this week. And then come back to the rest of us by the end of the meeting with a timeline. And I would ask a date that you would be comfortable at holding to.

If the Hearing isn't going to be in November, when can it be? And if it's in March, then there's no particular time crunch. That's all doable. If it's in February, it gets a little tighter. January, you know half of December is gone anyhow. So I'll task those folks with that homework. And if you can come back at the end of the meeting with a recommendation for the group, that would be great. Okay, so let's take a 15-minute break. Come back at a quarter after, and we'll start with the caribou discussions.

## **BREAK**

*(Audible phone conversation during the break)*

David: Just for the folks on the phone, your conversations are audible to the rest of us.

Bruce: I'm on the phone here, David. It's Bruce from Environment Canada.

Ross: Ross Thompson, BQ Board.

Karin: Karin Clark, GNWT.

Boyan: Boyan Tracz with the Wek'èezhì Renewable Resources Board.

Mike: Mike Settingington with Environmental Dynamics.

Ross: Hello there, Mike.

Mike: Hello. How are you doing, Ross?

Ross: Pretty good. I'm...

Mike: Heard you guys talking. I was just trying to eat lunch. Sorry.

Ross: I'm anxiously awaiting. My trailer is sitting in the yard, just a snortin' ready to go...

David: Okay. I'll have to interrupt your conversations, you guys on the phone. As I said, the rest of the room can hear that as well. I'm going to get people to take their seats again please, including those GN folks that are chatting at the back. And we'll resume with the caribou discussions.

### **CARIBOU WORKSHOP DISCUSSION**

So we want to talk mostly about the workshop, the caribou workshop that is tentatively planned now for late October, early November. The discussion at the last Technical Meeting kind of centered on the realization that the discussion was a little too complex for it to be resolved in that setting. So we suggested that a separate workshop be established, and the Nunavut Wildlife Management Board had already tentatively planned a workshop, more of a knowledge-sharing workshop. And the NPC interests are beyond knowledge sharing. They're into, "Alright so what do we do given what we know about the calving grounds, about caribou protection measures, portable protection measures and so on?"

So there are obviously a lot of concerns, a lot of conflicting interests and issues surrounding caribou. And we're going to talk now for the rest of the afternoon about the caribou workshop and the issues revolving around caribou. The idea is to do things sequentially: get some clear guidance to the working group that is established to set up this workshop regarding the expectations for that workshop; and then guidance, again from this group, regarding preparations for the workshop including communications, logistics, and experts – areas of expertise important to the workshop success.

So that's the introduction, and as I've said before, I'll go to the phones first to hear from the people on the phone about caribou, the expectations of the workshop, and preparations that they feel are necessary for that workshop, and other issues or concerns that they may have. And I think what I'll do is just open it up to...well, why don't we start with the GNWT and then you guys can hand it off to one another on the phone. If you could introduce yourselves again, that would be helpful before you begin speaking. So Karin, I think I heard you on the phone. Do you want to start?

Karin: Yeah, hi. Thanks, David. It's Karin Clark with the GNWT. I have to admit I'm not super clear in my mind. I was hoping to listen to a bit of the discussion before jumping right in. But I guess I would say, you know, GNWT has a keen interest in participating in the workshop. I think it's a really good idea, and I think that we have value to add, and I think that we would gain a lot from it. When I think of our range planning initiatives, you know recommendations that come out of this workshop could feed right into things that we're working on. So I think there's a very practical aspect that we're interested in.

Some ideas that we threw around were the idea of having some sort of literature review done ahead of time. So that's something that could be contracted out, to really look at both science and TK knowledge on how caribou are responding to industrial development. What do we know about how they're responding and how can we mitigate? And that would be a really useful piece to produce ahead of the workshop.

And then at the workshop, you know having diverse participation from Nunavut and NWT, and having some key experts. Someone had mentioned, you know, Joe Tetlich as being perhaps a really key speaker, as someone that has been in the caribou world for a long time and could give some perspective on protecting calving grounds. Other than that, I don't have a whole lot to say, but I may jump in after I've listened to a bit more discussion. Thanks.

David: Thanks, Karen. Wek'èezhii Renewable Resources Board, do you want to chime in now?

Boyan: Hello, David. It's Boyan Tracz with Wek'èezhii Renewable Resources Board. Unfortunately, we didn't have the opportunity – or rather we did have the opportunity to participate but weren't at the first session. So I prefer just to listen and then see where the discussion is just now before chiming in. The Board provided their perspectives on the Draft Land Use Plan in a letter, but when it comes to the caribou technical session, we'd prefer just to listen in a little bit before chiming in, though a number of things Karin said, I'd echo in terms of diverse representation and certain things when it comes to mapping. But for now I'll just hold back.

David: Okay. Thanks Boyan. Ross?

Ross: Yes, thank you, Mr. Chair. Ross Thompson, BQCMB. I was the Executive Director, now speaking on behalf of the Board and our Chair, Earl Evans. I chaired this Board back in the '80s. It's kind of like what's old is new again.

First and foremost pragmatically, our next BQ meeting is in Winnipeg, November 16<sup>th</sup> to the 20<sup>th</sup>. So I'd say not then. The other thing, knowing how these things go and how busy people are, you kind of make a commitment at a meeting and then go away, and the world catches up with you. So I would say let's not rush this. I really like the idea of assembling some background information like literature review. Participants, I'm thinking – with a conversation with Leslie Wakelyn, our Board biologist and others – it makes sense to collaborate with other boards, like the Nunavut Wildlife Management Board and perhaps something like those with a scientific knowledge and based on the literature review could meet along with the Traditional Knowledge folks...and then not to exclude industry, because industry has a lot of folks that have done a lot of work from their standpoint.

And just so I don't forget, it shouldn't be...like the onus should not be on one group to prove that, you, know, disturbance does this and then the other group, we don't cause disturbance. I think the onus should be focus on areas where non-disturbance is demonstrated as well as the information that the scientific folks have about where disturbance and how and when and that type of thing.

Before I forget, though, I think the caribou protection measures effectiveness has to be thoroughly vetted, and the definitions of calving grounds, the timing, and the place and what not. So there's a lot of work that needs to be done. So I would say let's not rush it. The other thing, thinking of maybe the last quarter of this fiscal, every organization, including the federal government, would probably be in a pretty good situation to see where some sort of support funding could be layered into this. I think I'm speaking for a lot of the non-government organizations that there isn't a lot of money kicking around these days to attend, you know, even one workshop, never mind more than one. That would be extended.

The one caution I would say about collaborating with the Nunavut Wildlife Management Board, I know from our own meetings that we meet twice a year in May and November. People are pretty wrung out after 2½ days, so it would have to be fairly carefully designed so that burnout doesn't occur before, you know, important work on both sides. Yeah, and I think that's mainly what I have to ante in at this time. Thank you.

David: Thanks Ross.

Leslie: Could I just add to that, David? It's Leslie Wakelyn. I work for the BQCMB with Ross.

David: Yeah, sure. Go ahead, Leslie.

Leslie: Hi. I just wanted to make the point that quite often we talk about disturbance, but in this case for caribou, we need to talk about both area protection and mitigation for disturbance effects. So that means we need to get good background information on both disturbance effects, effects of both exploration and development activities, for instance, but on both caribou and habitat. So we need to keep those very key things to emphasize for the workshop and not emphasize one over the other.

And in terms of what Ross was saying about definitions, I think that's really key, because we in technical meetings, in particular, we throw around, you know, the terms "calving" and "post-calving areas," and that kind of thing, and we throw up maps. But quite often we're talking about different time periods between different groups, and we need to have that really clear and have an agreement on what needs to be used as those time periods for mapping, for the Land Use Plan, and other reasons as well.

And I guess we'll probably need to jump in on discussions as they proceed, because we don't really know where the GN or the NWMB or other groups are with planning this workshop right now. Thanks.

Ross: And if I could just say one more thing and then time for others, you know, the representatives on our Board are outside the Nunavut – a lot of areas that are very interested in what's happening. So the other thing about maybe taking proper time and due diligence on consultation, the Saskatchewan, Manitoba, NWT communities should have an opportunity to provide their input as well. So, that could be addressed by the steering committee and the terms of reference.

David: Okay, thank you. Mike.

Mike: Yeah, Mike Settingerton here with Environmental Dynamics. I was at the first Technical Meeting, and we brought up our issues on behalf of industry, the Nunavut, Northwest Territory Chamber of Mines. And I was just wanting more information on the methods that the Government of Nunavut used around the definition of the boundaries of the Protected Areas. So that is a key component that we'd expect to be part of this workshop.

And after that, I did take part in sort of the first agenda working group meeting that we had at the end of the meeting, but I'm going to leave that discussion to Karla and perhaps Bert Dean at – Karla at the Nunavut Wildlife Management Board and Bert Dean with Nunavut Tunngavik, because the draft agenda should be in their hands, according to the schedule that we had developed. We were going to have a draft agenda about today. So, I will leave that discussion to Karla and Bert. Thanks.

David: Thanks, Mike. Just for your information, I looked at Bert and he looked away.

*(Laughter)*

Is there anybody else on the phone that would like to contribute at this point? Feel free to drop in later though.

Vicky: David, it's Vicky here. Vicky Johnston. I just wanted to ask Mike for a bit of clarification. I'm not sure what you mean by definitions of boundaries of Protected Areas. Are you talking about the caribou conservation or protected zones, or are you talking about something else?

Mike: Talking specifically about what the Government of Nunavut is suggesting there be exclusionary from all industrial activity, based on caribou calving, post-calving, key access routes and rutting areas were the definitions being revised.

Vicky: Oh, okay. Great. Thank you.

Ross: Could I ask Mr. Chair – Vicky, sorry. Who are you with? I'm new to this.

Leslie: Ross, Vicky is with Environment Canada in Yellowknife.

Ross: Okay, thank you.

David: Alright, anybody else on the phone? Then we'll go to the room here. And I probably should have started off with a summary of where things were, although we did have a bit of discussion this morning on that. But I will turn to Bert, and he can let us know what's on the agenda.

Bert: Thanks, David. And I haven't had a chance to connect with Karla. Just for Mike's info, Jason Akearok's here with the NWMB, but we'll have to connect with Karla later, and we still haven't had a chance to meet and talk about the agenda. I know – and I'll let Jason speak to it – but I know the NWMB had some questions or concerns about as this morphs into a bigger event than what they originally had planned – and also the cost and a budget – how we are going to make this work. That's the other concern.

So it's sort of similar to earlier comments on other items. There's still quite a bit of work to be done to figure out those things so that people have a comfort level in terms of, okay are they committed to this workshop? And what will the agenda look like? So I'm just sort-of jumping back to my earlier notes. Sorry.

At the end of the meeting – the first Technical Meeting – we got together as a small group. Mitch Campbell was still, or was here at the previous one. And Mike was here as well as Karla, and we talked about what it would look like or what could be done. Spencer was here as well from AANDC, so we were trying to figure out if there might be potential funding sources from the different organizations.

And again I'll maybe pass this over to Jason and can come back again, but I think the NWMB focus was a smaller group initially. But as this process has sort of...tried to see if we can work with the

NWMB to develop a caribou workshop, there's the scientific and the literature review, and that technical aspect. But there's also the community aspect and the Traditional Knowledge, and what would a potential agenda look like? Does it make sense to sort of have two workshops that are not exclusive, but there are maybe separate agendas and then there's some overlap. You may have people attending both workshops, or whatever the case may be.

Location was another item we talked about. Brian and I had talked about Arviat, and that sort of moved into Rankin just to have more space. And then the NWMB indicated that possibly Iqaluit just again, because of cost and the number of people and that sort of thing. So those are still unresolved, because we haven't had time to...or people have been away. We haven't made time, I guess, to get those things finalized or sorted out.

And then dates, that was the other challenging thing. What dates would work for people? And it seemed to be the consensus that early November – late October, early November. I'm not sure if we've got an actual date. I think one date I have written here is November 2<sup>nd</sup> with a question mark, but to see what kind of dates would work for people. And again, there was concern because it was so close to the final Hearing. If there is or isn't flexibility on moving that date, how that would impact things.

So I'll maybe stop there and pass it to Jason, and I can come back some more. But those are some of the things at least we were able to talk about at the end of the last Technical Meeting. Jason may want to voice some things from his perspective.

David: Jason.

Jason: Thank you. Jason Akearok, Nunavut Wildlife Management Board. Yes, at the first Technical Meeting there was the intent to have an agenda complete by today, but there has been some delays. So we don't have that for everybody to share. But based on kind-of earlier discussions – and this is kind-of a question to NPC I guess – would be if the Public Hearing is in November and we have a workshop end of October, early November, whether that would be....still work into the Commission or not? I'll pose that to the NPC.

But you know, we're considering things of course, like our budget, logistics. We need to have more discussions with NTI and the GN, our partners. And also too, to figure out the objectives of the Nunavut Wildlife Management Board and what objectives NPC might have. And let's get those objectives and it might mean two different workshops that are...might not be held back to back or around the same time but are nonetheless complementary. So, yeah, that's where we're at. Thanks.

David: Thanks, Jason.

Ross: Mr. Chair, Ross here. Please accommodate my ignorance here, but as long as NPC provides sufficient notice – and I have some municipal experience with hearings – is it possible even to delay the hearing as long as they meet that lead-time to provide the dates and things like that?

David: We had some discussion about whether the Hearing would go as scheduled in November. That isn't resolved. That's a question for the Commission itself. So the discussion now is...

Ross: The legislation that governs NPC, is it...is it even in fact feasible to delay the final hearing?

David: Yes it is.

Ross: Okay good. Thank you.

David: Alright, so I'll go to the NPC now and follow-up on Jason's question about timing.

Brian: Based on a response from Sharon, if the caribou workshop were to happen the last week of October, first week of November, and the Hearing was to proceed later that month, we would do our best to make sure that we could meet those deadlines and provide that information as well into part of the process for the Public Hearing. I believe that was his question, and I hope I answered it. Thank you.

David: Yeah, thanks Brian. I think that was the question. Jason, any follow-up?

Jason: Thanks, David. Jason Akearok, Nunavut Wildlife Management Board. I know, of course, holding a workshop in early November would of course be the time to get something in writing to the NPC so it makes things very tight. But thanks, Brian.

David: Okay, I guess the question that I would have for you, Jason, and maybe back to Bert too: Is that sufficient time between now and then to prepare for the caribou workshop? Setting aside NPC's schedule, can you do the job that's necessary to prepare for even the first two days of the workshop, given the suggestion that there be a State of Knowledge report done prior to that? And then I'd like some discussion about the notion of the two...well, one workshop with two elements – the knowledge sharing part of it up front and some application of the knowledge that's been shared immediately following to try and turn the discussion into some recommendations for NPC. So is that sufficient time in your view? Is it pragmatically doable by the end of late October, early November to be ready for this workshop?

Jason: Thank you. Jason, NWMB. Talking with the staff, I think that's kind of the earliest time possible. So nothing definitive, just if it were to happen at the earliest, it's likely early November. Thank you.

David: Alright, thanks. So let's just go around the table. Karen, do you have any comments, questions, observations at this point? And the check, of course, will be in the mail shortly thereafter.

Karen: I'll leave that to our folks in implementation to discuss. We are hearing that there is again, similar to my comment earlier, there's a lot of information that will need to be compiled. And we will acknowledge that if the Wildlife Management Board feels that the earliest time possible is early November, that perhaps that they're in the best position to be informed as to what might be a realistic time frame to get this workshop done.

As far as any of the other things that Bert had mentioned about venue or anything, we know that they'll try to optimize the location so that it works best for everybody.

David: Okay, thanks Karen. Jackie, it looked like you had a comment to make.

Jackie: Thank you. I might have one or two comments. I guess, just, I'm mapping this out in my head. Again, speaking for the Qikiqtaaluk Wildlife Board, caribou has very much been on our mind due to the recent public hearing on the Baffin Island caribou. So communities....that hearing showed us – and I mean, it reaffirmed that communities have a lot of knowledge, expertise and opinions about caribou management. And also, informing and kind-of helping us guide along that Public Hearing with NWMB was a workshop that QWB had participated with the GN. I think it was November of last year, about caribou management.

So, communities can talk about caribou. But I guess I'm still a little unsure about what are the outcomes people are looking for from communities, whether it's about caribou, whether it's about polar bear, whether it's about beluga. Communities have a lot of knowledge, but they've also proven themselves time and time again to make, you know, strong stances, enforce limitations, and also give recommendations to organizations. So I guess I'm just looking for a little bit of direction on what it is this workshop, or even NPC, requires from the community to help move this discussion along.

And again, I'm just speaking from Baffin. I know the dynamics in Kivalliq and Kitikmeot are very different. I know from the last Technical Meeting, there seems to be some differences of opinion on approach between the Inuit Organizations and the Wildlife Boards. That's something that may have to be dealt with regionally. And I don't have any solutions for that.

And I guess the last statement I would make is that this question of who organizes a workshop and how it fits into the Planning Commission's process, I think it shows kind-of a gap in the Plan right now. And I guess that's an area that has the potential to really grow. As I mentioned earlier, the Plan can grow in terms of how it deals with wildlife management, and I guess currently the Plan doesn't have a clear chain of command – I don't know what the word is. It doesn't say how it will receive input from say, a NWMB Public Hearing.

So it's interesting as we have this discussion, and we keep on looking to NWMB or even to NTI, the Plan itself doesn't have a clear overview of how it will lean on these organizations who are leaders in our kind-of wildlife management discussions, to inform the Plan. So I mean, that's kind of a more theoretical debate, but as we're talking about caribou workshops, it comes into my head. Thank you.

David: Well, just on the...off the top, I think that everybody recognizes that there is limited benefit in having a workshop of caribou experts that doesn't include the community experts. And I think that view is, well, essentially unanimous. So, NPC, Nunavut Wildlife Management Board, anybody, the government agencies, would all want the communities represented to bring the community knowledge to the table and to ensure that whatever potential solutions are identified are workable in the minds of the community experts.

In terms of what NPC, how NPC would incorporate new knowledge, we've had that discussion before too, and I'll turn to NPC on that. But there is a process that NPC absorbs new knowledge as it becomes available, and periodically the Plan is reviewed and can be amended on a regular basis to incorporate new information that would have a significant impact on the current plan.

So I think...I think it comes back to okay, we're going to have a caribou workshop to try to accomplish two separate but complementary objectives. How can we do that in a way that's

effective and pragmatic and cost effective and timely? We're never going to – again – be perfect in what we do. But if somebody said to this group right now, "You've got 24 hours to come up with a workable solution that provides NPC with sufficient direction that it can put into the Land Use Plan, some measures related to caribou," I doubt that people would say, "That's impossible!" If I gave you 8 hours, I still think you could come up with pretty pragmatic recommendations. If I gave you two months, would those recommendations be any better? Marginally perhaps.

So I'm concerned about this, what I hear from time to time, "Let's push things off because we're not ready." Well we're never going to be ready, and I think we've got to do the best we can with the information we have and accept that it won't be perfect. Maybe the best thing we can hope for is that we don't make the same old mistakes. That's generic, Jackie. I'm not pointing at any one direction. So I think that in terms of the caribou workshop, where we left it the last time is that we would have a small group do the planning. At this workshop, we would do our best to provide some advice and guidance to that small group, and hopefully come up with clearer, a clearer picture of what that workshop might look like. So that's what I want to do: go around the table and get some thoughts. So back to you.

Jackie: Sorry. I guess I'm a bit like a rapper. I get a mike in front of me, and I can't stop the rhymes coming out.

*(Laughter)*

I guess I just want clarity – and I apologize, but I have a lot of thoughts about this, as many of us do. And I guess the question I was trying to ask is, "Is the question in front of us – be it NPC and all of us – about how...what kind of designation to put around calving grounds and post-calving grounds and how to define those boundaries?" I guess that was kind-of the question I was wondering most. Thank you.

David: Yeah, thanks Jackie, and that's one of the questions – the definition of the calving grounds, the definition of post-calving grounds. That's one of the issues that has been raised. But another...I mean when we talk about protection measures, they include both prohibitions on the ground as well as portable protection measures that the...kinds of measures that have been used in the past and in the case of the BQ herds and other state-of-the-art, state-of-knowledge mitigations that are possible or feasible in terms of caribou conservation, caribou stewardship.

So the workshop framework is pretty broad right now. And again, what I'd like to do is get people to say, "Okay, when we're having this workshop, whenever we have it – sooner rather than later – this is what I'd like to see discussed at that workshop. These are the considerations I want brought forward. These are the priorities that I see, or my organization sees." That's what I'd like to get out of this. And then the workshop working group can get back to designing the agenda, finding a location, and the organizations that are participating will be asked to support the workshop in one form or another. That's the job of this little working group. But I think the working group would benefit from the discussion around the table and some clearer ideas about what that workshop could achieve and the best way to go about that. Jason, do you want to pick up anything at this point, or do you just want me to go around the table for now? Marty, anything?

Marty: No, thank you.

David: WWF?

Ross: Mr. Chair, Ross here from the BQ Board.

David: Ross, just hold on for a second. I'll go to WWF first and then get back to you.

Brandon: Thanks, David. Brandon from WWF. The goals we would have, have been outlined pretty much by others already, including the BQ Management herd in terms of just clear sessions, probably back-to-back would be perfect. If we had one where we had a comparison of evidence effects of industry on caribou, and then one directly following or preceding where we had evidence of non-disturbance or disturbance having no effect. So just laying them out 50/50 and seeing how they compare to each other, as well as population information and the GN explaining the great work that they've done in delineating their polygons. But apart from that, which has already been discussed, we don't have too much more to add.

David: Thanks. Ross.

Ross: Thank you. When people mention caribou protection measures and mobile measures and everything, and accordingly I think this has to be an eyes-wide-open part of the caribou workshop. Are they really effective? Are they really feasible? What are the issues with enforcing them, and I think the way our Board is thinking is that "caribou protection measures" rolls off the tongue so easily in real critical areas. But they need to be shaken out to see whether they are a solution or not. Thank you.

David: Okay. Thanks, Ross. Barney? Chamber any comments?

Elizabeth: Yes, thank you. And I wanted to thank the person earlier who specifically mentioned that it's good to involve industry in these discussions and in this workshop, so we really appreciate that. Because we do have a lot of expertise to offer and are happy to do so, so that's why we have Mike involved.

This is an issue that's very important to our members, so we do want to reiterate that fact. But we also want to highlight that we don't believe it has to be an either-or situation. We think you can have both sustainable mineral development and appropriate protection measures for caribou. So, we kind of hope that there would be that spirit – would be taken forward when you are having your discussions at the workshops, to include that and keep that in mind during the discussions. Thanks.

David: Thanks, Liz. Just going up the table. No? Jennifer?

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. First of all, thank you to those on the phone and around the table. You've said a lot of the things that we wanted to say about things that we would like to see discussed at the caribou workshop, both the NWMB portion and the NPC portion. I guess just to reiterate – and I think Ross just said it on the phone from BQCMB, but it seems like an objective of the NPC portion at least, is to hopefully come to some kind of consensus on caribou protection recommendations that could be presented to the Commission and be potentially included in the Plan. So I think it's very important that full discussion occur where we discuss both area protection and mobile protection, and the differences between these two and what is at the root of these differences, and to have the necessary science and IQ to back up both of

these strategies and just to really get it out there in the open and have a discussion about these things.

I do think as well, if it could be planned that the NWMB workshop were to happen before the NPC workshop – and I do think that if possible, that would be very beneficial – it would be useful to connect the two by having some discussion about, you know, maybe what was learned at the NWMB workshop and how that might have reinforced participants' recommendations, or perhaps if it had changed them or whatever the case may be. So I think, you know, factoring that into the agenda as well, some kind of follow-up between the two meetings would be beneficial as well.

Some parties had suggested that a clear definition of calving grounds and post-calving grounds and other key areas of...key caribou habitat areas be included in the workshop. And I think the GN would agree with this. However, our most recent submission to the NPC as well as the submission before that I think in 2014 did include descriptions of what we believe or how we have defined post-calving, core calving, rutting areas, and those places. So as a first starting point, you know, those can be reviewed, but I think we would be prepared to you know, discuss that in more detail and have a more refined definition at the workshop. Those are my initial thoughts. Thank you.

David: Thanks, Jen. Sophia, anything?

Sophia: Sophia with the Nunavut Impact Review Board. I guess mainly just listening from what people have said and sort-of discussed, I guess just from my perspective, what are the objectives of these two meetings? It doesn't seem to be clear or I'm not quite clear yet on what the objectives are. And we're trying to determine what the agendas are and how they can be worked together. Like it sounds like people are talking about one meeting. They're talking potentially about two meetings. And I understand that the one meeting is related to what the Nunavut Wildlife Management Board was looking for initially and then with the incorporation of the Nunavut Planning Commission, like the discussions at the first meeting. But maybe just to initially confirm what are the objectives from this one or two meetings and can they be incorporated. So can the meetings that the Nunavut Wildlife Management Board is foreseeing be incorporated into a follow-up meeting, which I know that is the discussion? But is that actually what we want? Is that the objective? Just from my perspective, it just doesn't seem that basic question has been asked what the objectives are. Thank you.

David: Yeah, thanks Sophia. I mean, I think it's kind of clear in my own mind, but that may be because I'm being overly simplistic. It's a two-step project. What do we know and then how are we going to use that knowledge to address the crisis that caribou currently face and in the context of what the Commission – the Nunavut Land Use Plan – can do?

And right now in the Land Use Plan, there are measures - recommendations, whatever or however you want to term it – that aren't universally accepted. And the discussion at the first workshop brought those out. There's disagreement about the effectiveness of mobile protection measures. There's disagreement about the geographic definition of the core calving areas. There are a number of issues that people weren't agreeing on. So...and it was clear at that meeting that we weren't going to be able to resolve it, nor are we going to be able to resolve it at this one, and that a separate meeting to try to come up with some clear recommendations for the Planning Commission to consider would be worthwhile.

And at that point, Nunavut Wildlife Management Board identified that it was already thinking about a workshop - more an information-sharing workshop to talk about the various pressures on caribou, the calving ground issue, the mobile protection issues, a number of things that were intended...the discussion as I understood it was intended to share information to bring everybody up to speed. And the suggestion then was, "Well, we've got all those experts in the room. Why not extend that workshop for a couple of days and go from what-do-we-know to how-are-we-going-to-solve-this-problem?"

Because there's not much other than information sharing – there's not a great deal of additional value in that first part of the workshop. So it's okay, everybody walks away from the workshop wiser and maybe can do something within their own mandates, but it's not a collective action. And land use planning if nothing else, is a collective endeavor. So the idea was, "Okay, let's get the people – the experts – tap their knowledge but try to apply it to the particular task of the Planning Commission," if that's doable and spend a day or two going from what-do-we-know to how-can-we-collectively-inform-the-Planning-Commission as it develops the Land Use Plan?

So that's the idea. And as I said, maybe that's just overly simplistic, that you know, it's simply not doable in 4-days' time. I think it is personally, but it's not without its complications. That's for sure. Location, funding, participation, you know, background research, all of that stuff – those are some of the complications, not all of them by any means.

But I guess I get back to it. If we don't try, and you know, we're not going to be any further ahead for sure, and people will continue to be more...be further apart than they might necessarily be if we have that kind of workshop. And at a minimum, it should bring people a little closer together, and hopefully it would provide the Commission staff with greater certainty that what they put forward to the Commission itself would have greater support.

So that's the idea. So then we tasked a small group to come up with an agenda and a strategy for getting from here to there. And they've had some conversations, but it was only two weeks ago, so it's still real early. And like many things, it...you know, if the workshop goes ahead in early November, it's not going to be perfect. It may not even be pretty, who knows? But is it going to be better than where we are now? Yeah, I'd suggest so. I think it's worth the effort, and I think that was kind of where we left it at the last meeting.

And now I'm trying to get more definition for that little working group and a discussion about is this even doable, you know? Is it...the money and the logistics and all that stuff aside, is the objective doable? And so far, I haven't heard anybody say, "No, it's off the table." What I've heard is, "Yeah, probably, but boy there's a lot of stuff to think about in the meantime to get this to a point where we have a good chance of success." So I don't know if that helps in the least, but that's just my two bits, or my million-dollar answer. Rosanne?

Rosanne:

Thank you. So I guess from our perspective, there are a couple of – I don't know if you call them objectives – but things that I think would be helpful for us within this workshop. And I think there are several gaps in caribou data in the Qikiqtani region. So it would be really useful to kind-of be able to identify those gaps. But also within the land use planning process, how do we move forward knowing that those gaps are there and what has to be done in order to fill them or to find that information or the monitoring that needs to be done?

I think we're in a bit of a unique position in that a lot of what's applied in this Plan will only kind-of apply later in the sense in our region. So we need to think about what can be done to catch up in a sense, I guess. And I think that goes along with the what-do-we-know. Perhaps that needs to be discussed or put on the table.

The other thing that I think would be really useful is there has been a lot of discussion about seasonal protection measures, mobile caribou protection measures, core calving areas, post-calving areas. So I think it would be important – especially for the community members and for everyone around the table – to kind-of understand what are the consequences I guess, of each of those types of protection measures. What resources would be needed to actually implement and for those to be successful? What capacity is there to actually implement those protection measures as well, or the monitoring that would have to come along with it? I just don't think there's a good understanding of what the implications of each of those protection measures that is being brought forward would be. And even from our perspective, how do we make a decision if everything is not on the table, I guess?

So those are, I guess, some of the objectives, you could say from our perspective is to really... For people to make a decision, I think we need to have all the information possible to make that decision.

The other, I guess, point I had here was I'd be interested to here, I guess, from the Commission as to what their role would be in this workshop. Is the goal for you know, like one recommendation to come out of this workshop or is there...I guess from your perspective, what would be helpful for you? What would be your goal to come out of this workshop? And I would like to hear from the Commission on that one if possible, not the facilitator.

*(Laughter)*

David: I will pass that request on to the Commission. Sharon?

*(Pause)*

Sharon: We needed to caucus. Sharon from the Commission. So our goal is that we have a comprehensive set of management policies in the Plan, and that's what we would like to see – that it's clear and concise. And in regards to our role in the workshop, we absolutely will participate, be there to listen, hear. I would say to the parties, each party – as David said – if you can reach consensus and submit a joint submission, you know, that takes a lot of issues off the table. If the parties can't reach that consensus of a joint submission, for each party to submit their recommendations and outcomes from the workshop. But at the end of the day, we would like the information, and we would like the complete dataset for the Plan. Thank you.

David: Thanks, Sharon. Rosanne, anything else?

Rosanne: No, that's good thanks. I'll let NTI address the rest.

David: Bert?

Bert: Thanks, David. And maybe before I go, I'll ask – not to put Jeff or Wynter on the spot – but I know specifically for the mainland herds in Kivalliq and Kitikmeot or the Bathurst herd is between two jurisdictions as well as the Qamanirjuaq and Beverly, if they want to provide any comments now, I realize Luis and Luigi are both away. But if Jeff or Wynter could comment a bit first?

David: Yeah, Jeff...Wynter...but before you do, I guess I'd like to use the analogy of the Bathurst herd being between a rock and a hard place. That is one herd that truly is challenged. So Wynter, Jeff, any comments?

Wynter: Thanks. This is Wynter here from KIA. Again, like Bert said, Luigi has been taking lead on this file, and I'm about two weeks into learning and understanding this. I'm nowhere near familiar with the caribou submission that KIA has made. But just in my experience going through the process in the last couple of weeks with NPC and working with NTI and the other RIAs, the way that I think...and after speaking with Luigi, going forward with the caribou workshop, again it's...I have to emphasize that there's going to have to be clear goals set on what NPC – not just all the parties involved – but what NPC wants accomplished out of this. Again, just I think I support what Rosemary from QIA was saying how she kind-of wants outlined you know, if there could be discussions based on calving and post-calving and mobile protection measures and the different types of protection measures that could be presented at the meeting and then going forward – all the parties going forward together based on what NPC is really looking out of this. That's really all that I have to say at this point.

David: Okay, thanks Wynter. Jeff, are you still on?

Jeff: Yep. Jeff Hart from the Kivalliq Inuit Association. We also kind-of have the same views as a lot of people there. We're looking forward to the meetings whatever and wherever they may be. And I think it gives us good time for us to analyze the data that's currently in the Draft Land Use Plan. So yeah, we're working hard now to analyze that, and obviously we're going to have to once we do talk that over with our Board and put this...be it coming up in October or November, that should give us time to do stuff.

David: Okay, thanks Jeff. And I'll turn it back to Bert.

Bert: Thanks David. And I mean I feel bad because we haven't made much progress in terms of either agenda or the objectives. So wish we could be clear for people, but at the same time, the whole reason we're talking about a workshop is this is a complicated issue, and there is very sort-of entrenched positions as to should there be fixed protection of the calving grounds, the core calving grounds? Or should there be mobile protection measures? And if there is going to be mobile protection measures, who's going to pay for that? Who's going to be monitoring? Who's going to be enforcing it? We heard the price tag of I don't know how many millions of dollars last time.

So instead of having a debate in a circle, it was like can we get the information and see if there is any compromise? I don't know if there is. At some point, the Planning Commission will have to make a decision, and they will decide whether they will protect the calving grounds - or the core calving grounds – with fixed you know, it's a Protected Area. And those calving grounds are protected like the geese. The geese have protection for their nests, but we have no protection for caribou. And it baffles me when you think from a community perspective what a priority species would be. People rely a lot more on caribou than then do on geese.

If the mobile protection measures are sufficient enough and are presented in a way that the Planning Commission approves and puts into place, is the Government of Nunavut going to come up with a caribou strategy that has some money? They have a caribou strategy, and they have no money for it. So who is responsible for the caribou, for the calving grounds?

The NWT is still working on this issue, and we were just in Bathurst range planning meetings trying to sort that out. They have an ice road. There are things going on. There are management concerns. They're no longer harvesting caribou in the Northwest Territories. Whether that's a natural part of the cycle or not, they're at a very low number right now, and they're very vulnerable. So there's a high level of risk at whatever's going on in that range, and we can go in circles and talk about different things. But can we meet and find something, as mentioned, to present to the Planning Commission that everybody's comfortable with and provides that level of protection for the caribou? And if not, we're going to have to rely on the Planning Commission to you know - the Commissioners to make that decision on what level of protection they're going to give the caribou.

So the task is huge. People have different agendas, different priorities. Whether we can pull it together, I guess we'll see in the next few weeks. And if we can get a certain level of trust and cooperation and get the information out there and if the Planning Commission is you know, involved in this, because it's you guys that will have to make that decision, then maybe we've helped with that process. But we definitely need the leadership of the Planning Commission for this workshop, because as you can see, there's a lot of different interests around the table and just how we're going to do this is still being worked out and all.

I'll sort of leave it there, and it's something we'll continue to work on. I realize that a few of the people that were at the earlier planning meeting are away, but we will follow-up. And I wanted to thank Mike Settington for sending the email, and I realize Karla was away. But we will be following-up this week, and if there is any further progress in the next couple of days – and I know Jason and I had talked about meeting when there was a window or a break in the action here, either today or tomorrow – so that we can come back to this towards the end, and hopefully we'll have a bit more clear information that will help people as we depart from this meeting. Thanks.

David: Thanks, Bert. Couple of quick thoughts: It's a huge task, but I think everybody will agree it's hugely important, and if we don't do it, who is going to do it, right? It's not somebody else that's going to step in. It's the people around this room, and the people on the phone, and the people in the communities that need decisions.

And I guess the second thing is if you don't make the decision somebody will make it for you. So, I think the workshop is an opportunity to influence, in this case, the Planning Commission, but not just the Planning Commission – the respective governments that will be attending that workshop, the Wildlife Boards, the Nunavut Wildlife Management Board will all benefit from the workshop, assuming that workshop proceeds.

Can't make it any worse. We're not doing a very good job of caribou stewardship as it is. I suppose we could make it worse, but the workshop by itself should help. I mean this is something that I'm personally pretty passionate about. And Bert mentioned, in the NWT, caribou hunting, if not restricted, it's absent. Bathurst herd, I used to hunt every fall for 20 years. I can't do that any longer. And despite the restrictions on the harvest, the herd is crashing still. It really is something that we have to do our very best to address. So I guess I'd encourage people to take that as

incentive, if they needed anything more, and think very carefully about how this workshop should proceed and not if it should proceed. The clock is really ticking on that. Any....yeah Jennifer.

Jennifer: Thank you, David. I just had a suggestion, maybe as a way to move this forward and get some progress happening. I'm wondering if from what the NPC has heard today from around the table and on the phone if they might be able to put together a draft agenda for the NPC portion of the workshop? I guess it's keeping in mind that the NWMB workshop agenda will also be coming out and there could be overlap between the two, but I think as a starting point, perhaps that could be a way forward, and it could be circulated to the subcommittee for review and additions as necessary. So just wondering if the NPC could comment on that. Thanks.

David: Brian?

Brian: Thank you, David. Brian, NPC. A couple of comments, and I'll get to her question. I just want to stress the importance of involvement at this workshop. At this stage in the planning process, the more we have in terms of Traditional Knowledge participating at the workshop, the easier it will be for the NPC will seriously consider the recommendation from that workshop.

For her question about the draft agenda, we'd be willing to entertain, you know drafting that agenda at this stage, but it's somewhat difficult based on the fact that this initial workshop was under the NWMB process. So we'll consult with NWMB at the same time and try to draft an agenda that won't infringe on their process. So I'll leave it at that. Thank you.

David: Thanks, Brian. And Brian, you are the NPC rep on this working group are you not? Yeah. So I mean the idea of the working group was not to design two separate workshops but to come together in the design of one with two components. But it's...Brian as indicated that he can take a shot at that second component, but working with Jason and others, and back to Bert and the other members of the working group.

I mean I think it's advisable to...it's...I mean maybe it's six of one-half dozen or another, but it just seems to me that if you have the workshops back to back, then you've got the people. The experts don't all need to be there for the second phase, but it would be really, I think, important that those – I'll call them administrators – be there for the first part to understand what the science and the TK and the IQ is telling us and then make some pragmatic decisions, recommendations – not just for the NPC's benefit but for the decision-makers that are represented around that table. Any other comments on this? I'm going to basically turn it back to the caribou working group. Hopefully you guys can get together this week...

Mike (phone): Mike Settingerton here, if I could say a few things?

David: Yeah, sorry. Go ahead, please.

Mike: So it's Mike Settingerton with the Chamber of Mines, Northwest Territories, and Nunavut Chamber of Mines. And Bert you sort-of summed it up nicely. I think the agenda committee, we do feel bad, because we haven't able to make progress on an agenda here. Yet, it would have been nice to be able to go through the draft agenda and get the parties to put in their key items in there. When the agenda group did get together, we did get bogged down in logistics, and we're getting bogged down in logistics again.

And as several parties have brought up, we're forgetting what the objectives are. David, I think you did a good job of summarizing what you'd like to see, and I think you have the general ideas in there. So hopefully Bert, you're recording some of those notes, and Jason for the NWMB. What we know and what we were going to use that information for, for the Planning Commission to come up with clear recommendations for the Nunavut Planning Commission. Jennifer, you suggested that maybe the Planning Commission could put together the agenda for this, but I'd just like to remind everyone here – and Brian, you brought it up too – that actually you are part of that agenda committee already. So we always had the NPC as a big role for that too. We just haven't been able to draft it out. This meeting came up kind of quick for the group to get things together.

But I would like to point out Jackie, in particular, at the Qikiqtaaluk Wildlife Board, I think you summed it up very nicely. We have to have very specific objectives, because when we met as the agenda group, we got logged down in logistics of getting the community members together and where would it be most economical to do it. But Jackie, I really liked what you said there about make the objectives clear so we know how the communities can contribute specifically to it. If you consider the other folks sitting around the table as sort-of the experts in caribou science and things like that, we probably have an idea of what we want. But we've got to make it clear to the communities and what people we need to contribute to this meeting as well. So I think you summed it up there very nicely.

And I just wanted to add, too, that when it comes down to area protection – specific area protection or mobile protection measures – I think the Kivalliq Inuit Association as a lot of applied experience in doing that. I know in my days with the Government of Nunavut, the Kivalliq Inuit Association had applied those caribou protection measures during the big diamond exploration rush about 12 or 15 years ago, and I think they found those measures effective. So I would like to see the Kivalliq Inuit Association or whoever was involved in that – Luis in particular – that made quite a good presentation on their background geology work that they had done and the effect of these protection areas might have, and all that work that they have done too, I think is quite relevant.

And Bert, you pointed out as well too, it's important to point out the people that within these protected areas where we're looking at complete exclusion from any industrial activities, what the people might be giving up are the IOL lands as well too, and what the subsurface rights they might be giving up for that.

But ultimately again, from our perspective and what I've been presenting and what's triggered this whole thing about a caribou workshop, is the Government of Nunavut's proposal for these Protected Areas and Protected Area boundaries. And they have to provide the specific methods and the reasons why they're identifying these areas specifically. Ross from BQCMB, you brought the issue up, and there's no argument that caribou require protection on the calving grounds. It's just the way they're being defined is being left to question. I haven't seen a consistent definition of these areas yet.

So that's again, the key thing that we would like to see on the agenda as far as the Chamber goes, especially when it's concerning exclusion of activities in these areas. The onus really is for a big part of our part of the agenda that we'd like to see is the GN to really review how those areas are defined. Show us methods. Show us the data. Show us specifically the methods, and those methods haven't been prepared yet.

So we did have a 3½ day broad agenda developed, but we have to get it down specifically, so I'll put it back in Bert's court who identified the Agenda Committee's embarrassment, and I'm one of them on there. We feel bad because we have not been able to progress yet on the agenda, so I'm asking the Committee to step back from the logistics, figure out what those objectives are, and then talk to people like Jackie to figure out what community members need to be there. And then we can start worrying about the logistics and cost. And I still think we can do it in early November. If it came down to it, David, we probably could sit down for 8 hours and come up with protection measures that we could submit back to the NPC. So hopefully I said something useful there.

David: Well, we'll go through the transcript, Mike, and see if we can find a nugget or two.

Ross: Before there is an agenda developed, and I put this back on the subcommittee, I'm not clear that terms of reference for the workshop have been decided on in terms of who would be eligible to participate. I think of the transboundary issues and the other communities that the BQ Board deals with, and in terms of how, you know, best-case scenario for effective participation.

Sitting and phoning in as everybody realizes, is not the most effective, and a lot of people aren't comfortable with it. So I would like to see the terms of reference developed. We talked earlier about the timing. We talked about locations. We talked about outcomes. But in terms of who we could cast the net to put their best efforts forward to participate in the most effective way, I think we're kidding ourselves if we think that each individual jurisdiction or groups like ours can fill the bill. And I know speaking from the Northern Saskatchewan, Manitoba, and to the lesser extent the NWT communities, there isn't a lot of free board to participate.

As Mike said and David said, if not us, who? This is very important, probably amongst the most important thing we all can work on. So I urge the subcommittee to firstly develop the terms of reference. Let us all know so we can gear up, and then work on the agenda. And I think good progress has been made on that over the course of this phone conversation. Thank you.

David: Okay, thanks Ross. Any other comments? Yeah, Jen.

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. I just wanted to respond to something that Mike said on the phone with respect to GN providing the methodology that we used to determine the calving areas, post-calving areas, etc. At the last Technical Meeting, the GN committed to providing this methodology, and we are still working on that. We're committed to providing that to the parties and to the NPC, and we will provide that information as soon as it is available. Thank you.

David: Yeah, you never should have let Mitch go on holidays, should you?

(Laughter)

Ross: God bless, Mitch.

David: Alright, I think we'll, unless anybody has got any other comments, I think we've assigned the tasks to the caribou subcommittee – little working group. Hopefully they can get together in the next half

hour, because I'm going to give you a half-hour break today. And we'll get back together at 9:00 tomorrow morning and pick up the agenda as we are scheduled to do. Alright? Thanks, everyone.

Ross: Good job, Mr. Chair.

Mike: Mike Settingerton again here, and since we have some of the members of the committee – and Bert, I'm looking to you. Sorry I'm not going to put you on the spot, Bert, but Jason you'd be the other one, and the ball is kind of sitting in sort-of your two courts here right now, so can we bump our deadlines up, maybe a week given weather delays that people had between the last meeting and this meeting? Maybe we can look at having a draft agenda out amongst the group, given comments that we heard today by next Tuesday, the 21<sup>st</sup>? Is that doable?

David: I'll turn it over to Jason, Mike, but I would ask that you come up with something by Thursday morning.

Mike: That would be even better for me.

Jason: Thank you. I'm going to have a discussion with Bert and probably Jennifer and can get back to him afterwards. Thanks.

David: Alright, so I'll call it quits for today and see people again in the morning. Thanks very much.

## **DAY 2 JULY 15, 2015**

David: Okay, good morning everyone. Thanks for returning on a blustery, cool, and windy day. I thought I'd just go over very quickly the housekeeping items. I'm going to ask those who weren't here yesterday to introduce themselves, and then I'll very quickly summarize some of the key points from yesterday, and we'll get on with the meeting starting with transportation corridor discussion this morning.

So in terms of housekeeping, the emergency exits are well marked. The washrooms are in the corridors. Cellphones – put them on mute, please. And in terms of the telephone call-in, what I'm going to ask is that those who are calling in send Sharon or Jonathan or Peter – somebody on the Planning Commission – an email just letting them know that they're on the line. It's hard to track who is on and who isn't, especially if people join in during the conversations. And then let somebody from the NPC know as well, when they're leaving the call.

I'll call on the folks on the phone in the first round of comments, and then I'll return to them periodically. It didn't work terrifically well yesterday with the interruptions from the phone. So I think we can smooth that a little bit. I think that's it in terms of the housekeeping stuff. There are a number of folks – not a large number – but a few folks that have joined us this morning. I wonder if you could just introduce yourselves, starting with Eric.

Eric: Eric Madsen with Baffinland Iron Mines.

David: Anybody else who wasn't here yesterday?

Eric: Actually, we also have Michael Zurowski with Baffinland Iron Mines here too, so...

David: Great. Thanks, Eric. Alright, so yesterday, very briefly, we – let me get my glasses on – kept to the agenda pretty much. We reviewed the meeting summary, the NPC response to the June submissions and didn't - as far as I can recall – identify any other issues other than the comments from the Chamber, emphasis in different areas and points that they would like to highlight.

In the afternoon, we got into engagement, community engagement discussion. We had a good discussion there. I think it sort of fell into three different tracks if you like: the things that need to be done regardless of when the hearing happens, the engagement challenges with communities; capacity issues, the importance of finding the right people and keeping them engaged until the hearing starts; and then discussion about, okay, so if the hearing is in November, what does that mean? And if it's not in November, what does that mean? And we will summarize the essence of those discussions in the report that follows this meeting.

But basically, the Plan is now to hold the hearing in November. And it's up to the Planning Commission to change that if it so chooses. The Commission is meeting in September, but it is not impossible that it could come to a quicker conclusion on the hearing. People are invited to send in their written recommendation with respect to that. I think the date we set was August 10<sup>th</sup>. It's a Monday, so I'm going to ask that people instead send it in by Friday, August 7<sup>th</sup>. We have already heard – the Commission, rather – has already heard from a number of folks recommending deferral of that hearing. But it would be good to have explicit letters with the recommendations. There are also people who are recommending that the hearing proceed as scheduled. It has been a long process, and the value added for delaying is sometimes debatable.

Then we talked about caribou. The working group has not had enough time to develop an agenda, but perhaps after late yesterday afternoon, there are some clear thoughts about what could be in the agenda, what should be in the agenda. I'm worried less about where the meeting happens and more about what would happen in the meeting, regardless of where it happens. I fully understand that there are financial issues and capacity issues and all of that, but I think we all recognize the importance of finding a path forward to improve our stewardship of caribou is critical. And that meeting will be beneficial to all parties, not just to the NPC but to all parties and individuals who have a responsibility, and I guess we all do toward ensuring that caribou are healthy in the future.

So that's it in a nutshell. As I said, we'll get the summary report out as soon as we can, a week or two after this meeting highlighting the key points and the transcript within a couple of weeks of the meeting. And I guess we'll hear from the Commission with respect to the timing of the hearing sometime in the next month or two. And with that, any comments from the floor about yesterday? Dean, yeah?

Bert: Yeah, thanks David. Bert Dean with NTI. Yeah, just a quick update: Jason and Peter and Jennifer and I were able to stick around at the end of the day yesterday, and we've got a rough draft. My email was sporadic, and I know I got the one email from Peter, because he typed out the draft agenda, and I haven't had a chance to check with Jason. And I tried to send it to Mike Settington as well, so at least there's an initial draft. We're not quite comfortable sharing it with the larger group yet, but we'll continue to work on it this week, and hopefully we can get something to the

group here – I guess depending on how the agenda and stuff goes – but before the end of the meeting.

David: Thank you, sir. That would be greatly appreciated, I think, by everybody. That's great. Thank you. Alright, Jason?

Jason: Thanks, David. Jason Akearok, NWMB, and yes we had a discussion, and ourselves too – NWMB – will have our internal discussion as well, and we'll do what we can. So thank you.

David: Jut out of curiosity, you're talking about one meeting with two components still, or is that...? Okay. Alright. So, yeah, if we break at the end of today ahead of schedule, then you'll have a little more time this week and perhaps can just email it out. If we continue into tomorrow morning, hopefully there will be more of a report, or at least a draft that people can take a look at. That'd be great.

Okay, on the phone, could people on the phone identify themselves at this point, please?

Bruce: Morning, David. It's Bruce MacDonald from Environment Canada in Yellowknife.

Vicky: Vicky Johnston from Environment Canada as well.

Oliver: Good morning, David. Oliver Curran from Baffinland.

Christine: Christine Kowbel from Lawson Lundell.

Wynter: Wynter Kuliktana from Kitikmeot Inuit Association.

Jeff: Jeff Hart from the Kivalliq Inuit Association.

David: Great. Thank you. And as I said at the outset, if you guys could send a note to Sharon, I suppose, identifying that you're on the call and then another note when you decide to leave, that would be very helpful. And as I said earlier, too, we'll go to the phones first for comments and then kind of a roundtable in the room here, and periodically I'll check back on the phones.

Okay, transportation. If you look in the submission response document, on page 11, there are three options that have been identified by NPC staff to address the transportation corridor challenge. It's not a complete list, as is noted here, and is just a starting point for discussion. But I'll turn it over to Peter to walk us through those options in a little more detail, and then go to the phones for comment and around the table. So Peter?

### **TRANSPORTATION CORRIDOR DISCUSSION - TERRESTRIAL**

Peter: Thanks, David. Peter, Nunavut Planning Commission. So, at the end of the last Technical Session, we had a discussion about transportation corridors, and basically the sense was we need some more options on the table. So staff did some brainstorming, and we were able to come up with three options. These aren't meant to be exclusive. There may be other options out there. Other options are welcome. And I'll just go through these three options pretty quickly here.

Option A is basically the status quo, and for those who weren't here last time, the status quo is essentially that there are proposed transportation corridors in the Nunavut Land Use Plan. These corridors do not really have much regulatory weight, ergo they are shown passing through Protected Areas where road are prohibited – meaning that to actually build a transportation corridor, a Plan amendment would be required to allow that route to go through the Protected Areas in question. And these Protected Areas are core calving....core caribou calving habitat. So that's Option A.

Option B was to remove all transportation corridors from the map but develop detailed textual instruction on the factors of conformity and of regulation to regulators. This would be somewhat similar to the system that is currently used under the Keewatin and North Baffin Regional Land Use Plans where there are no routes identified in the Plan per se, but there is a lot of instruction on the factors that need to be considered on whether a route conforms to the intent of the Plan or not. In this case, for the Nunavut Land Use Plan, those factors would be listed under the land use designations, most likely.

Under Option C, we would actually draw a lot of routes on the map. We developed a list of definitions of different types of transportation corridors, and the more likely ones would be put on the map. Existing transportation corridors and existing designations would be fitted into one of those definitions. That does not imply that all new roads would need to be put on the map as a Plan amendment, but the map would serve as both what is there...what is likely to be there and what people have suggested in the future, which would all be under different categories. And we brainstormed two pages of definitions of different types of transportation corridors, which are at the back of this document. Thank you.

David: Thanks, Peter. So, comments from the folks on the telephone? *(Pause)* Alright we'll go to the room here. Folks have any comments? Do we want to start with Government of Canada? I think we do. Maybe. Government of Canada is approaching the table.

Christopher: Good morning. It's Christopher Morton, Aboriginal Affairs and Northern Development representing Government of Canada. It's a rough subject to start the morning. First speaker, here we go...

I guess I'd like to start with just clarifying in my own mind. For transportation infrastructure in the Plan as it stands now, is it a permitted use in all areas except for where it's explicitly prohibited, in say conservation areas and Special Management Areas?

David: Peter?

Peter: Yes.

Christopher: And secondly, for the proposed corridors that are represented on the map, should they not cover or travel through one of those areas where it is explicitly prohibited, then it would not require a Plan amendment? But if it does travel through one of the routes where transportation infrastructure is prohibited, then it would require a Plan amendment?

David: Peter?

Peter: Yes.

Christopher: Okay. So generally, I guess the Government of Canada is concerned with the approach NPC is taking for project-specific amendments for those projects that entail a transportation corridor, particularly where this is a forecasted foreseen use, I would suggest that where this is a known use, it's expected to be an increased use, and one that will need to be addressed by the NPC that it should be addressed in the Plan currently and not left to a project-specific amendment approach.

Additionally, we're looking for an approach to transportation corridors, which can be clearly understood by industry where industry can easily review one of their project proposals with the Plan and determine whether their use conforms to the Plan or not. That isn't necessarily the case currently, particularly where or if the Plan suggests amendments on a project-specific basis.

The concern with this is that it borders on duplicating processes that already exist through the Environmental Impact and Assessment regime. It'll be nearly impossible to...well, it's an integral element of an amendment process that impacts would need to be considered. I'm starting to ramble. I guess what I'm saying is that we're looking for the overall allowance of transportation infrastructure throughout the planning...the Nunavut Land Use Plan. We would suggest that if there are particular interests or elements that need to be protected or that are of concern with infrastructure or transportation infrastructure, that they are clearly outlined as conditions that need to be met to reach conformity. But otherwise, we would like to see transportation corridors as a permitted use throughout the Plan.

David: NPC, any response to that?

Peter: Land use planning takes a 50,000 foot view, and the fact that road proposals in the past cross through core calving habitat, and in some cases like the one you see up on the screen where it's about 80km from the edge of core calving habitat, if...this is where land use planning helps avoid big issues like this in the past.

For example, if...sorry, my computer has a tendency to freeze at the most inopportune moment. So in this case, I'm going to zoom in on it. You can see it's going through – it's about 80km into core calving habitat, this proposed road between Rankin and Baker. That's a 50km wide corridor, which was identified by a consulting company. It's basically a straight line, and they did a pre-engineering feasibility on it. One would hope that in a Plan amendment process, the proponent would look at a map like this and say, "Instead of building a road through the caribou habitat, why don't we just build around it and then we can avoid the Plan amendment process. That's more difficult over in Kitikmeot where the High Lake Road goes a bit more deeply into core caribou calving habitat.

So, my understanding, with this position, it overlaps very heavily with the caribou discussion on this one. It has to do...we have to take into consideration the factors, the sensitivities of that particular herd. But that's where this sort-of discussion is very valuable, is we can get these macro issues, identify them, and clarify them well before the Impact Review process, thereby improving or increasing the, you know, reducing the number of factors that NIRB would have to consider. And this was the approach that we took, as it seemed the most straightforward. But based on your suggestion, you know, it sounds like AANDC would prefer Option B or C or some variant.

David: Can I...can I ask a question? So are you suggesting that the concept of transportation corridor override all other considerations including caribou calving grounds, whether those corridors are well

defined or not, that at this stage, transportation corridors supersede all other values? Is that an overstatement?

Christopher: Yes. Christopher Morton, Government of Canada. I would certainly say that's an overstatement. I wouldn't want to say that transportation corridors override all values. What I am trying to say is that we recognize that transportation corridors conflict with other values. We have clear indications on a map of situations where industry or otherwise have identified that a transportation corridor – or transportation corridor route – is conflicting with values. So I would suggest as we see this as a forecast use, that we address the impacts to those values now.

And I suggest...I guess...you can look at plans like the Sahtu Land Use Plan where transportation corridors are permitted in conservation and Special Management Zones. But there are particular conditions laid out that have to be met in order for that corridor to be a conforming use. I'm suggesting that's perhaps a clearer approach than what's currently outlined.

An example of where this may be an exceptional amount of work for no value is if a project with a transportation corridor is submitted to the NPC for conformity, the NPC determines that a Plan amendment process is required. That would likely entail a public hearing process of sorts. Then an amendment would be submitted to the Minister for approval. If it gets approval, then the project moves on to the Impact and Assessment stage. Through that stage, it's decided that the project is not...or they can't mitigate impacts, and it's rejected. Another potential outcome is that the economic climate changes, and the proposed project is no longer viable. Suddenly you look back, and there has been an exceptional waste of resources, time, and energy on many party's behalf for a project that was never realized. This was one of the issues with setting up a Plan amendment on a project-specific basis so early in this stage of project review.

David: Okay. Just to provoke the discussion, I guess in the Sahtu, we're not dealing with caribou calving grounds. So it's a different situation, and the corridors, I think were more clearly defined. The Gwich'in Land Use Plan addressed the issue of pipeline corridor, again, a fairly clearly defined corridor within which the pipeline would, could be built. And that was prior to the Environmental Assessment process and all of that. Within that corridor, again, crossing through conservation areas but not through calving grounds, there was a possibility of a minor amendment if the route varied from that predicted corridor.

So there are other ways to address it. But I guess it's not a straightforward comparison to say, "Well they did it in the Sahtu and so we can do it here." There are differences. I'll just point that out. And there are different ways to approach that issue, as shown in the Gwich'in experience. But I think the key issue from what I've seen is this challenge of the caribou calving grounds, and it's not just the corridors that present a challenge, and that's why the discussion yesterday was so important, and the workshop will be as well. Any other comments? Dale, did you have a comment? A question?

Just before you do, I think what I'd like to do is maybe do the land based transportation corridors and then the marine corridors as separate discussions. Would that be helpful? Alright, so anything else from the NPC and Government of Canada on the corridor issue? Okay. WWF, any comments?

Brandon: It's Brandon from WWF. We would propose Option B. And I guess our justification or our question for NPC would be, we'd just like clarification on how some of these corridors even ended up in the Plan. For example, we don't see proposed leases on the Plan for land. We don't see proposed

shipping routes right now. It just seems a little erroneous that we have some transportation corridors that aren't proposed even. And we just feel that if a transportation corridor was to go in, the Land Use Plan covers the process by indicating – as Peter mentioned - the alternatives to the calving grounds. You can apply for an amendment if you want. But we just don't see the need, I guess, for these corridors to be on the map unless they are already in existence.

David: Peter?

Peter: Thanks, Brandon. Well this corridor here it the High Lake, and that was proposed by a mining company. Karen, if I get...if I say something off, let me know. This route is BIPAR. That's definitely a proposed route. This route is the...I believe that's Lupin at the juncture or Jericho, and a string of...that's the ice road to Lupin. This black line here is the existing Meadowbank road. This was the proposed Kiggavik Road, and the road from Baker through Chester and Rankin down to the border was the subject of a 1.4 or 1.5 million dollar by the Governments of Nunavut and Manitoba a few years ago, and an engineering firm looked at that and was asked the question, "Where would a road go?" And that's where they identified where the best place to put a road. So it was treated as, "Yes, this is a proposed transportation corridor, because a proponent has put in the money to develop a plan or a budget for it.

And upon Baffin Island, this is the Steensby Railway. That has been proposed, and this is the tote road, which is in existence, and this is the marine shipping corridor from Milne out through Eclipse Sound, which underwent a Plan amendment.

Brandon: Thanks very much. Brandon from WWF. I guess what we would argue is that a map like this is very valuable and could be an appendix in the Plan, but in the actual Plan itself, because they are just proposed roads, they need not be included, as they are just proposed. But it's valuable to see where the roads may go, but in the actual Plan, there are lots of activities that could be proposed that aren't transportation corridors. So, unless they're already in existence, we go for Option B. Thank you.

David: Thanks, Brandon. Just a question for you, Peter, or anybody else at NPC: Is it fair to say that the Manitoba corridor is the most well defined of all the corridors – proposed corridors or conceptual corridors – up there?

Peter: I would say no, because I know that that the High Lake mining companies and the BIPSR Companies have spent a considerable amount of money on defining their routes. Karen may want to add to that, but all of these routes have been subject to a considerable amount of review. I'm just going to throw in there that one idea, or one argument for putting the proposed transportation corridors on a map is it makes them a subject of study and discussion well in advance so that it encourages people to look at that proposed corridor in greater detail before the construction, and that's part of the planning is to encourage people to think about what should be done well before it actually is done.

David: I'd say you've succeeded on that count. Barney, any comments?

Barney: Barney Aagark of Chester. I don't have any comments at the moment. Thanks.

David: Baffinland?

Eric: Yeah, thanks. It's Eric Madsen. So to just follow-up on Peter's point there on the proposed corridors and existing corridors being used, you mentioned the railway, the tote road and the shipping route through Pond Inlet there. I guess it comes back to the question I asked at the last Technical Meeting. We do have an approved project to ship all year round from Steensby through the Foxe Basin, so that is an approved shipping route. So again, we ask if you're putting corridors on there, why is not that corridor on there?

David: Any comment from NPC on that?

*(Pause)*

For the folks on the phone, the NPC folks are caucusing at the moment.

Brian: Thank you, David. Brian Aglukark, Nunavut Planning Commission. At the moment, we can't answer that question. We don't want to answer that, so thank you for his comment.

David: Alright, thanks Brian. I mean it's obviously a delicate matter at this point, so we'll just have to leave it there. Chamber, any comments?

Stephane: Stephane Robert. Just to clarify, because it's really unclear on my side on the Draft Land Use Plan, so is that transportation proposal just as a road that are not prohibited in certain zones and that we put this transportation corridor – is it allowed or not? Do we need an amendment or not? That is not clear, and that has to be really clear. What industry wants is clarity. We want to know when we look at our Plan, we look at the Draft Land Use Plan, is it allowed or not? It should be "Yes" or "No." It should not be an interpretation. And that should be very clear. So, my question is, is that clear that actually – and we can take an example.

So in 167, if I put a road, is it under the Draft Land Use Plan? Can I put a road there? Yes, or no without amending the Plan?

David: Thanks, Stephane. I'll repeat what I heard earlier, and then I'll turn it over to NPC to correct me. Roads are permitted where they are not explicated prohibited. So if it's not an explicit prohibition that would be attached to the particular area, then the road is permitted. It is a permitted use. Where there is a conflict, then it would require an amendment. I'll just turn it over to Peter or Jonathan to, as I say, correct me. Sharon?

Sharon: Thank you, David. So, from the Commission perspective, we want to make it clear, today we do not have a "yes" or "no" answer for you. We want to hear what you have to say, hear discussion. There is no recommended option at this point, and that's the whole point of this workshop is to hear what everyone has to say and to seek direction from all parties of what their issues and concerns are. So, we can't tell you "yes," and we can't tell you "no." We want to facilitate the discussion and hear the concerns. Thank you.

David: Yeah, okay Sharon. But in the Draft Land Use Plan as it is now, the rules are clear. People may not agree with those rules, and that's what the discussion is about. But in the Draft Land Use Plan, you have set out an option. Stephane?

Stephane: So, David, what I heard from you, what I heard from Sharon, is not the same thing. And that is really important. What I heard from NPC is now...is not clear that it's allowed to build a road in an area that is not prohibited.

David: Well, I'm going to turn it over to NPC again. But I think Sharon and I were perhaps talking about two different things. The Plan as it stands right now – the Draft Plan – is clear, or at least clear to my reading about where roads are permitted and where they are currently not. And if they are currently not, then there's an amendment process that would be followed. That's according to the Draft Plan as it stands.

What Sharon was saying was, "Yeah, we've heard objections to that. We want to hear what the concerns are, and we're not going to make a decision – the Planning Commission is not going to make a decision – at this table as to which of the other options might be preferable. The Planning Commission wants – the staff want – to hear what people have to say. So there are two questions being addressed there, and I don't think there was necessarily a conflict.

But back to what's actually in the Draft Land Use Plan, I'll turn it to Peter or Jonathan to reiterate what they've already said.

Peter: Thanks, so in accords to Designation 167 – High Mineral Potential, the prohibited uses in the Draft Plan are establishment of tourist facilities and establishment of conservation areas and parks. For Designation 47, which was Protected Area core caribou calving and post-calving areas, prohibited uses are mineral exploration and development, oil and gas exploration and production quarries, hydro development, all-weather roads, and related research to all of the above. So, yeah, roads are allowed in 167.

Stephane: Thank you.

David: Alright, thanks Stephane. Comments from planning bodies elsewhere? No? Jennifer?

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. As I said yesterday during the opening comments, a number of these outstanding issues are of great importance to the GN, and we require further internal discussion within our government to determine the most appropriate recommendation, given our various mandates and objectives.

However, what I'm looking for from this workshop is to I guess gain a better understanding of what everybody else is proposing, and also I'm hoping that the NPC could provide a bit more clarity on some of the options that they've presented, specifically Option C. I'm wondering if the NPC could maybe walk us through the, like the conformity requirements or how, at what point would a project proposal be submitted to the NPC for conformity determination, just so we could have some of that clarity that folks have been asking for so we have a better understanding of how this option might be realized. Thanks.

David: Thanks, Jennifer. Commission? Peter?

Peter: Thanks, Jen. Yeah, I'd be happy to go through. I will skim...once this thing works. There we go. So I'm skimming down to the end notes at the end of this document. What are here are two pages of proposed definitions for different types of transportation corridors. In all likelihood, only the major

significant ones would be on the map, and others would not. There would just be some stipulations around them. So I'll just go through that, and maybe I'll go through them all quickly, and then we can open for discussion.

This sort-of list of definitions could be molded to fit Option B or C, which in Option B is no map, and Option C there is a map of some of the routes. So, access roads would be defined as essentially the informal or semi-formal routes that are used by communities mainly for access to the land. The suggestion here is that all access roads constructed before 2025 would be grandfathered. And, yeah, we have communication and our telephone lines, which is pretty self-explanatory, highways and winter highways. These are essentially routes between communities, either all season or just in the winter. One could imagine highways being put as potential routes on the map or not.

Ice-free season, that relates to marine, so I won't go over that right now. There is a definition here of linear infrastructure, so any sort-of manmade object which is very long is defined as a linear infrastructure. And then we have three definitions of linear infrastructure corridor, so this is used instead of transportation corridor, because it also includes communication lines. So a conceptual linear infrastructure corridor would be just that. People have proposed it. They may have researched it. It's being considered for by agencies or individuals as potentially being realistic.

By putting it on the map, the Commission is encouraging agencies and people to continue researching it and studying it, but it wouldn't actually have regulatory purpose. It would simply be: this is the way Nunavummiut have envisioned a potential future for future transportation and communication lines.

A proposed linear infrastructure, on the other hand, is a strip of land where certain types of linear infrastructure can be built. And it's envisioned that the strip of land would be between 1km wide and 50km wide, and it's something...it's actually, it almost operates like a designation, so effectively saying we've looked at it. If it's a highway, transportation corridor for example, if it's a proposed highway infrastructure corridor, then a highway can be built in there in that corridor somewhere. And the reason that the width of the corridor is so wide is so the engineers can figure out exactly where these things should go around the ponds and lakes and whatever without having to go through minor variances.

An actual linear infrastructure corridor route would come into effect once these pieces of infrastructure are built. So if the linear infrastructure corridor is permitted for say, let's say a road. And once the road is built, the proposed corridor would lapse, and in its place would be the route, and that would be the actual right-of-way or the future surveyed right-of-way of the highway, which would usually be about 100m wide. I'll skip over the marine sections here.

We developed definitions for mine servicing roads, which can include winter mine servicing roads and mine bulk hauling roads. The mine servicing roads are envisioned as being permanent or sorry...engineered structures that can support regular traffic to support and build mines. But they are for primarily private use. They have a defined operation period, which maybe open-ended such as, "This road shall exist during the period of a mine, and but then there is a remediation plan," so there's a plan to remove the road. It is a private temporary road.

Due to the nature of the mining industry, these aren't predictable well in advance. We don't know where the deposits, where the wealth of deposits are going to be found. So these would not be on

the map, and some designations would with...It's only the designations where roads are restricted where there would be any regulations on where there would be designations affecting these.

The mine bulk hauling roads are similar to the mine servicing roads, but they are where the large trucks are running more or less continuously. There's a difference in scale. Mine bulk hauling roads would be those roads that are generating a lot of noise and dust. A similar approach to the mine servicing roads, but again, it gives us an opportunity to look at overall impacts. So, if you're talking about a caribou area, obviously a mine servicing road would have a lot less impact than a mine bulk hauling road. And that's why that distinction was created.

There are pipelines, power lines, public roads, which are sort-of halfway between a highway and an access road – so public roads that are engineered and public, and open to the public railways, and winter skid tracks. So we're putting those definitions in there. The concept is the Commission would go through the designations with our planning partners and define if any of these types of infrastructure would be prohibited in any of these designations.

Jennifer: Thank you, Peter. So just to confirm, the conformity determination process would kick in at the proposed stage, transportation infrastructure proposed? That's when a project proposal would be reviewed?

Peter: Yes, the idea is that a proposed transportation corridor would sort-of be like a designation. It would say somewhere in this 1km to 50km strip of land, we are going to put something manmade, which is long and thin. And we're going to...so once that corridor is in place, then the...whoever the proponent is can go in and do their engineering and define when they can do their specific route and when they, you know, they would know it conforms to the Plan.

David: Any follow-up?

Jennifer: We have no further comments at this time. Thanks.

David: Stephane?

Stephane: Yeah, thank you, David. Stephane Robert. Just to clarify, because it seems before we had two definitions, and now we have sixteen definitions. And it's not clear in your definition what will bring an amendment or not. And that has to be very clear what we need...What we want is clarity, so we want clarity before when we start our project, before we submit to NPC, we should know the answer. We should know the answer. There should not be interpretation. And now it's not clear on the 16 what is allowed, like in the 167 for example, and what is not allowed. So can you help me to understand what in the 16 conditions will need an amendment or not. Thank you.

David: Thanks, Stephane. We're clear about your need for clarity, but I don't think we can provide the certainty that you're looking for. But I'm not speaking for the NPC. I'm speaking for myself here.

Stephane: So just to add that, we are here to discuss and is why we have the question. We want clarity. We want to understand why are we going with this proposal, and that is the question. Thank you.

David: Thank you. Peter, do you want to take a stab at it?

Peter: To make Option C work, my reaction would be for the parties to go through all the designations and consider which of these transportation or communication are not appropriate to certain designations. And as the Plan...unless it's explicitly prohibited, it is permitted. There are 16 types because we were brainstorming how many types of transportation – how many types of linear infrastructure actually exist or could exist in Nunavut.

Access roads and transportation corridors can cause confusion, because when you think about an access road, it's something physical. It is a road. A transportation corridor is a strip of land, right? So if you set up a transportation corridor and you say what is permitted in that corridor, then there shouldn't be any confusion.

I think where your concerns would come from would be primarily the mine access roads and the mine bulk hauling roads. And that's where further discussion would be appropriate.

David: Sharon?

Sharon: Thank you. Sharon from the Commission. So just to add and ensure clarity: To put this together, we are hearing what you are saying. We get the message. Be clear. Be definitive. You want to know where you can and can't go. There's no question in my mind from the Commission that the Commission wants the same thing. So in saying that, these 16 options we, you know, whether we've got the words and the definitions quite right yet, and whether or not there will be 16 or whether there will be 3, that's the conversation we want to have with you to understand, again, what is the best path forward to deal with this. And clearly, we have heard the message from the time we started doing this Plan from industry: We want certainty. And that's what we want to ensure.

Some of the issues around the discussions are – and Brandon you hit on it a little bit – proposed versus you know, some criticize. It's guesswork. It's proposed; it's not an actual project, or it's not on the table. It's something that may be future. We're grappling with how to handle that as well. So we know these things may be coming. They may not be coming. We don't know what the economics are going to be, whether the mines are going to proceed or not. But we need to be cognizant that the potential is there and to be respectful and capture it so the Plan is a good Plan, and addresses it appropriately. So thank you.

David: Thanks, Sharon. Stephane?

Stephane: So can you explain the difference between the Option B and the Option C? Because in the Option B, we don't refer to any definition. Option C we refer to definition. So I'm a little bit confused between these two options, so can you clarify exactly what are the difference between these two options? Thank you.

David: Peter?

Peter: Thanks. So I'll just read. Option B, remove all transportation corridors from the maps while providing detailed textual instruction on conformity and direction to regulators. So what that means is say for a mine servicing road, we would have direction....this is what defines a mine servicing road, and that would be it. There would be the mine servicing road designation would probably be listed under some of the Protected Area designations, like under 47 for core calving

area would be my guess, depending on what the caribou workshop does. And so then industry would say, "Okay, we have a deposit. We want to build a mine servicing road." You look at the definition, but it's going to be ore, so we actually want a mine bulk hauling road. And you can see that you're going to have to go through, say core caribou habitat or some other PA where it's not permitted. Then you can decide, "Okay, we're going to have to go through a Plan amendment, or maybe it's just easier to go around, because then we'll know it will conform."

The Option C, actually when you get into the actual nuts and bolts of it, Option C would operate quite similarly. I could see in Option C where high level future corridors are shown on the map, but obviously not future access roads. So we're talking, we're talking the big stuff - the big highways, railways, inter-community transportation routes, future power line routes. By putting the conceptual definition in there, it becomes safe to draw potential lines on the map and say, "It would be nice to have a road to wherever." Or it would be nice to have a railway to wherever or a power line to wherever. And Nunavummiut support in principle the idea of something going there, but there are no regulations around it. All it says to people is that Nunavummiut have discussed this idea. They like it in principle. Researchers and investors please look at this, because it has supporting principle from Nunavummiut, but there's no regulation to back it up.

By putting the proposed designation in, the big stuff, like the highways and the major corridors, are likely to cross through PAs. And that's when you create the proposed linear infrastructure corridor designation. By having that definition in there, you can say that it is, that type of linear infrastructure is permitted in that corridor. In the case of the 47s, I mean I don't want to go far out on possibilities, but one would imagine that the overall stipulations of seasonality, of considerations that must be made on when the road can be built and how it should be maintained, the big broad questions can be put in the criteria for that proposed linear infrastructure corridor. Then that'll give enough direction to proponents to get quite detailed in what they need on their preliminary work and also when it moves to NIRB. Because NIRB is looking at what actually is allowed or not allowed. It's looking at a much higher level of detail. The broad-brush questions have already been handled.

David: Can we move on? Stephane, I don't think you're going to get the absolute certainty you're looking for. I would suggest, though, that people take a really close look at the definitions and make sure that those definitions work for them. I think that is a critical step, and then it could make it a little bit easier to figure out how to apply those definitions in the context of the Plan. NIRB, any comments?

Sharon: I just wanted to let the floor know that Oliver Curran with Baffinland is online with us this morning. And welcome, Oliver. Thank you.

David: Thanks, Sharon. Rosanne? Mr. Dean?

Bert: Thanks, David. Bert Dean with Nunavut Tunngavik. Yeah, I mean we're missing some of our people from the Kivalliq Inuit Association, and there was at the last Technical Meeting some comments and concerns especially related to caribou and the calving grounds and the transportation corridors and what the impacts may be. And there was more work required to be done or discussed on that internally. So there are things that need to be, I guess, further worked on. Again, that was part of our concern about such a quick turnaround is we won't have a lot of feedback for you on that. I don't want to put Jeff Hart on the spot, because I know Luis is away and out of town, but it is an issue for the Kivalliq Inuit Association.

Similarly, I mean there's stuff going on with Baffinland now, and the transportation corridor, and in the Kitikmeot there are different options. Now whether they would be actually two separate corridors – one through Bathurst Inlet and the Izok Project – I don't think they are going to have two roads. You know, it would be one or the other, that sort of thing, and there are different implications there.

And I guess just to also make note, and Karin Clark is not here from the GNWT, but they have a process with the Bathurst range plan, and again, this is one of the areas we're hoping with the caribou workshop, and with the different organizations from the Kitikmeot, there has been those inter-jurisdictional, you know with the NWT and Nunavut discussions. Because there's a lot of activity on the NWT side that influences probably what's going to happen on the Nunavut side as well and how those are being addressed...hopefully there will be a level of coordination. And I know that last year the Planning Commission, one of the staff made a presentation about that Bathurst range plan working group meeting.

And then similarly in the Kivalliq with Manitoba, although there's a corridor there, you know, as people take a closer look or if more research is done, there could be other things that come into play there too. So we don't have any defined responses or preferences in terms of the different options being presented or the definitions at this time. But it is something we will have to discuss within our internal working group with the Regional Inuit Associations, and also in terms of the caribou workshop, any of the wildlife concerns, especially around caribou and if it's near and impacting caribou. And I know with Baffinland, caribou is another you know, they are in that area as well. So there are caribou related management issues with the corridor there. How can we address those and stuff? So I think there's more other discussions that are happening in other venues, because QIA does have working groups with Baffinland on that, so there's a lot of information to sort-of follow-up on and see how we can plug that into the land use planning process that's here.

And I guess I'll make my pitch here is that I mean, if there is any receptiveness to look at do we have another Technical Session down the road from this one, whether it's...Depending on what the Planning Commission, you know, the discussion that happens at their September meeting, if the Public Hearing gets moved back from November, do we look at a Technical Session in November? And I know for us, that would give us the time to do a lot of the work and provide more meaningful responses to you to the Land Use Plan. So that's just something I would like to put out there for people to consider, and again, keep that momentum going. But there is still a fair amount of work to do, and some of these are sensitive issues. And although it is a first generation Land Use Plan, there is a lot of work that has been done, and how do we make sure that information is there for the Planning Commission. And then again, the Commission staff have time to process that information. Thanks.

David: Thanks, Bert. I'd suggest that you might want to put that recommendation about the Technical Workshop in your letter. Okay, on the phone, we'll just go through one round of comments, if any, from the folks on the phone, and then we'll break and pick up the conversation with the marine transportation corridors. Any comments from people on the phone?

Vicky: Vicky Johnston here from Environment Canada. A couple of observations and maybe an elaboration on what Chris was saying earlier about the Sahtu Plan. First observation is in my view, this is one of the most important issues that is going to be tackled in this whole Land Use Plan, particularly when it comes to as we're talking about terrestrial all-weather roads. Those are based in opening in areas

that are currently roadless. They will have huge implications, positive, and negative, on into the future. So, I'm glad to hear all of this spirited discussion. It's super important.

As far as the current Plan and its principle that unless it is expressly prohibited, transportation corridors are permitted, I think that's a good starting point for this Plan, because of the caribou issue. I feel like it's going to be really important that people say very specifically where they do not want transportation infrastructure under any circumstances. That is going to be key.

Once we get passed the places where it's expressly prohibited, I really would encourage everybody to take a look again at the Sahtu Land Use Plan, and especially page 29, and their conformity requirement number 1, land use zoning. Because what they have done there is they have said basically the same thing – unless expressly prohibited, corridors are permitted. But they go on to say they are permitted under these circumstances. And they list three tests that a corridor would have to pass.

One is that it's necessary in order to carry out a permitted land use that's outside of the conservation zone. The second one is that there's no feasible alternative, and note it doesn't just say no feasible economic alternative – no feasible alternative generally. And third, the activity avoids significant specific areas within the conservation zone that have been highlighted as critical in the zone description. So in other words, it can be in the zone, but not in the critical parts of the zone. They may not apply to caribou zones where the calving grounds are very large, but for some of the other sites like key bird habitat sites and things like that, that very well could apply, that there's a subset of the conservation zone that could be no-go, but other areas of the conservation zone could contemplate transportation corridors.

And the only thing that I would add to that is it would be our expectation that were such an approach adopted, that some of the expressly prohibited areas would be legislated conservation areas. That's my comment. Thank you.

David: Thanks, Vicky. Peter.

Peter: Thanks, Vicky. Can you restate the page number and section number so I can bring it up on the screen for everyone?

Vicky: Sure. That's page 29, and it's Section 3.3 General Conformity Requirements, CR#1.

David: Thanks again, Vicky. Any other comments from folks on the phone? Okay, having heard none, we will take a 15-minute break. Be back just after 10:30, and we'll resume the discussion with the marine transportation corridors.

## **BREAK**

### **TRANSPORTATION CORRIDOR DISCUSSION - MARINE**

David: Alright, so I think we're done for the moment at least on the marine, or the terrestrial transportation corridors. We had a good discussion, and if we have time tomorrow morning, we could possibly pick it up again. But we'll see what the schedule looks like. I'm going to move to the

marine transportation corridor discussion, and I've asked the Government of Canada folks to lead off on that. So, Dale are you...? Okay, thanks.

Dale: Thanks, David. Good morning, everyone. My name is Dale Kirkland. I'm with Transport Canada based out of Edmonton. Thanks for the opportunity for these remarks. I'm going to make some general opening high-level context comments. I'll then run through some of the definitions that were proposed in the documentation. And my friend, Jaideep will close with some additional comments as well.

So, marine shipping in Canada – in particular Canada's Arctic waters – is a highly regulated activity. TC has made previous submissions and comments to the NPC on that domestic and international regime as it relates to marine shipping. That regime attempts to balance the need for a safe and environmentally responsible marine transportation system with the need to have a viable, effective, and economic marine transportation that facilitates commerce and the wellbeing of Canadians.

Furthermore, as we identified two weeks back here, TC does not support an outright prohibition on shipping and reiterates that the Land Use Plan be developed and applied in a way that respects Canada's international and domestic obligations with respect to shipping and navigation. TC, our department, we've completed a preliminary review of the documentation provided by the Commission on July 8<sup>th</sup> that was titled, "NPC Response to the Planning Partner Nunavut Land Use Plan Submissions." In this review, we fully, fully recognize that the initial responses prepared by the Commission are solely intended to facilitate discussions. So this morning, as it relates to marine transportation corridors, I would like to provide a brief summary of this review, and some questions we have for additional consideration.

Firstly overall, to assist ourselves, TC recommends that the Commission provide details and rationale why shipping restrictions are necessary, and specifically the problem or issue that proposed shipping restrictions are intended to address. And we raise this because we believe that by identifying the nature of the problem or the issue in the documentation, this may help determine if tools exist, and if so, how those tools may be best suited to address that specific issue or problem.

I'm now going to walk through three definitions, which are on the screen there. Thanks for that – the first one being the marine exclusion zone.

Ross: Hello?

Dale: It is unclear where the marine exclusion zones will be or how the Commission intends on enforcing them, and how will the ships be aware of these zones? The classes of vessels that are proposed to be included in the definition are very broad, and it's unclear in the documentation why, for example, kayaks and unmanned vessels would need to be caught in a potential marine exclusion zone. The marine exclusion zone may conflict with the zone date, the Arctic Ice Regime – safety system regime, in the Arctic Waters Pollution Prevention Act and its regulations, and lastly there may be implications to international commitments and UNCLOS, if restrictions are applied to foreign vessels engaged in innocent passage.

I'll now speak to marine shipping corridor and some comments and concerns we have with that definition. In addition to my friend, Chris and his comments on Annex A this morning, it is unclear in the documentation why marine shipping corridors are required, and why and how they will be

enforced. Reference is made in the proposed definition to routes that will be used more than twice annually in the ice-free season. It is unclear in the documentation how or why two transits were included.

Reference is also made in the proposed definition to international navigation. Again, the application to international navigation could infringe on Canada's obligations under the UNCLOS. The proposed definition also speaks to grandfathering. Again, it's unclear in the documentation where these preexisting corridors are and why they would be grandfathered into a proposed definition. And lastly on this definition, it's unclear, again, if vessels can be engaged in community resupply beyond the ice-free season.

The third definition on the screen there – marine transportation corridor – some comments and questions we have. Reference here is made to icebreaking. And the proposed definition appears to place extreme restrictions around icebreaking. And as such, TC recommends to the Commission that they provide rationale for this proposal. It's unclear if this proposed definition will apply to vessels calling at ports in Nunavut, or for example, to foreign vessels engaged in innocent passage. It's also unclear how icebreaking for rescue purposes may apply. And lastly, note that there are international treaties, for example between the US and Canada, on icebreaking in the Arctic.

So I'll stop there and hand our comments to my friend, Jaideep, and then I'll close with some remarks following. Thanks.

Jaideep:

Good morning. Jaideep Johar, Transport Canada. If we can go to the definition for ice-free season, please. As we read from the documentation, that ice-free season in Hudson Bay, Foxe Basin, Hudson Strait, Forbisher Bay, is considered to be June 15 to December 15 every year. And similarly, there are times for Lancaster Sound, Northwest Passage from July 1<sup>st</sup> to November 30<sup>th</sup>. We would just like to have some more clarification from the Commission and with regards to how they came to this conclusion of ice-free season based on the locations. The reasoning behind is that we have under our Arctic Waters Pollution Prevention Act, we have a zone date system where specific vessels are allowed to enter specific zones depending on their ice type. Furthermore, if these are only the times allowed, what if there are community resupply vessels if they want to operate beyond these times in case they have to supply to the communities?

As Dale has mentioned, we do not support outright prohibition on shipping. Generally vessels are free to operate in Arctic, provided they comply with our acts and regulations. It is important to note that existing regulatory regime does not ban shipping, but does place a number of requirements on vessels to ensure that they are able to operate. The existing regime includes construction, equipment, crewing requirements for ships operating in Arctic waters, as well as placing restrictions on when and where they may operate.

There may be regulatory operating authorities in the Arctic Waters Pollution Prevention Act and Canada Shipping Act that would allow the governing council to place additional restrictions on shipping only if such restrictions were meant to be necessary for the safe movement of the ships and to protect the marine environment from ships or its pollution. TC does not have any authority to restrict shipping for marine conservation or other purposes, for example to protect whale or seal habitat. We would strongly recommend that any restriction identified by the Commission should be supported by rational and evidence. Furthermore, industry stakeholders should be consulted on this.

However, I would like to point out that there are some guidelines published by Fisheries and Oceans in regards to giving guidance to ship masters and the vessels when they are near marine mammals. Two of the publications, which are known to me, one is Annual Notice to Mariners, and the second, is again, a DFO publication, which is Planning Voyages in the Northwest Passage and in Arctic.

I would also like to point out from the last Technical Hearing regarding Draft Land Use Plan, 2.1.2.2. that deals with caribou sea ice crossing where there are directions that, and I will quote, “regulatory authorities were appropriate need to mitigate impacts of project proposals with ship traffic on spring and fall caribou sea crossing.” We would again emphasize that TC does not regulate or restrict ships due to marine mammals or the caribou sea crossings.

With regards to the shipping corridors as Dale has mentioned, we need to know the rationale why, what’s the need of having a shipping corridor, especially one which is proposed Eclipse Sound. So if the corridors are included, TC would like to have clarification on following questions: What would be the width, length of the corridor? Why is the corridor necessary? What’s the purpose of the corridor? Will the corridor apply only to vessels calling at ports in Nunavut or to all ships? If shipping will be restricted to this corridor, can vessels deviate from this corridor in consideration of safe navigation? And how will vessels know when such a corridor exists, and who will monitor vessel passage through the corridor?

With regards to the NPC’s Response on the 8<sup>th</sup> of July and some action items for TC to respond to, especially Comment 01, NPC response to TC’s recommendation that Nunavut Land Use Plan be consistent with United Nations Convention on the Law of the Sea. Canada has made legally binding commitments through becoming party to international treaties such as UNCLOS and various IMOIL. So that Canada is not in breach of this commitment, TC reiterates its recommendation that the Plan be developed and applied in a way that respects Canada’s international obligation to respect navigation and shipping. The written Plan should also include a statement to this effect. TC’s proposed draft wording at the last meeting was provided.

Also, we would like to get more information from NPC’s understanding with respect to the Regional Governance Agreement in UNCLOS. It’s not very clear from the NPC’s documentation that which parts of UNCLOS are being referenced. Second, just to state that UNCLOS is a very large and complex treaty. The Department of Foreign Affairs and International Trade has overall responsibility for UNCLOS as part of its mandate to manage Canada’s international affairs. We will try to answer questions on this to the best of our capabilities on UNCLOS, but if there are more questions on the clarity or any questions required, we would request the Planning Commission to also get in touch with DFAIT.

Also, there was a request from NPC for guidance on how permanent and seasonal restrictions to shipping can be enforced. We understand these concerns and the request to the TC. However, before we go ahead and answer that question in more clarity – and as Dale has mentioned – we need to have a better clarification why are the restrictions needed or why other less restrictive measures could not be achieved to have the desired outcome.

There was also a comment from the NPC document on the 8<sup>th</sup> of July regarding enforcing the next generation of polar regulations. I can provide you an update of status of the Polar Code that IMO has recently completed negotiations for Polar Code that would establish to internationally binding

rules for shipping and Arctic region. The rules cover safety as well as environment protection matters. The rules are expected to enter in force on January 1, 2017. Canada is currently comparing the Polar Code with this existing Arctic shipping regime with a view to determine if it's needed to be updated. TC will be consulting stakeholders as part of this process.

And lastly, TC again would like to know the rationale behind having prohibitions on shipping in Moffet Inlet and parts of Foxe Basin, and also, the rationale to have a shipping corridor in Eclipse Sound. Thank you. We are open to any questions.

Dale: It's Dale Kirkland again from Transport Canada. So in closing, David and parties, we recognize that - fully recognize - that the documentation provided on July 8<sup>th</sup> was meant to facilitate discussions and generate discussions. We've provided a number of questions and concerns and comments this morning. TC is looking forward to continued dialogue and cooperation with the Commission with this regard and all parties. So, we look forward to providing that assistance as necessary. Thanks.

David: Thank you. I don't want a comprehensive response from NPC just now, but I guess I'd ask NPC if you have any quick responses to the presentation by Transport Canada. And I have a question for Transport. Is that - your presentation - going to be available in writing to NPC?

Dale: Thanks, David. Dale Kirkland. We'd be more than willing to provide such in writing to our friends to assist them. Thanks.

David: Yeah, I think that would be appreciated. Any quick comments? Obviously, more one-on-one discussion is clearly necessary, but any quick comments from NPC just now? Sharon?

Sharon: Thank you. It's Sharon from the Commission. I thank Transport Canada. They have raised some very valid issues and questions. And the Commission is going to have to look at this and give careful considerations. We do appreciate having the written submission for us to be able to go through and provide feedback and responses. So we thank you for raising the issues.

David: Okay, thanks, Sharon. I guess I have a question. You've pointed out the, kind-of the massive regulatory system that already applies. But if I heard you correctly, there is no easy way to restrict shipping in ecologically sensitive areas. Is that...did I get that right?

Jaideep: What restrictions we have from TC are based on safety of navigation and protection of environment. But if it is more like, when you talk about ecological background, then that probably goes more into the environmental concerns that could be looked after. But if it's more related to marine mammals, then we don't have a mandate.

David: Okay, so when you refer to protection of the marine environment, it's primarily oil spills or spills of that nature that you're talking about. So, what it comes down to is that the tools available - again, this is just my understanding - amount to the Notice to Mariners that you can advise mariners of sensitive areas, but really it's up to those mariners to take the necessary action. There's nothing enforceable that you have available. Is that correct?

Jaideep: Yes, with regard to marine mammals, that is very correct. There are guidelines on Notice to Mariners and the other publications, but to my knowledge - and those are from the Department of

Fisheries and Ocean – but nothing from the TC as such. And they are guidelines. They are not regulatory tools as such.

David: Right, and it would go...there's even less ability, I suppose to direct shipping away from migration corridors that caribou are using to cross from island to island or island to mainland. There's nothing in your toolkit that allows you to prohibit shipping at those times in those areas?

Jaideep: No, that's correct, nothing with regards to the caribou sea crossing or the marine mammals for restricting shipping.

David: Okay, so given all that, how would you suggest that the concerns of community residents in particular, with respect to caribou and we heard last time walrus and well, sea birds and any other ecological considerations be best addressed through the Plan, the Draft Land Use Plan or the final Land Use Plan? Is there something beyond the Notice to Mariners that is available, something a little more...with a little more teeth? And sorry, Samir, I hope I'm not putting you guys on the spot too much.

Dale: Thanks, David. Dale Kirkland. My answer refers back to my remarks in my opening statement where we believe that identifying the particular issue or concern in the documentation would assist ourselves – and I can't speak on other parties – but at least it would assist in identifying all the suite of tools that may exist to address those particular concerns.

David: Okay, we'll leave it at that for now then. Any comments related to Transport Canada's presentation or concerns separate from those from people? I guess I should go to the people on the phone, shouldn't I? So, folks on the phone, any comments, questions, concerns?

Vicky: It's Vicky Johnston here, Environment Canada. Jaideep and Dale, just to avoid any confusion, could you please confirm that the setbacks for the key migratory bird habitat sites are okay with Transport Canada? We've discussed this before.

Jaideep: Yes, Vicky. I can confirm that we support the setbacks, what you have mentioned, with our recommendation on the footnote, which we have provided in the GoC document.

Vicky: Right. And just for the illumination of the meeting, the footnote that Jaideep is referring to, we do have marine vessel setbacks in the key migratory bird habitat site setback table that is in the Draft Land Use Plan, and we are just elaborating on one footnote there that makes them subject to safe navigation considerations. So that is one possible way that you might be able to get at zoning...shipping in the marine zone. Thank you.

David: Thanks, Vicky. And that gets back to the justification that Transport Canada is looking for in the other areas. Any other comments from folks on the phone?

Oliver: Yeah, David, it's Oliver Curran with Baffinland. Just more of a comment on the structure of the Plan and this discussion on marine corridors and marine shipping: Obviously Transport Canada has brought up a number of really important questions that need to be addressed, and I think in light of that, Section 4.2 on Territorial and Community Infrastructure and Section 4.2.1 on Transportation Infrastructure, I think in light of the importance of shipping in this discussion and for Nunavut, it would be important to have marine shipping taken out of the infrastructure section and have its

own section to address all of the, you know, the comments and concerns that have been raised to date. Thank you.

David: Thank you, Oliver. NPC, I think staff have noted that. Any other comments from those on the phone? Alright, thank you. We'll just go around the table again. Jackie any comments?

Jackie: Thank you. Jackie Price, Qikiqtaaluk Wildlife Board. I don't have any questions. I'd like to thank Transport Canada for their information and their presentation. It has helped me understand some of the regulatory requirements that Canada does function under. And I guess the only comment I would have is, as I alluded to yesterday in preparing HTOs or future meetings and the Hearing itself, one of the areas I would suggest we look at it – and it has to get formally approved by our Board – is the marine areas of interest and community areas of interest. So it'll be interesting to A.) Have that debate within the community and see what comes out of this region, but B.) To see how that community mobilization around those topics will engage with some of the questions that Transport Canada and other parties here have raised. So I think it will be a fruitful discussion. I anticipate there will be some disagreement about what constitutes a valid rationale, but that's the burden that we all carry. So I think it'll be an interesting one, so only comments. Thank you.

David: Thank you. Chris, any comments? World Wildlife Fund, anything?

Rachel: Thank you. Rachel from World Wildlife Fund. We would like to thank TC for this clarification, and as Jackie mentioned, all of the requirements, regulatory requirements. We would also like to ask if we could be...if we could have the written submission that the NPC will receive please? Because there was lots of information and difficulty to take everything in notes. And we just would like to say that we would be...we will stay open to work with all the parties present here and to help to find more defined rationales and to have more defined concerns and then find potential mitigation measures that could reach everybody's goals. Thank you.

David: Great. Thank you. Barney, anything?

Barney: Thank you, David. Barney from Hamlet of Chesterfield Inlet, and I want to thank them too for their statements they made, and I will take them back with me to my community. I'm pretty sure some of the things they brought up will be raised in the Public Hearing or so. I will just stop at that for now. Thank you.

David: Thank you. Baffinland?

Michael: Hi, I'm Michael Zurowski from Baffinland. I'd like to thank Transport Canada, and I'm looking for a little bit of clarity, particularly on Point 1 there where it says NPC staff understand UNCLOS allows for additional regional government agreements, which will be established similar to the Convention for the Protection of the Marine Environment of the North-East Atlantic, which is also known as OSPAR Convention, and the Convention of Conservation Marine Living. I think that should be Antarctic resources rather than Atlantic resources, and some of the other agreements.

Under UNCLOS, Sections 24 and 25 virtually guarantees innocent passage for vessels to port and through Canadian waters. And there is within UNCLOS, allows under ice-covered areas, Article 34, where coastal rights have the – or coastal states – have the right to adopt and enforce non-discriminatory laws and regulations for the prevention and reduction and control of marine

pollution from vessels. And it also established that such laws and regulations may have due regard for navigation and protection and preservation of the marine environment based on best available scientific evidence. I'm really looking at asking Transport Canada to get on the record and clarify coastal states does mean the sovereign nation of Canada, so it's something to establish. I think the NPC staff's understanding for the regional government agreements I think is being a little bit...I think it lacks clarity, and I do not think they actually have that ability to affect shipping under UNCLOS.

David: Okay, thanks. Transport Canada?

Sina: Sina Muscati, legal counsel for the Government of Canada. The comments that we had provided earlier with respect to international obligations, we had suggested there should be...just what should include in the Plan that shows that the Plan would be consistent with Canada's international obligations, whether that's under UNCLOS or any other international treaty.

With respect to getting into the implementation of and the interpretation of UNCLOS, this wasn't something that we envisioned should be done in this Plan. If this is the approach that NPC wants to take, then we would need the expertise of DFAIT in doing this. It is our understanding that international obligations that are under UNCLOS are negotiated between sovereign states and not subnational entities, so yes, that is our understanding.

But with respect to more specific information on how UNCLOS is to be interpreted or applied, that is something that we would need to follow-up with DFAIT on. But again, we're not sure this is the best approach that's should be taken for this Land Use Plan. I think UNCLOS is very complex and it's again, only one of the many international obligations, international treaties that Canada is bound by. So that's the position that we have.

David: Okay, thanks Sina. Apologies for getting your name wrong earlier. Chamber of Mines, any questions? Comments? Thank you. Anything going up the table? GN I guess?

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. Thank you, Transport Canada, for providing additional information. I think at this point, we would also appreciate having the opportunity to view your written submission to determine what, if any, implications this would have on some of GN's stated recommendations and positions. Thank you.

David: Thanks, Jennifer. NIRB, no? Bert?

Bert: Yeah, similarly, I guess, we'll get a copy of the presentation and nothing further at this point I guess. Thanks.

David: Alright, thanks. One last round for the folks on the phone. Any final comments on this? Alright, so Transport Canada will make available its comments. I guess, suggest send it to NPC, and they can post it and make it available broadly that way. Okay, let's take a real short 5-minute coffee break, and we'll move into the next section on the agenda.

#### **BREAK**

David: We'll start in a couple of minutes, and for those on the phone, there has been a suggestion that we do the bird setback discussion now. It'll take us about probably to lunch, and then we'll do the

existing mineral and oil and gas rights discussion after lunch, rather than break that latter discussion up into two segments. But I'll just confirm that with the group around here first, and then we'll go from there.

Leslie: David, it's Leslie Wakelyn.

David: Yeah, go ahead Leslie.

Leslie: Hi. I was just wondering if you could tell us when we're going to come back to the discussion of the caribou workshop agenda.

David: Yeah, we had a quick update from Bert and Jason this morning. They're still working on the agenda. Hopefully they'll have a more detailed update for us tomorrow morning.

Leslie: Okay, well you know, later today maybe? What time tomorrow?

David: Well, what I can suggest is that be the first thing on the agenda tomorrow morning, so 9:15, we'll talk about it and find out what the state-of-the-art is.

Leslie: Okay.

Ross: David, Ross Thompson here. I have to be on the road in half an hour and so was expecting the discussion on AANDC's proposal for grandfathering. Regrettably, I have to head out in half an hour. So, whether I can just, you know, read into that record or send it by email to Peter or certainly Leslie, if Leslie is able to hang in there, she can speak to it.

Leslie: Yeah, we'll have a complete verbatim transcript of the entire session in 2 to 3 weeks' time. So you'll be able to read the discussion there. And if there are questions, hopefully Leslie or others can raise them on your behalf. I just think time-wise it makes more sense to do the bird setback discussion now and try to conclude that by lunch, and start fresh after lunch on the grandfathering.

Ross: Okay, so this...by copy of this conversation, I'll just ask the indulgence of the group there for Leslie, who - she and I have discussed this - and if she would accept that or the group would accept that, that statement or the position or recommendation from us through Leslie.

David: Yep, for sure.

Ross: Okay, great. Thanks a lot.

David: Okay, safe travels.

Ross: Thank you.

### **BIRD SETBACK DISCUSSION**

David: So let's get back to the agenda. As I mentioned a moment ago, I think what we'll do is do the bird setback discussion now, and I suspect we may be able to conclude that by lunch. If not, we'll carry

over that little bit, and then we'll get into the discussion of existing mineral and oil and gas rights after lunch. My guess is that might take some time to get through. And then the afternoon, we'll continue with the incursions discussion. And based on what I heard yesterday, there may not be as much to discuss there as we had anticipated, but...

Vicky? Hey, David? Sorry, there's just, somebody's not on mute on the phone. Could everybody please mute? I hear a lot of typing going on. Thanks.

David: Yeah, Jazz. Would you quit typing please? That's our transcriptionist who is working our fingers to the bone in the background. But I'm sure that wasn't her on the phone. So bird setback discussion. NPC, do you want to lead off on that and introduce the topic, and then I think what I'll do is turn to Environment Canada on the phone first after the intro comments.

Jonathan: Thank you, David. This is Jonathan from the Nunavut Planning Commission. Just to start off, a number of different migratory setbacks were identified by Environment Canada, and they have been incorporated into the Land Use Plan in Table 2. And the structure in which they function is under the category of Direction to Regulatory Authorities under the current Draft. So there's direction to regulatory authorities to incorporate these setbacks when they're conducting their review of proposals.

I'd just like to note that a number of these setbacks are from areas that are undefined within particular areas. So for example, a large geographic area would be identified and a seasonal setback identified. For example in the terrestrial for all migratory bird groups, the recommended setback is a 300m setback from concentrations of birds, for example bird breeding colonies and molting areas. So that is a specific recommended setback from these concentrations of birds, which are again, undefined within the larger geographic area.

The Government of Canada has recommended that these setbacks be changed to conditions of conformity with the Land Use Plan rather than direction to regulatory authorities. That's something to consider and get feedback on. As well we had noted there was some concern and discussion about the applicability of marine setbacks, and we just heard in the previous discussion that Transport Canada, for example, supports the inclusion of marine setbacks in the Land Use Plan. So with that, I think I'll just turn it over to Environment Canada or whoever else would have some comments.

David: Okay, thanks Jonathan. Vicky, Bruce, do you have anything that you would want to discuss now?

Bruce: I guess...yeah, it's Bruce. Thanks, David. Bruce MacDonald with Environment Canada. Can everybody hear me okay?

David: Yep, so far.

Bruce: Okay, from my understanding, some of the questions that we had on the setbacks were as how they overlapped with IOLs, and some of the potential there that community folks may not necessarily agree with some of those...some of those areas, meaning a priority as a migratory bird area versus a priority versus development on an IOL. So what we decided to do is meet with NTI and the RIAs, which we've done, to go back through our list and to see where there are potential specific conflicts

between IOLs and some of these areas that we have to see if we can reconcile those differences. So that work is underway right now.

Vicky: It's Vicky here, Environment Canada. I'm just...Bert and I have been playing telephone tag over the last couple of days, because unfortunately I wasn't able to attend in person. So this is an update for the table as to how Environment Canada is coming with that analysis. We have started it. We estimate that the number of IOL overlaps once legislated Protected Areas are taken out of the thing, and once areas that have no IOL in them are taken out, we suspect or expect that a number of key habitat sites that overlap with IOLs will be in the range of 10 to 12 by the time all is said and done. And we expect to have our analysis completed the last week of July. So, at that point, we will be able to share the analysis with the Inuit Associations. So I'll just hand it over to Bert. Now maybe you can give an update on where you guys are at.

David: Bert?

Bert: Thank you, David. Bert Dean with NTI. Yeah, we haven't made as much progress as they have, but we have had that meeting as mentioned at the end of the last Technical Meeting. There have been some other, I guess discussions or looking at different areas, because the big concern is as we've mentioned before, is the communities that may be affected and how do we get that perspective. And I don't know if Rosanne wants to add a bit there, but I'll sort-of pass it to her.

David: Rosanne?

Rosanne: Thanks, Bert. Just to follow-up on what Vicky was talking about: QIA has done a similar exercise, and we also came up with about 12 areas not including the legislated areas where there is overlap between Inuit Owned Land and one of the key bird habitat Protected Area designations. So then next step would be for Environment Canada and QIA and NTI to kind-of meet and to do a similar exercise as I kind of explained yesterday, to prioritize based on potential concerns in the areas of overlap. And then Environment Canada was also going to put a list of priorities from their perspective of Protected Areas so that we can compare. So I guess that's the next step in the process. That hasn't happened yet. And then from there, ideally we can come up with a list of areas that would need further discussion at a community level, and would include NPC in that discussion of course.

David: Alright, thanks Rosanne. So Vicky, you mentioned you would share the results of your analysis with the Inuit Organizations. I'm assuming that you would also make that available to NPC and...

Vicky: Yes. I'm not sure in what order though, whether we want to out of respect to the Inuit Organizations, you know, let them have a look at it first. But certainly at some point, it will go on the record. Absolutely. Just a final note there: I'm not sure with migratory bird setbacks that there's much more really to be said at this point. We have a good plan in place with the Inuit Organizations, and things are proceeding apace, so I guess the biggest message is, 'We're working on it and stay tuned.'

David: And the check's in the mail.

Vicky: Yeah, right.

*(Laughter)*

David: Alright, let's just go around the table here and see if anybody has any comments. Jackie?

Jackie: No comment. I'll follow-up with NTI and QIA, respectively.

David: Alright, and Jason's not here. WWF, Barney, Chamber, Baffin....GN? And NTI has already said what it was going to say. Well, alright, we're done with that. So here's the question, folks. Do you want to break now and get back at 1:00 and start the grandfathering discussion then, or start it now and... How many vote for breaking now? Bert?

Bert: Yeah, Marie just rescheduled John Merritt to connect by phone later after lunch, and then she had an appointment that was this afternoon, and she rescheduled it for now. So she left. So if it's okay with everyone, we'd prefer to break now and then come back at 1:00.

David: Okay, that sounds good to me. I expected that this migratory bird setback would take a little longer, but the bonus is get a little longer lunch. And I guess for those who aren't here, it's probably better if we resume at 1:15 as they are expecting, rather than trying to start early. I would ask people, though, to get back as early as possible so we can start sharply at 1:15. Okay? Let's break then for lunch. Thanks, folks on the phone.

### **LUNCH BREAK**

David: We'll have the people on the phone identify themselves again, and then we'll get into the next agenda item.

*(Pause)*

Is anybody on the phone?

Karen: Yeah, David? Environment Canada had to sign off for an hour. They'll be back later.

### **EXISTING MINERAL AND OIL & GAS RIGHTS**

David: Okay, thanks. Alright, so we're going to get into the discussion of the grandfathering of existing mineral and oil and gas rights, and how far that extends in the Land Use Plan. So I've asked Karen to kind of just walk everybody through what the AANDC proposal is, what AANDC's concerns are, and then what I'll do is ask NTI to speak to its interests in that area, and then I'll open it up to folks on the phone and others. So, Karen if you wouldn't mind leading off?

Karen: Thank you very much, David. Karen Costello for Aboriginal Affairs on behalf of the Government of Canada. During the first Technical Meeting, my colleague, Spencer Dewar, gave a summary of I believe the different types of tenure and the whole basically mining cycle. I'm not too sure for this audience and for this meeting what...if everyone is clear on that. But I will assume that for now we are, everyone is clear.

What the Government of Canada is recommending for the Plan, is that the Plan should accommodate development on all preexisting tenures. So this includes everything from prospecting permits and the mineral claims. It should also accommodate any significant modifications to existing projects that were approved before the Plan was in effect. So this will allow existing rights, existing right holders to advance through the various stages of the lifecycle of mining.

NUPPAA does set some minimal exemptions, but the Commission is not bound by this minimum and has the authority to exempt preex...preexisting tenures – I need more coffee – from the application of specific land use designations and allow them to be modified to advance the different stages of their mining lifecycle. To be clear, when the tenure expires, the prohibitions would then become applicable.

So think of...perhaps we could just zoom in...just pick an area that's got some claims and possibly some other land use designations. Yeah that works.

Sharon: David, can I interrupt for a minute? David? Can I interrupt? Sorry, Karen. I'm getting emails. Can you just check and see, confirm if you can...the participants aren't hearing anything on the phone. Sorry for interrupting.

David: That's okay. I asked for the folks on the phone to identify themselves. I'll ask again just to make sure we have a connection.

*(Pause)*

Sharon: They said they've dialed in several times, and they're not hearing anything, so something must be wrong with our phone connection. So if you can just hold until we can get that fixed.

David: Alright, is anybody back there doing anything about this?

*(Pause)*

Jonathan: I think they just advised at the booth that there's a bad connection, so they're trying to fix it.

David: Whoops. Alright, we'll just hold until that gets resolved, if it can be. There's more coffee, Karen.

*(Laughter)*

While we have a break, I was just looking at the agenda. I'm beginning to think we may be able to wrap it up this afternoon. The IOL discussion probably won't take long. I think we covered a good part of that yesterday, and we're kind of suspended until further work is done. Karen?

Karen: Just, we did get word this morning that the Canadian Coast Guard joined the call late in the morning. They're not on right now, I don't think, but if there are any outstanding questions, we can get in contact with them and have them come back on the line, perhaps after sort-of the coffee break if there is any questions from the Commission that they would like to ask the Coastguard now that we've been able to secure a person.

David: Thanks, Karen. And I guess I would extend that offer to others to approach Karen if you think you'd like to hear from Coast Guard, and then we can go from there. Alright, I heard some coughing on the line, or is there anybody on the phone line?

Vicky: There's a bunch of us on here. Vicky Johnston.

Leslie: Hi, Leslie Wakelyn.

John: John Merritt with NTI.

Tyler: Tyler Jivan, DFO.

Wynter: Wynter Kuliktana, KIA.

*(Two people spoke simultaneously. One was Dwayne James from DND. The other was possibly from the Kivalliq Inuit Association – Jeff Hart?)*

David: Sorry, there were two of you overlapping there. Dwayne and I didn't get the other person.

*(Pause)*

Okay, we'll continue then with Karen Costello with Government of Canada.

Karen: Thanks, David. One of the concerns that the Government of Canada has is that the...basically the Land Use Plan is at is now does not seem to fully protect existing rights. And we are suggesting that mineral rights, whether they be a prospecting permit or a claim that they be grandfathered throughout, right through to mine development and reclamation.

And you can see the challenges. If someone had a mineral claim – and I'll just look at this map that's in front of us – so in one of these high mineral potential areas such as 167. If they had a claim, and they were doing basic exploration, and those activities changed from mapping and sampling to include diamond drilling to possibly then doing advanced exploration activities such as concentrated drilling or an underground development, and then if they were successful to a mine, if they were in an area, which now has...which would within another designation – overlapping designation such as one with Special Management provisions or being a post-calving are – if they were...if they had to go back to get conformity, it would not only delay them doing the work, but they might not conform. Because one of the conditions of that Special Management Area might be a prohibition on mineral exploration, or it might be a prohibition on transportation corridors, like we've talked about this morning. So basically they wouldn't be able to develop that project.

And we've looked at it, and in our submission, we commented that somewhere between 20 and 25% of some of the tenure is now in areas that appear to be Special...either Special Management Areas or some other land use designation that prohibits resource development. So, if they are not...if the grandfathering provisions to the existing rights does not allow for the full cycle, then that is problematic.

David: Alright, so let me...let me see if I can track this. Let's start with a prospecting permit. So a company has a prospecting permit, and if it at the end of the life of the prospecting permit has not staked a

claim, then that's it. That's done. The prospecting permit expires. There's no grandfathering consideration. Is that correct?

Karen: Yes, because that...once the prospecting, the term of the prospecting permit, whether it be a 3-year or a 5-year, if the permit holder does not stake any claims, then the prospecting permit disappears.

David: Okay, so, if they stake a claim, then the claim is valid for a period of time. With that claim come both rights and obligations. If the claim lapses, then there's no grandfathering issue.

Karen: That is correct. We are looking at tenure that is maintained, but please understand that a mineral claim in the 11<sup>th</sup> year can be converted to a lease, and that lease can run for whatever length of time as long as certain conditions are met. So, the grandfathering has to continue to allow that.

David: Yeah, I guess what – I'm just trying to track it through so we get to the end of what, what the grandfathering of the mineral rights implies, so everybody is clear about it including, not least of which me. So, a person stakes a claim, does the work, maintains the claim, and converts it at some point to a lease within the life of the claim. That then is grandfathered. And now the organization has a mining lease and can pursue the development of that property, and that too is grandfathered. But if the lease expires, then that's the end of that story.

Karen: Yes. Once...we're really concerned about the tenure that's in existence, and once it expires – whether it be a prospecting permit, a mineral lease, mineral claim – then the provisions that apply to that area based on the land use designations would apply.

David: Alright, so I think I'm relatively clear on that process. Are there any questions of clarification as to that, AANDC's explanation of what it....yeah, Sophia?

Sophia: Sophia with the Nunavut Impact Review Board. Just a question on sort-of the grandfathering clause. How would it impact sort-of down the road, the environmental assessment? Because any projects or any significant amendments to the project proposal or any changes to the project will have to go to NPC for them to determine if it's...if there's conformity and whether or not it needs to be referred to the NIRB for screening. So from my understanding, you're asking for grandfather clause for this future Land Use Plan not to apply to it, but then how would it effect the next step? I'm not quite clear.

Karen: Karen for AANDC. Thanks for the question, Sophia. It would still go through the EA process. If the project is in an area where there is currently or at the time the tenure existed or was granted, if there was no Land Use Plan in existence there, or whatever the Land Use Plan was that was in existence at the time the original project was granted, then that still applies. If there is a new Plan that has come into existence at the time that you may be considering a change to a project, it will not be a conformity against the current Land Use Plan, and it would still go through the EA process.

David: Okay, Sophia.

Sophia: Thank you.

David: Alright, are there any questions or clarification from the folks, oh, Barney.

Barney: Thank you, David. Yeah, I just want a bit more clarification too on explorations, if they were granted for a 10-year time, and for example, they abandon the campsite come three years. And now the campsite has been left for seven years, so the neighboring community still has no say. For example, if we want to clean the area, because it's just left there to mould, so we can't do anything about it until the term is up. Thank you.

David: Karen?

Karen: Thank you very much for that question. What you have raised about basically abandoned campsites, we...those types of issues are addressed through our Inspections and Enforcement people. So in the event where a site that comes to say your attention, the community's attention, and you identify, can identify as a camp belonging to say, an exploration company. And if it has been abandoned, we're quite happy through our field operations to take those concerns. The camp is, that's covered through a different authorization, not the mineral tenure, so we can address it through another means, and we'll be quite happy, if we need talk offline if you have a specific camp of concern and just bring it to attention of our field operations for follow-up.

David: Jackie?

Jackie: Thank you. Jackie Price, Qikiqtaaluk Wildlife Board. Thank you, Karen for your overview. I just wanted to make sure that this grandfathering clause you're talking about is for, just for when the Land Use Plan comes into effect, that this wouldn't have any impact on say, the next generation of land use plans, that tenures or permits provided under, say the first generation, when the second generation comes in then that same...would the Government of Canada be recommending that this kind of grandfather clause become a pattern or become consistent as the Plan evolves and changes into the future? If you need clarification, you can let me know.

Karen: Thanks, Jackie. Just to make sure I'm clear, you're talking about tenure that's in existence now prior to the implementation of the current Plan. Once the tenure expires, that's it. I cannot predict what other iterations of the Plan might look like, but the tenure should be grandfathered for as long as it's in existence. Once it expires, that's it.

David: Great. Thank you, Karen. Okay, any questions of clarification from the folks on the phone, and then we'll get into the discussion? But just for clarification purposes, any questions?

Leslie: It's Leslie Wakelyn with the Beverly Qamanirjuaq Caribou Management Board. I have a couple of questions. The first one is I was wondering what would happen then between now and when the new Land Use Plan is implemented? We have concerns that there could be a staking rush as a result of this, because if tenures did exist and are meant to be tenures that exist when the Plan is implemented, then what happens between now and then? That's my first question. Thanks.

David: Karen?

Karen: Thanks, Leslie, for the question. I can appreciate that there may be some concerns that there could be a rush to acquire tenure. Under our existing tenure acquisition regime, it does require prospecting permits, as you must apply in person and only at a certain time of the year. Mineral claims require on-the-ground staking. We're looking to move to an online map selection in the future, hopefully within a year or two. I think we're looking at late 2016 or early 2017, and when

that comes into effect, tenure will only be able to be granted in certain areas. And if provisions, terms and conditions need to be applied, they can. They will...someone will know about them before they acquire their tenure.

But specifically, what would happen between now and when a Plan is implemented, I would think we might want to...we'd have to think on that to see what type of provisions we might...yeah, what measures we might want to consider. But the reality is right now, there's not a lot of staking going on, so I might have to look at getting back to you on that.

David: Okay, and I'll just add to that. In one of my previous incarnations, I was responsible for mining, mining lands and all that stuff in the NWT, and that concern was raised a number...well, as we went through each land use planning process. The reality is it's expensive to get out there to stake claims, and companies don't do that in anticipation that there might be something there. It's just – we used to refer to it as nuisance staking. It doesn't happen very often, and it only happens if the company has some reasonable prospect that there actually is something on the ground.

And furthermore, you know, grandfathering is grandfathering, and claims were normally grandfathered. Existing claims are normally grandfathered, so nuisance staking didn't seem to be an issue from my experience at least. Leslie, you had another question?

Leslie: Yeah, thank you and thanks for that. I'm a little unclear on what is being proposed exactly for designation of these areas. It appears they would not be Protected Areas, Special Management Areas, or Multiple Use Areas but a new designation specifically for mineral exploration and development. Is that correct?

David: Karen?

Karen: Yeah, I'm not aware. I think with the designations were going to remain the same.

David: Yeah, Leslie, I think the intention was to grandfather the rights within the existing designations so that whether the designation prohibited certain activities, it wouldn't apply to those grandfathered rights. It wouldn't change the overall designation of the area. I think that's essentially the approach. Any further questions?

John: It's John Merritt, NTI. I had a question. I don't want preempt NTI making some more general comments, but I'll leave that to the NTI people there. But I do have one question that relates to what exactly is being proposed to be grandfathered. And I ask that, because it seems to me a Plan can have all kinds of rules relating to future land use, and that could relate to prohibition of some types of land use to all kinds of conditions attached to land use – setbacks and seasonal requirements in terms of caribou production, whatever. So what exactly is being grandfathered? Is the suggestion that someone holding that kind-of right before the Plan comes into force would be in effect freed from all the provisions relating to future land use?

David: Karen?

Sina: Sina Muscati, Legal Counsel for Government of Canada. So the existing rights holders, they would still be subject to the Plan. But the prohibitions on the mining and mining development would not apply to the existing...

John: So the only, the only part of the Plan that wouldn't apply would be an outright prohibition on mining?

Karen: This is Karen here. We'd also be...I think what you may be trying to get at is whether or not any other prohibitions...let me start that again. Are you worried that if a...if tenure is grandfathered, how would other considerations such as perhaps seasonal restrictions because of caribou, because of wildlife – are you wondering about how they may be accommodated?

John: Well, I'm trying to understand what you're trying to propose. So it's not so much a question of expressing any worries. But plans, as I understand them – and I think the Draft isn't exceptional to this, although others know it better than I do – but plans usually import all kinds of restrictions, and sometimes conditionality. They usually have far fewer prohibitions – outright prohibitions. So I'm not quite sure what you're trying to safeguard. The Plan is not going to say, obviously on its face that existing rights are hereby canceled, because of course, the Plan focuses on use of the land not legal rights in relation to the land. So I'm not sure from your explanation how much of the Plan in your proposal would no longer be relevant to anybody holding a preexisting interest.

Karen: Okay...

John: Let's assume for example, the Plan says any type of new land use in some particular area should be more than 100 feet back from a navigatable river. What happens to that restriction?

Karen: 100 feet back, I think that's already in there.

John: I'm just making that up as an example. I'm just saying there are a lot of restrictions that don't actually prohibit use. So what happens to all those things according to what you're proposing?

Karen: We want to make sure the Plan is careful to protect existing right holders so that they can fulfill the full mining cycle. If there are...

John: No but...you're not...that just takes us around in a circle, because it all depends on what you describe those rights as being. At the moment, the mere possession of a front-end license doesn't say you can then on the strength of that license develop the mine anyway you want. That's all subject to regulatory provisions, and some of those regulatory provisions could come in through the, coming into force in the Plan. So I'm just not quite clear what you're trying to detach yourself – how complete you're trying to detach yourself from the reach of the Plan.

Karen: Okay, thanks. That's helpful. We want to ensure that there's no basically outright expropriation of their rights. They're still going to have to go through the EA process. They're still going to have to meet some of these requirements. And terms and conditions can still be applied to them throughout the process. We just, they need to be able to have that opportunity to develop, to be able to utilize the full mining cycle if they so desire.

And there is a way various designations or various conditions can be put on them. I would hope they would be reasonable, but we have many projects that have terms and conditions on that account for specific requirements. You look at the projects that have gone through the NIRB and the Water

Board, and some of the conditions that are available through, that are a result of other regulatory agencies, whether it be Fisheries and Oceans and other parties.

John: Well, the Plan, as I understand, is not intended to expropriate any legal interest, and I think for that matter NUPPAA doesn't in any way limit the reach of the expropriation acts. If somebody had a complete legal interest removed, and presumably the person would be entitled to compensation, but putting that aside, it's not clear to me where you'd end up on a case-by-case basis. Because some are between saying an existing rights holder can essentially proceed to develop a mine without any provision of a plan in any way affecting that activity. Somewhere between that and total expropriation is a huge amount of gray and a huge amount of interpretation.

So it seems to me what you're proposing in its very stark way would lead to inevitably, a huge number of subsidiary questions as to what, in fact, was being grandfathered and what wasn't. Now, that's not to discourage you, but I don't think what's being suggested as you're describing it constitutes a workable solution to the problem you see, because I don't think it would answer how much and in what part provisions of the Plan would actually apply in various parts of Nunavut.

David: Any response, Karen?

Sina: It's Sina Muscati, Counsel for Government of Canada. I think our main concern, and our focus is on the prohibitions on mining, so the absolute prohibitions in the land use designations on mining or mining developments. In those cases, I mean, that would constitute outright denial of any ability to advance the mining interest. I mean, the comments we provided, this is our thinking on this. I mean, with more discussion we can work out a complete, hopefully a complete ability to address these issues. But we've identified what our concern is, and it's that existing...people that have existing claims would have the ability to advance that denied outright.

David: Okay, maybe I can summarize it in a way that I understand it. It's almost an issue of conforming versus nonconforming. And the grandfathering would enable the mineral interests to conform in the context of the Plan, where if they were newly acquired, they would not conform. So that's part of it. It's getting past the nonconformance that would apply in the case of the Plan if new rights were being sought.

The challenge with mining – the mining rights process – is it's a progressive one. And once you've staked a claim, you're into the system, and the expectation is that the holder of the claim can develop that claim to the extent economically feasible. So once the claim is staked, a cascade of rights and obligations can follow. And they can be terminated by the rights holder at any point – give up the claim, walk away from the prospecting permit, whatever – not take the claim to a mineral lease.

But I think what the Government of Canada is saying is that in the context of mineral rights acquisition, there is a sequence of rights that follow from the initial acquisition, and the Government of Canada wants to grandfather that potential sequence. So it doesn't want to get into a situation where a rights holder has a mineral claim, wants to go to a lease, and suddenly that rights holder is confronted with a nonconforming situation. Is that...does that capture the essence of it?

Karen: Thanks, David. Yes it does. It's really the conformity decision. So if the activity would have been allowed on the day the tenure was issued, then regardless as whatever the activity on that tenure changes, the conformity decision is always, "Yes, it conforms."

David: Alright...

John: It's John Merritt again. I think the way you put that, that means the entire Plan is irrelevant to anybody who is in that situation. Because you're essentially saying you can do anything you were able to do before the Plan came into effect, and that presumably would apply to anything in the Plan, the way you've described that.

David: Karen?

Karen: Yep. In here we're talking about existing rights. We're talking specifically about mineral rights holders. The...this does not mean that the rest of the process, should activity increase or should a project be developed on the tenure, it does not mean it's going to go ahead. It is still going to have to go through the Impact Review process. It's still going to go through everything else. So there is an opportunity for the project and for input into the project as to whether it proceeds, how it proceeds, what terms and conditions are going to apply to it. And like I say, we're talking specifically, in this case we're speaking to existing mineral rights.

John: I think the way you've described that goes way beyond, for example, what a nonconforming use would allow. As I understand it, with nonconforming uses, they're allowed to continue, but that doesn't mean that those uses are free and clear of all the fine-tuning that a Plan may entail. It just means that a Plan can't prevent the continued use at a broad level, whereas what you're describing, I think, is a much, much wider form of protection, which would in effect say that not only can the Plan not prohibit mining activity, but essentially all the other provisions that would regulate all land uses, for example, somehow they're all put to one side.

So, I mean, I'm just...I'm not inviting you to state a categorical position here, but I think what the federal government is proposing here lacks some precision and some clarity as to how far exactly you're proposing existing rights holders would be free from application of everything in a Plan. It's one thing to say a Plan shouldn't expropriate an existing interest. That's a clear statement. But I think you're saying much more than that. And it's not quite clear how that would play out in all the specific land designations.

Karen: Thanks for those comments, John. I think that's something that we're going to have to take back. I appreciate your comments and insight, and you've given us some food for thought.

David: Thanks, John. And we'll get back to you, I think, in a little bit. Any other questions or comments from folks on the phone?

Leslie: It's Leslie Wakelyn again with the Caribou Management Board. I guess from a pure land use planning process perspective, we're a little confused, because what it appears to say is that, that parcel of land that is described by a tenure including prospecting permits, which incorporate large areas, those areas are – and I won't use the term designated – but they are said in the Plan to be valued highest for mining. So therefore, that value takes precedence over all other values, because someone has indicated an interest. So what we're worried about is therefore other values are not

going to be appropriately acknowledged. And of course, from our perspective, that includes protection of calving and post-calving areas, etc. So how can we get around that as an actual land use planning issue?

David: Karen?

Karen: Thanks, Leslie, for that. I'll just give you a specific example. It might be easier than to talk in the hypothetical since you mentioned prospecting permits. Someone acquires a prospecting permit. If they wish to do some work on the land, depending on the nature of that work, they are going to need a land use permit. And it is through that land use permit if it's on Crown land that we can put terms and conditions on their activities. For prospecting permits that have been, say, within certain areas of the Kivalliq where the caribou protection measures have applied, terms and conditions within their land use permit from Aboriginal Affairs includes a restriction on activity during key times.

So it's not that it's valuing mineral exploration above any other values. It is being accommodated, or it's being addressed through terms and conditions, we want to – when we apply those caribou protection measures. And for any other tenure depending on the activity, it will have to go through some sort of NIRB process, whether it be a screening or if it's a larger project, it will then go to, it'll go to a Part 5 review.

David: Okay, Leslie any follow-up, or are there any other questions from the telephone folks?

Leslie: Yeah, could I – sorry – ask for a follow-up on that? This still excludes area protection where a decision is made by the people of Nunavut that, for instance, an area's highest and best use would be to protect it because of the value for, for instance, caribou. So we can talk about mitigation of disturbance effects through things like caribou protection measures is one thing, but there is still a possibility in a land use plan, as far as I've seen, that some uses could be excluded from some areas because of a decision made that their value is greatest for a different use. So we're still talking about land use, not just conditions on those uses.

Karen: Thanks, Leslie. Karen here. One of the things that you commented on, you just said, was activity in an area, which is a high value for caribou. I think perhaps I will leave it to the Chamber if they wanted to – the Chamber of Mines – if they wanted to speak to the whole idea of industry working in areas of high value for caribou. I don't think there's anything more that I can add right now.

David: Thanks Karen, and we'll get to the Chamber later. We're straying off the grandfathering issue a little bit. I think I'm going to wrap up this part of the clarification issue by just reminding people that the mineral rights process is different than acquiring a lease for, I don't know, a surface lease for a tourism operation. When you acquire a surface lease for a tourism operation, you acquire it for that purpose, and it's clear, and it's unambiguous. When you acquire a mineral claim, you not only acquire the claim itself, but you acquire the potential to carry that claim through to mine development. That's what is different here.

And what the Government of Canada is proposing is that that whole sequence of potential be grandfathered, so that when the claim is converted – if it's converted – to a mineral lease, for example, that there not be a break in the conformity, and that mineral claim acquired prior to the

effective date of the Land Use Plan not only is grandfathered in terms of the direct rights associated – and obligations associated - with that claim, but the potential that the mineral industry expects to be able to deliver on should the economics and the ore bodies be suitable, that they acquire the claim with the expectation that if everything plays out, they can develop a mine.

That's the difference here. It's not like a surface lease, which is clear and finite and unambiguous. There is potential built into this grandfathering stuff that's kind of unique to the mineral industry I think. So I'm going to leave it there. There's going to be plenty of time to discuss this further but I want to get NTI to explain its response to this proposal from the Government of Canada in a little more detail. I think we're probably all as clear as...oh sorry, Rosanne.

Rosanne: Thank you. I'll let NTI speak, of course, but I just wanted to ask one question about this before you kind-of wrap up. Karen, initially you had made a comment about prospecting permits lasting between 3 to 5 years. And then it would expire unless a claim was staked within that prospecting area. Is it possible, or has it happened I guess, that could someone put in an application for an extension to a prospecting permit or to put it on hold, or are there any way...because I'm assuming once the prospecting permit, or once they stake a claim, then we're talking about a different surface area as the prospecting permit. So I was just wondering if you could comment on that, if there is a possibility to kind-of extend or to apply for those types of extensions.

Karen: Thanks, Rosanne. It has been...it has been a couple of years since I delved into the prospecting permit business, but right now within the mining regulations, they have a fixed time period. And there is, it's only a three-year term south of certain latitude, and in the North it's five years.

David: Yeah, and sorry Rosanne. I knew you had a question and I forgot. And I'll just add again that in my experience, when I was responsible for the issuance of prospecting permits, we never ran into that situation. There was never a request to extend the permit, and in fact, the whole point of the prospecting permit is to accelerate exploration in a given area. And there's an obligation there on the permit holder to do just that, and if they don't find what they're looking for in 3,5,7 years, it's time to move on and somebody else might acquire those rights. But a renewal of that prospecting permit is not something that I ever experienced. Yeah, Sophia?

Sophia: Sophia with the Nunavut Impact Review Board. Just another question with the grandfathering clause: Would that also apply to any activities that are not necessarily part of the mine development, but when a proponent comes in with their project proposal for a mine development and there are certain components that would be necessary at that time, that might not have been part of the proposal before. Would that be included?

For example, say the company wants to develop a mine. But now they foresee that a road is necessary to ship it out, but it wasn't actually part of it, because it wasn't part of the exploration prospecting and all that. Would that be covered with the clause, especially, say, if the transportation is not allowed under the Draft Nunavut Land Use Plan? Or for example, if they wanted to do shipping, instead of flying out the product but then shipping...it is but it's not necessarily part of the mine development. I'm not sure if I'm clear.

David: Thanks, Sophia. Karen?

Karen: Thanks, Sophia. I think there's a little bit of overlap with our conversation from this morning about transportation corridors. And if a new transportation corridor or transportation route – whether it be a road or marine shipping – would be required, there would be an EA process in all likelihood. And it would be a new activity. It appears from what you're describing, it would be a new activity. If the mine was approved, and now they're saying it needs another road or it needs some other way...is that what I'm understanding you to say is that you're looking at an operation that has already gone through the process, and now you're thinking that, you're envisioning that the operator may say, "Well I need to do a road," or "I need to ship out the product," but the project - the approved project or the grandfathered project - is surrounded by areas that have a land use designation that has a prohibition on transportation? Is that where you're going?

Sophia: Sophia with the Nunavut Impact Review Board. I guess it's more from, say, you're looking at grandfathering anything from prospecting all the way up to potential mine development. It's more if a company comes in and they are starting exploration, and it might be just a small site at a time, but then through development they see the potential for the mine development. But at that time, there was no indication of building a road or shipping out the product. But now that they've developed, they're looking at developing the mine. What I'm just asking is if the transportation, or if other associated activities that might not have necessarily been part of a proposed development, would it be grandfathered in? I'm just trying to get clarification of how far the grandfather clause would cover. But maybe I'm not being clear.

David: I think it's clear...but maybe not. I don't know. Karen, do you have a comment? Basically the question is, say is the potential for a transportation route associated with that mine also grandfathered?

Sina: Sina Muscati, Legal Counsel for Government of Canada. I think the issue as raised here is the same issue that was raised earlier. This is whether the grandfathering would be an exemption from the application of the Plan. So, what are the other aspects of the Plan? So I think what you're saying, for example, if in the Plan there is a prohibition on the development of a road, whether that would also apply or whether we want to restrict it to the mining development. Is that correct?

Sophia: Sorry, can you just repeat that?

Sina: Sorry, what I'm saying is I think what I understand your question to be is whether we want to restrict the grandfathering to the mining provisions, the prohibitions against mining in the Land Use Plan or whether it would be an exemption from the application of entire Plan itself. So, if there is in the Plan a prohibition on the development of a road, then that would also not apply.

Sophia: Yes. I think that's sort of what I'm looking for. Would the grandfather clause only be specific to the mine development and not necessarily to any other associated activities that might come about when a proponent, you know, does its feasibility studies and determines that it needs to do additional activities that might not have been part of an original mine development, which you can't foresee when you're doing exploration.

Just as, I guess, as an example, the High Lake project initially only had one site, and they were looking at developing only one route. But now they've come back with the Izok project, and this additional transportation corridor is associated with it that I'm just curious say, would that additional transportation corridor plus the additional site – because now there's an additional mine

site proposed – would that also be grandfathered as part of the clause, or is it just the spot of where they're going to look at the mine development, I guess. What is included and what's not included to when you're looking at the grandfather clause when someone is coming in out of the exploration or prospecting stage? Thank you.

Karen: Thanks, Sophia.

John: John Merritt again here. As I understand, that would be an example of the point I was making earlier as to how far the federal government sees the reach of grandfathering. Does it extend not just to the preservation of the legal interest but to any activity out there otherwise governed by the Plan that might affect in some direct or indirect way, mining activity or the viability of a mine – associated issues such as transportation, seasonal restrictions, setbacks, any number of things. I think that's a good example of the larger point.

David: Okay, Karen?

Karen: I'll pass a comment and then I'll hand it over to Sina. Tenure would be left isolated if we did not allow grandfathering to extend, to allow them to be able to get out of their, out of their little box where their tenure is. So I think there has to be some grandfathering that would allow them, that would apply, so that they could conduct the activities related to it. I think that's what you were getting at, John. I think Sina has a comment here.

Sina: Sina Muscati, Government of Canada. Yeah, so the concern, as I think we've indicated, is that the existing – people with prospecting permits, mineral claims – that they're able to advance those claims, to advance those rights. One way to do that is that we have the grandfathering provisions in NUPPAA, which would be an exemption from the application of the Plan. If that is extended to rights holders with prospecting permits or mineral claims, then it would be an exemption from the application of the Plan. And any of the other concerns, interests, would be addressed through the EA process - that those would still have to go through.

I think the other discussion that has been raised is whether the Plan would still apply, but there is still some grandfathering with respect to the prohibitions on mining. As John has indicated, that becomes complex. There are a lot of issues that need to be considered in that respect. I mean, we've outlined what our concern is. I think there needs to be more discussion on what the best solution to that would be with respect to the extent of the grandfathering.

David: Okay, thanks. I think we've probably covered most of the questions, and there may be some more emerging as we go along, but can I turn it over to NTI now and give you the floor?

Marie: Qujannamiik, David. Marie Belleau, Nunavut Tunngavik. Following the first Technical Meeting, there was a suggestion that Legal Counsel from the different parties conduct different discussions – preliminary discussions anyways – on this issue. NTI has sent an email that describes sort-of our initial understanding of the issues, so I'm not sure if the discussion will continue also in that forum. But we appreciate the opportunity at this forum, at this table, to hear the different perspectives and positions from the different parties and have the opportunities to ask questions from the Government of Canada.

And we don't wish to have a firm position today on this issue. But just for the sake of discussion and to provide our initial understanding of the situation, we understand that NUPPAA has certain provisions related to the preservations of certain rights. It doesn't appear that the circumstances described by the Government of Canada would apply to that, so I'm not sure if NUPPAA – having just recently come into force – would require amendments at this point to accommodate those types of things, but our understanding is that it's more of a matter of legal interpretation, and the situation isn't currently covered or permitted under the NUPPAA legislation.

In these types of situations, NUPPAA would apply or Land Claims, Common Law and other relevant legislation would have to be looked at in order to be able to have any position on these types of circumstances. And given the history – the many years that were taken to develop the NUPPAA legislation and all of the discussions at the working groups – it doesn't appear that there was an intention to be able, for the Planning Commission to have the authority and power to be able to permit, authorize these types of exemptions. I'll leave it at that, and we're happy to be part of the discussion. And I'll open the floor to John Merritt who is also on the phone to see if you would like to add anything. Qujannamiik.

David: John, do you want to join in?

*(Pause)*

Have we lost people on the phone?

John: Sorry. I was on mute, but I am no longer muted.

David: We can fix that.

*(Laughter)*

John: You covered a number of the points that is helpful to emphasize, Marie. And some of our questions came out in the earlier discussions. I think it's fair to say, as I understand it, NTI doesn't have a final or fixed view on these things. But as we try to flag it in some of the earlier comments we circulated around, there's obviously history and a context to this. And you're looking at the fairly complicated interactions of any kind of plan with the language of NUPPAA and the Nunavut Agreement itself.

Certainly, it's our understanding that generally when you see new legislation governing resource management in some kind of detail coming into force, you normally expect to see the issues of preservation of legal rights dealt with in the legislation, as opposed to a subsidiary document like a plan. We respect that the Planning Commission offers expertise in terms of trying to set out what it believes to be the normative rules. It attempts in the Plan to say, "Well these are how things should be in the future. These are the best uses. These are the best conditions attached to uses." It's not really the Planning Commission's responsibility, we think, to set its mind to issues of interpretation of existing rights, for example. That's not really what it's expected to do.

Having said that, it's the eyes-open to pragmatic solutions as to how to do this. I think Marie said one possibility would be to revisit some of the provisions in NUPPAA and the Nunavut Agreement. That's got a downside obviously in terms of that legislation coming into force. But it also has advantages, because that's the kind of place you'd normally look to, to get the precise rules that

would govern this kind of topic. And it would also have the advantage that NUPPAA rules would apply this – not just this Nunavut Plan, but any future regional plan or any variation on the Nunavut Plan into the future. You'd have some reliable rules.

If parties want to keep exploring what grandfathering might mean, then NTI would welcome either the Planning Commission or DIAND coming back with a closer description of what it, in fact, would want to be preserving. We understand the desire to preserve the legal rights of current right holders. We don't think the Planning Commission or the Plan would have the ability to strip those people of those rights anyway, but insofar as there's a desire for some additional assurance that there won't be outright prohibitions, for example, of mining activity – people who now have mining rights - then we understand that.

But it would be important to focus on that as opposed to some sort of broad-sweeping propositions that would suggest somehow anybody who's got an existing right is free and clear of the Plan in its entirety. That seems like on the face of it, not just overkill, but also arguably that looks like the Planning Commission performing, would be performing a function that's outside what we think NUPPAA intended. And so you get into questions as to whether a plan could reliably actually do that. And we think it's best to avoid that. So Marie, does that...I'm trying to essentially just supplement what you said, and I'm not sure who else is there for NTI as well. So, happy to keep conversations going, but we think there would have to be a lot more work invested in this for NTI to take a hard look for what would be a viable approach.

David: Okay, thanks John. Any comments from folks on the phone? Okay I'm going to go around the table...oh, sorry. Government of Canada?

Sina: Sina Muscati, Government of Canada. So I just want to thank NTI for providing us those comments. We did receive those on Monday. Obviously, we'll look at them in more detail and be having more discussions on those. Just a couple of comments: I mean, we agree the issue of existing rights...I mean one way to address those is to look at amending NUPPAA potentially. That would be one possibility. It would suggest to me that the issue of existing rights is a matter of legal interpretation. And I think we agree, but it's also an issue of legal interpretation and one that has a huge policy component.

I think when you look at the Nunavut Agreement and when you look at NUPPAA, it does provide a lot of discretion to NPC to take those policy issues into consideration and to look at the facts on the ground and to develop a Plan that addresses those policy issues. So there is a legal component to this, but there is also a huge policy component that, I mean the policy experts here have to look at and address. We are bound by NUPPAA absolutely, but if we can work out a solution in the Plan that is consistent with NUPPAA and that addresses some of these policy issues, then I think that would be appropriate to do. Having said that, we're happy to continue the discussions on this issue.

David: Okay. Thank you. Jackie, any comments? No? Jason? Nothing? WWF? Barney.

Barney: Thank you, David. I guess I just wanted to add a few things to the concerns that have been raised about the grandfathering of the explorations, because what I'm kind-of understanding too is the Planning Commission did some consultations in the communities in Nunavut, and they're trying their best to make a plan that will work for the territory of Nunavut and the people that live in it for the Land Use Plan.

What I seem to be understanding is that the grandfather...the grandfather request that they're putting in – our main concern is that they can come back and say, "This was granted and we must continue," no matter what they might do within that area that they were granted, and even though if we realize that was not part of the Plan from the beginning. They were granted the grandfather clause, so they must continue. That's our main concern, and our main purpose is to protect our land to the best of our abilities. I'm not saying that we don't want mining industry to hold back, because we also understand the economy that needs to grow at the same time. Being the newest territory in Canada, we just want to ensure that proper procedures...and we're just not walked all over I guess is what we're worried about.

And I think it would be ideal to reconsider the term or the grandfather clause definition. Because once that's granted, we'll end up having no say, because it was grandfather clause. That's our main concern, because we are a big territory, and we understand that the mining industry is looking over the whole territory and wanting to put their stakes on certain places. At the same time, once that's granted, it will enable a lot of other plans and land use plans that were put in place – that's just our main concern. I'll stop there for now. Thank you.

David: Thank you. Baffinland, anything? Chamber?

Elizabeth: Thank you. Elizabeth with the Chamber. I just wanted to raise the point that this issue of existing rights is very important to industry, because a proponent after certain stages, or after a certain stage, may have invested millions of dollars into that area, and so there needs to be some assurances to the proponent that their investment is going to be protected. So it is very important. It's high stakes that we're talking about from a proponent perspective. Thank you.

David: Thanks, Elizabeth. Okay, GN?

Jennifer: Thank you, David. Jennifer Pye, Government of Nunavut. I just wanted to say thank you to the Government of Canada and also to NTI and everyone else around the table that provided their input. This has been very helpful for the GN. We're still, of course, reviewing and discussing these things internally, but we've been able to gain a broader understanding of what the potential implications may be and how these things might play out. So we will be taking these back within our government and discussing things further. Thank you.

David: Sophia? Rosanne? Anything? Okay, well, here we are at 20 to 3. And there's one significant item left on the agenda, which may not take a great deal of time. So I'm going to suggest we take a 15-minute break now, and then we'll come back. I have a feeling we can wrap up this afternoon fairly shortly, certainly by 4:00. Okay, so let's take a 15-minute break.

Leslie: David, can I just ask you about process? Leslie Wakelyn.

David: Yeah, go ahead.

Leslie: Hello?

David: Go ahead, Leslie.

Leslie: Sorry. Just in terms of the statement that Ross Thompson wanted to put on the record for the BQCMB, should we send that in directly to NPC as a letter, or what's the best thing to do?

David: How long is the statement?

Leslie: Oh, I don't know. It's most of a page. But also it doesn't reflect the discussion we've had today, of course, either.

David: Okay, well in that case, I was going to suggest you could just read it into the record, but it might be better to send it in to NPC when you've got it complete and updated.

Leslie: Sure. Okay.

John: David, John Merritt here. I won't be able to join you after the break. I haven't seen you for a long time, David, but that's another story. Anyway, thanks for the opportunity to participate, and thank you to the other people on the phone call. I found it very helpful.

David: Alright, thank you John. And next time I'll put you on mute at the outset.

*(Laughter)*

### **Break**

David: I was actually expecting more heated conversations to keep this place warm, but I guess the ceiling is just too high. And the ceiling is leaking. The furnace is broken down. It's obviously time to go. And I'm waiting for the sealift to get some more Rickard's Red in town, but that won't happen today either I'm sure.

Alright, why don't we get started? Maybe I'll give the Chamber a couple of more minutes. I don't see them here right now. So I'll give the Chamber a couple of more minutes, and then we'll start regardless.

*(Pause)*

Okay, so we'll get started again. We've got one more significant agenda item, and then basically a wrap-up, and I think we can all go home or back to our offices or whatever at that point. We should be done within an hour.

I just wanted to pick up on a comment that Barney made just before the break. The question of – well, it's always a question of this versus that sometimes, but Aboriginal rights and mining rights, and Aboriginal rights and the rights of others, environment versus development and all of those things. I mean that's really – the Aboriginal rights issue, I think, is really at the heart of what this Plan needs to address. I mean, I don't think necessarily that things need to be in opposition to one another, but development in the context of sound environmental stewardship, development that is consistent with the views and aspirations and the rights of community residents.

But it, I think it really underscored the importance of getting this Land Use Plan done and getting it done as right as we can in the circumstances. It gets back to "It's never going to be perfect, but let's

at least avoid the really boneheaded mistakes that we've seen elsewhere." If we're going to make mistakes, let's at least make some new ones and not repeat the old ones. So I just think that message, Barney, was really central to the discussions, and hopefully people will continue to bear that in mind as this process proceeds.

So we've covered, I think, the mineral, oil and gas rights discussion, although we didn't talk about oil and gas rights. But I think it's analogous enough. We've done the bird setback discussion, so we're into the IOL incursions discussion. I guess, I think we had enough of a discussion yesterday morning to understand where things are, but it might be worthwhile just going over that ground again, making sure that all of us understand what is going to happen in the next weeks and months, I suppose, with regard to resolving these outstanding issues, not just the inconsistent mapping issues, but the designation versus the original purpose of the IOL selection question.

So what I'm going to suggest is that I turn it over to the Planning Commission folks just to summarize where they are, and then ask NTI to kick in and take that discussion as far as we can, which I don't think will be terribly far today. Then we'll talk about next steps with regard to this process, okay? So Jonathan or Peter? Peter?

### **IOL "INCURSIONS" DISCUSSION**

Peter: Thanks, David. Peter at Nunavut Planning Commission. So I'm reading from a portion of our Submission Response, which is up on the screen there. So, big problems are manageable, and you divide them into small pieces. And the smallest pieces in this big problem are the slivers, as named by the NTI. And these tend to be very small pieces of land, sometimes less than an acre in size. And the vast majority of them really have to do with the NTI database on where the coastline is, is different from the NPC database on where the coastline is.

Now the IOLs that are coastal-based have been surveyed to my understanding, so staff – again this is subject to Commissioners' approval – staff don't have an issue with adopting the NTI definitions of the coastline, which have been surveyed, in order to get rid of most of the slivers issue.

Chunks, as named by NTI, are really sort-of...say you have point object of concern, and you draw a buffer around it. I don't have an example that I can bring up on the screen quickly. But basically imagine that a corner of an IOL property - say you have a heritage site that's an archeological site, and you have a 500m or 1km buffer, let's say 1km buffer around it – now that buffer intrudes on a corner of an IOL property by a few meters, say 100. NTI was saying in cases like that, isn't it easier just to move the boundary of the proposed designation so that the IOL property line can fit with the designation line?

And in many cases, staff – again stating that the Commissioners have the final say – staff generally don't have an issue with that. There may be some more significant cases where it may look insignificant from a distance, but you know, there could be more significance. So those mostly...you know, we understand where NTI is coming from, but in some cases, we have to go through them a little bit more carefully, one by one. And that's something that NPC staff are certainly happy to do.

Going to Paragraph 2 there, which is called "Designation Consistencies," this is actually the toughest one, and I'll read this paragraph verbatim: These are case-specific parcels where NTI disagrees with

the designation in the Draft NLUP for reasons. To change the proposed designation, a rationale for a...so what NPC then suggested is to change the proposed designation on a portion of a parcel or an entire parcel, we'd need a rationale for a different designation and evidence of community desire for a different designation. That may include potentially the need to consult with the affected community.

These – a good example that pops in my head is the one down in the south end of Katannilik Park near Kimmirut. I'll just zoom in there. It's this little blob here, which is an IOL subsurface parcel. And it's completely surrounded by the park, and it has been designated as PA. QIA has put forward an argument that it not be PA based on it being an IOL subsurface. That's an example of where really a sort-of case-by-case discussion needs to take place. And I don't believe these are in the hundreds, these examples. I believe these are probably in the tens. And again, the staff certainly don't – with the proviso that Commissioners make that final decision – staff certainly would not have a concern with going through these one by one as needed to make recommendations to our Commission.

Moving on to the third paragraph, there are some big IOL parcels that are impacted by NLUP designations. The subsurface IOLs impacted by Designation 47, which is caribou core calving habitat runs around plus or minus 200,000 hectares, and there are other ones that fall into polar bear designations, or a lot of them are on the 167. So a subsurface on a 167 is not, you know, it is...if you argue that a subsurface parcel was selected for mineral rights, and it's on a 167, which is for potential, then those two are quite compatible.

And there are other...so the big caribou ones are suggested to be deferred to the caribou workshop and considered there. There are some other big ones that deal with birds, which we have discussed a bit, or polar bears. In some cases, it simply says in the SMA, if you read the regs, it says where appropriate, responsible authority shall take into consideration polar bear values when undertaking development permits in this area.

Another very big one is the oil and gas restriction around Sanikiluaq, which I'll zoom into that one. The Commission heard very strongly from the residents of Sanikiluaq that they did not want oil and gas development around their islands, around the Belcher Islands. So that's why that restriction is there. These are community concerns and issues. Another good example is quite a large one near Nettilling Lake. This is Nettilling Lake here, and you see 36 and 94. The Commission heard very strongly from the communities that these areas are very valuable, and development should not occur here. And you can see the large area of IOL is impacted by these ones. Now we're happy to talk about these in more detail, but in these cases, we've heard very clearly from communities. Another example is the Kugluktuk watershed. So with that, I guess we'll pass over to NTI.

David: Thanks, Peter. Miguel?

Miguel: Miguel with NTI. Thanks, Peter. No, that's a great sum-up. I guess I would just point out that as far as the slivers and the data conflicts that we have, although in themselves each one is fairly small, they do add up to quite a substantial chunk of land over the expanse of a plan. I mean, you have no argument with working on it, so I don't think we'll have a problem with it. I've provided to you the maps that relate to it that we can work on together sometime between now and maybe another workshop. So that's just fine.

At the last Technical Meeting, we talked about subsurface and how that would be designated. I was hoping it would be a simpler matter than it was. However, we have to make sure that we address everyone's concerns internally, so we still have some findings to have in that regard before I can provide you with an exemption list.

And I think thirdly, the alignment of Inuit Priorities and Values - that we've already talked about, so to do with the community concerns – that's something that we talked about yesterday. So therefore, I think we'll leave that to further discussions. But owing to the fact that we don't have – everybody has their GIS people around, we'll probably have to leave further discussions until another time.

David: Alright, any comments from people on the phone?

*(Pause)*

Alright, hearing none, Canada any comments?

Karen: Thanks, David. Karen Costello from Aboriginal Affairs for Government of Canada. Not really a comment, but just a suggestion, just based on how we're progressing through this meeting. Someone who AANDC has identified as a GIS person is in town right now. And if everyone's schedules permit, I'm quite willing to host a meeting tomorrow afternoon of the GIS parties, people from GN, NTI, and AANDC on behalf of Government of Canada just to get the conversation going. Because I know we had committed to doing that at the last meeting, and we weren't able to do it. But we can have a face-to-face meeting if everybody is interested, in my office tomorrow afternoon. Let's just make use of the fact that we're all in the same community and try to flesh out a few things. If there's any way we can support each other then let's try and do it.

David: Miguel?

Miguel: Miguel with NTI. Thank you for extending the invitation. Unfortunately, I'm scheduled to leave tomorrow mid-, at like noon. So I think we'll have to do it another time. Are you referring to Tat Ma? Okay. I'm not aware of who with the GN is going to be handling the GIS side of things.

Jennifer: Thanks. I think as an initial point of contact, it will be myself. However, we do have some in-house GIS experts as well as consultants that we do use that, depending on the discussions, we would get in contact with them. That being said, our in-house GIS experts are – or expert is – away on annual leave currently. So I...we're more than willing to meet tomorrow if that's possible, or I am. However, I'm not sure how far the discussion could go given that she is away.

Miguel: Miguel with NTI. I would suggest for our next session or somewhere in between.

David: Yeah, I'm going to suggest something else. Tomorrow morning? Okay. Tomorrow morning, because tomorrow morning will be otherwise unencumbered. So I mean, I really encourage folks to get together and at least plan the next steps, the engagement. The longer things get pushed off, the harder it is to get reengaged again. So if you guys can meet tomorrow morning and just plot your timelines and get the process rolling, I think that would be well worth an hour or two of discussion. NPC, somebody available for that? Okay. Well, I think you've got a critical mass, so good. Thank

you, Karen. That's great. Jackie, any comments? WWF? Barney? Karen?...It's getting to be a long time. Liz? Our Planning Commission counterparts? Nothing?

Lorne: This isn't a comment from MRPC, it's just a comment from me. In my former life, I was Deputy Surveyor General, and I was responsible for the surveys of the IOL parcels. And so, the slivers, of course, don't really exist. It's just a depiction issue, of which you probably realize. So the coast is the coast of a IOL parcel – it's still a coast. You'll probably find my name in a lot of those maps you're looking at.

David: Well now we know who to blame right?

*(Laughter)*

Thanks for stepping forward, Lorne. Don't worry about the slivers. Well, you know, I suspect if you're available tomorrow morning, joining that meeting might not be a bad idea in terms of providing some context. Is that suitable for folks? Yeah, great. Thanks. See what happens when you speak up? You get volunteered for other things. Jen, anything?

Jennifer: Thank you, David. I would agree that certain issues, for instance, the alignment between intentions for – original intentions – for IOL and the values that have been identified for other land uses. For instances, where core caribou calving areas overlap with IOL, I would agree that should be addressed at the caribou workshop. However, I think it would be useful for GN and NTI to meet prior to the workshop to perhaps scope out these issues in more detail so that we can be prepared to discuss them at the caribou workshop itself. So it's something we can follow-up with later over the summer or what-have-you, but I think that would be a good starting point.

And I guess I just wanted to confirm, so the meeting will be ending today?

David: I think so, in probably 45 minutes or less.

Jennifer: Okay, so perhaps Karen and the rest of the GIS folks, we could just meet after the meeting has concluded to figure out a time and a place for the GIS working group meeting?

David: How about figuring out a time and a place right now?

Karen: I can offer my boardroom at 10:00 a.m. tomorrow morning, Building 918. For those from out of town, it is the trailers that are behind the Hotel Arctic. It's got Aboriginal Affairs and Northern Development Canada, so it's just up the street here. So, 10:00 and my GIS person can make it. I just was on email with him.

David: Alright, does that work for you, Miguel? NTI?

Miguel: That works just fine. Thank you.

David: Excellent. Good. And those trailers are portable, and when the devolution time comes, they can be shipped out of town really quickly?

Alright, any other comments on this? Rosanne, do you have anything?

## NEXT STEPS AND OVERVIEW OF MEETING

Rosanne: I guess I'm not sure how the rest of the agenda is going to go if we're finishing in 45 minutes. But I see there was some kind of discussion on the agenda for tomorrow, so I just wanted to see if maybe we could figure out next steps for this section. As we mentioned earlier, with QIA and NTI and CWS are hoping to meet to kind-of go over a bit of a priority list and where we think we should focus. But I do believe that the Planning Commission should be involved in those conversations once we have kind-of come up with a list ourselves as to how that engagement with kind-of affected communities would happen, and if it happens, and what that looks like. So I wasn't sure if that's something that would have come up kind-of in the discussions of the steps leading up to this Public Hearing that was in the agenda for tomorrow, or I just, I guess I don't want it to fall off the table, so I'm not sure if we kind-of agree or commit to some kind of next steps together here.

David: Now you're talking about next steps with respect to the conflict in designations primarily? Yeah. I think that discussion can start tomorrow morning, and as part of that, you can build a bit of a strategy with NPC there and yourselves. The conversations you were having with CWS we heard about. CWS seemed to be saying that it wanted to deal directly with NTI and Regional Associations before. So that's...I mean that's your call I guess, about when to bring NPC into that discussion.

In terms of the community engagement, we need to kind-of include that in kind-of the wrap-up, next steps discussion, the broader community engagement issue. We had a significant discussion about that yesterday morning, and I think it laid out some of the challenges, the opportunities, the five key people discussion, that sort of thing. So we'll do as much of that as we can today. In terms of nailing it down, I think we've heard from NTI and yourself that you need to have some more discussions with the communities too. So I'm not...I guess I'm not sure how much planning can be done at this table and how much should be done sort-of at a working group or a bilateral level, because we can't do it all here obviously, and some of the discussion really is bilateral. So, go ahead.

Rosanne: I guess that's kind-of what I'm looking for is if there are bilaterals to happen, if there are those working groups that are going to be developed, then who is leading them? Where are they coming from? Are we waiting to hear from the Planning Commission, or are they waiting for us to create something? So I agree. I just don't...I think NTI has suggested another Technical Meeting, but I'm not sure if that is to be discussed. So I just want to know before we all kind-of disappear as to what would be the next step.

David: Well that's something that I've got some notes on. We'll go through it and have a roundtable on next steps. Miguel?

Miguel: Sorry to take it this way. I just wanted to respond to Jennifer. This is Miguel from NTI. Jennifer, thanks for the offer when talking about the caribou and the IOL. Perhaps it goes without saying, but of course, we need our solid board direction on caribou before we are able to sit down. But once we have that, certainly that would be a great idea to sit down. Thank you.

David: Yeah, and just on that, I'd obviously encourage people to continue to talk about these issues with or without the positions from your respective leadership. I mean, understanding the issues can inform those decisions, perhaps better and result in perhaps better decisions than might otherwise be. So,

I just don't want people to walk away from this, as somebody said yesterday, get swamped with the regular day-to-day business that's already too much and hasn't been addressed in the last couple of days because you've been here.

Alright, so I guess on the IOL slivers and chunks stuff, and the preliminary discussion on next steps, we've got a meeting set up for tomorrow morning to start that discussion. I'll just go through my kind-of shopping list of things that I think need to be followed up on, and I'll start with the list of working groups that I've heard, kind-of structured working groups or informal quasi-working groups.

Caribou, obviously there's a working group. There's a need to get a draft agenda out for the caribou workshop sooner rather than later. Progress is being made there. I don't know that there's anything to report on right now. Do you want to?

Bert: Yeah, I guess just briefly. WWF had submitted some sort of draft agenda items. Leslie had sent an email from the BQCMB. I forwarded some stuff to Mike Settington. Our small group had met at the end of the day yesterday, and I talked to Jason before he had to leave. I think NWMB is still very cognizant of their workshop and what their objectives are, so he'll be meeting with Karla. They're involved in another workshop going on, so Karla wasn't able to be here this week. And I can follow-up with people later as we hear more back from Jason. But hopefully we'll get some more information from him there.

And Mitch Campbell is away. I've emailed some stuff to David Lee, our biologist. There are others with the regions and with the Regional Wildlife Boards, and clearly communities. There's a bit of work to be done there to fine-tune and see what can be done. But as we get more information, I'll start sending out emails to all of the different parties, so that everybody is in the loop. I mean, Peter Scholz from the Planning Commission...I'll schedule to meet with Karen later this week and get AANDC in the loop on things. And we've got the stuff from WWF. Mike Settington has been involved. We've been emailing back and forth, and the GN and others. So we'll just keep that momentum going hopefully, and through that email contact try and provide updates to everybody.

David: And just getting back to Rosanne's comment about lead, you're the lead I take it? Okay. And on the IOL stuff, I'd suggest that maybe tomorrow morning you identify kind-of a key coordinator for the slivers and chunks stuff at least, just so somebody is cracking the whip, and it doesn't fall into an amorphous kind-of "who's doing what" thing. So that's IOL.

The transportation discussion, the terrestrial stuff I think NPC has got some food for thought there. They're going to have to have some more discussions and some more brainstorming about another approach to take. But in the meantime, I don't...I wouldn't call it exactly a working group, but you've got some folks, some key people to talk to. And I suggest that's maybe a NPC lead, you identify somebody in the staff that will track that and kind-of try to wrestle it to the point where there's at least a clear path, some clearer options, a short list of options perhaps. So I'll leave that in NPC's hands to pull the key folks together and develop a bit of a timeline.

The marine transportation issue is a little thornier, and it gets back to kind-of the Aboriginal rights issue. You know, there may not be an easy way to regulate ship traffic, but somehow or another ship traffic has to be made aware of the ecological and cultural sensitivities. And ships' captains need to take that into account when they're routing their ships, and the companies that are responsible need to be cognizant of that as well. So how that shakes out in terms of text in the Land

Use Plan remains to be seen. But again, I think Transport Canada or potentially Coastguard and NPC are kind-of the lead government, quasi-government agencies there. And I'd leave it I guess to NPC staff to once again, to pull together a little bit of a strategy in how to move forward and make some timelines. What do you need by when? Assuming that...well two scenarios, and we'll get to that: that there is a hearing in November and there isn't a hearing in November.

The grandfathering, the existing rights issue, that clearly needs more discussion, and I guess I would turn to the Government of Canada there given what you've heard from folks, whether you could elaborate on your proposal. And again, I don't know that it's a working group issue, per se, but there are obviously some key agencies, some key interests involved - NTI, Government of Canada, NPC, GN - that could form a small ad hoc working group and try to at least come to some form of consensus or a clearer understanding amongst yourselves and use that to inform the Commission.

The community engagement concerns that we discussed yesterday, I mean obviously at this stage of the game for sure – and I suspect longer – a full-blown community...a full-blown round of community consultations like the Commission did previously is just not practical, nor is it probably necessary. I think there are more efficient ways to do that. NTI, the Planning Commission, GN, Government of Canada again are probably the key agencies, and I would encourage you folks to sit down together as a working group and map that out. Identify the opportunities for involving the communities and not just identifying their issues and providing some certainty with respect to the designations, but through that process get them more engaged in the planning process itself. It can have a whole lot of benefits. Bottom line is when the hearing comes in November or otherwise, the fewer surprises, the better, the fewer arguments left on the table, the better for everybody. Bert?

Bert: Yeah, and that's, I mean that's a key one for us. And I like the suggestion that it's the four parties working together, because we need that buy-in from everyone, not to put anyone on the spot and say they are the lead. But if we're going to achieve it, I think we've got to find a way to work together so we're all committed to that. And I know different regions, the dynamics would be a bit different or different priorities, but we'll definitely you know, be doing our part, and hopefully for the other partners as well to see what can be done there to make sure that whatever the next steps are, that we have some progress on that front.

David: Thanks, Bert. And again, I know everybody's busy, but the more structure there can be in that discussion - in that engagement process - the better. The Hearing, whether it's in November or later, is still outstanding. And I think people had agreed to put in writing their recommendation to the Commission by August 7<sup>th</sup>. Some folks have already made it clear what their positions are, but it wouldn't hurt to send a short letter explicitly addressing their desire to either have it in November or later. If later, why? If in November, why?

And also, the subject of an additional Technical Meeting has come up, and if the Hearing is going to be deferred or the recommendation is to defer the Hearing, then some consideration for another Technical Workshop in a couple months' time would probably be worth including.

The grandfathering issue, I touched on it already, but part of the challenge that I think people heard – Sophia raised it and others did too – how far does the grandfathering extend? Does it extend to the potential to a mine, or does it extend to the related infrastructure that would be necessary to support that mine? If it's, you know, from a claim to a full-blown mine and road access and air strips

and other stuff, it's a lot to grandfather, and I think more discussion, more thinking needs to happen there to define the boundaries. Liz?

Liz: Just on that issue, I just have a request. As Karen was presenting, there seemed to be some references to correspondence that was taking place between, I think NTI and Aboriginal Affairs on that issue, if I heard that correctly. And I was just wondering if the Chamber, if we could be copied on that correspondence, because it may have an impact on some of our projects, so that would be appreciated. Thank you.

David: Yeah, I think Liz is referring to the legal working group you had in the correspondence.

Marie: Yeah, I think because a lot of the discussions were related to -Marie Belleau from NTI, sorry – NUPPAA and the history behind it, we initially I guess, sent it to the Government of Canada and the Government of Nunavut, but I'll get your contact information and see if we can circulate that.

Liz: Thank you, and actually maybe just as a suggestion, if it can go through NPC and it just gets placed on the website or what-have-you. But if that's easier, then that's fine. Thank you.

David: Okay, and I think that's kind-of it. Just on the transportation thing, one of the key elements of that is being clear about the definitions and kind-of "what's a concept" and "what's a proposal." I'd encourage folks involved in that discussion to set some clear definition that separates a concept, and we've heard plenty about concepts when it comes to transportation routes, and a proposal, an actual proposal.

In the context of cumulative effects assessment, a proposal is something that is known, and I can't remember the exact detail, but essentially in the regulatory process. That makes it a proposal. Short of that, it's more on the concept side of thing - easier to grandfather, easier to plan for a proposal than it is for a concept.

So that, in a nutshell, is my wrap-up. I don't know if others...if I've missed anything significant, if there's anything that people wanted to add. Rosanne, did that kind-of address what you wanted to hear? Jennifer?

Jennifer: Thank you, David, for that summary. I don't think we have anything to add to the summary you just gave. However, I was wondering if we could talk a bit about the Prehearing Conference. I know that it was postponed, but we haven't really discussed – I guess it could be unknown because the Public Hearing may be postponed as well. But perhaps we could touch on that a little bit?

David: NPC?

Sharon: Thank you. Sharon from the Commission. That is correct. We are going to bring forward the issues and hopefully, we will receive your written concerns by the 7<sup>th</sup> to go to the Commission. If the date for the Hearing should be postponed, the Pre-Tech Session would be postponed as well. And we would deal with the outstanding issues and possibly listening to what is being said possibly in another Tech Workshop such as this once the issues have been flushed out a little more so we can focus down. In saying that, that would be part of what we would bring forward. That would require a budget change for us, but that's something that the Commission staff are open to bringing forward to the Commission. Thank you.

David: Just one question, Sharon. Is there any chance that the Commission could make a decision prior to the September meeting?

Sharon: Thank you, David. I could ask the Chair if he could have a special meeting to deal with it. It would be based on the availability of the Commissioners to get together. I know three of our Commissioners are out on holidays right now. It doesn't mean that we can't contact them. So it depends. It would be the call of the Chair. Thank you.

David: Yeah, I mean I ask because I think there's some urgency to have clarity with regard to that if, as scheduled, the Commission doesn't make a decision until September. It sure doesn't leave a lot of time for people to fast-track things in the meantime. There's a lot of work to be done.

Sharon: Thank you. Sharon from the Commission. So if on the 7<sup>th</sup> we have several requests – written requests – for postponement of the Hearing, or if we have several requests to hold and stay fast to the date, depending on what submissions are given to the Commission, the Chair would see those at that time. And it would be his call. So I would encourage you, if you have an opinion one way or another or a position one way or another, that you do provide it in writing before the 7<sup>th</sup>. Thank you.

David: Okay. Thanks, Sharon. So, I think we're kind-of, as far as I'm concerned anyhow, reached the end of the planned agenda. Are there any other issues that people wanted to raise before we go into the sort-of closing comments?

*(Pause)*

Okay. Well despite that fact that it was only two weeks ago that we had the first Technical Session, and despite a lot of people being away, I think we've made some good progress today. I was a strong advocate for having this meeting, because I'm concerned that the momentum that is being generated be maintained. And I know how difficult it is when you go back to your offices and there's a ton of stuff that nobody else has addressed while you've been here, but I really think that it's in everybody's interest to get this Plan done as quickly as possible, as well as possible, recognizing that it's not going to be perfect. It'll be an iterative process for a while, as people see what they've actually done and test it out, test-drive it. But it's been a long time coming. I can see that it could certainly be complete – this exercise could be complete – in six to eight months if everybody stays on track and pushes hard. And I'm sure that would be a relief to everybody too.

So I'm going to just go around the table and I'll leave Commission with the last word, but go around the table again. Government of Canada, any concluding comments?

Karen: Thanks very much, David. Karen for Aboriginal Affairs and the Government of Canada. Developing a Land Use Plan covering over 2 million square kilometers is not an easy task. This second Technical Meeting still shows that a lot of information still needs to get to the Commission. And we really wanted to acknowledge the efforts of everyone for contributing to getting that information together. We do have various homework items that have to be done. And for us, we'll go back and reflect on what we've heard, and we'll be happy to submit something by August 7<sup>th</sup> to the Commission. But again, thanks to everybody for being here. For those of you who came from

outside of Iqaluit, I'm really sorry the weather wasn't better. Quite frankly, it sucked for the last two weeks. Summer was sometime yesterday between 9:00 and 10:00 a.m.

*(Laughter)*

We say to the newcomer – he's laughing. We have been in this room when it was 23 to 25 degrees outside, and it was a sauna in here, because this building is not built for warm temperatures like that. So we all have our challenges to bear aside from land use planning, but trying to get this Plan done. We will continue to participate, and we will continue to engage our partners, both the interested parties and the Planning Commission. And we appreciate their efforts, and we look forward to ongoing dialogue. Thank you.

David: Thank you. Chris, any comments? Jackie?

Jackie: Thank you. Jackie Price, Qikiqtaaluk Wildlife Board. I just wanted to thank everyone for the information and the presentations they've provided. I've learned a lot, and I'll be working the next couple of weeks to synthesize what I've learned here and pass it on to not only the Qikiqtaaluk Wildlife Board, but also to our 13 HTOs. I'd like to thank NPC specifically for all the work, information, and just making sure we got here to talk. I really appreciate that. My regional counterparts from Kivalliq and Kitikmeot were not able to make it, but I'll make sure to keep them updated on everything that we've discussed, including deadlines for letters, etc. I'll make sure to work with NTI and QIA to see how we can best mobilize the HTOs and their relationship with their membership and community to make sure that this conversation gets some serious momentum again. Thank you.

David: Thank you.

Brandon: Brandon from WWF. Thanks, as always, for letting us participate, much appreciated. Thanks to the caribou planning team for accepting our submission for suggestions for the workshop. We're going to have our polynyas reports to NPC and Baffinland by the end of the week, so that's coming. And yeah, we look forward to continue to be involved in the process. And thanks to David for facilitating.

Barney: Thank you, David. Barney, Mayor of Chesterfield Inlet. I'd also like to thank everybody in the room for all their comments and concerns, as I'm transforming from wildlife to representing the people in my community. I like the challenges that have come so far, and at the same time would like to recognize NPC for all the hard work they put together, and especially doing community consultations. That made a lot of difference. It shows that they are representing the people of Nunavut and putting the best plan possible together for the future use of our land. Yeah, I've learned a lot from these two meetings, and it helped point me in the directions I need to go to take some issues that we have in our own community. So I want to thank everybody in here for helping me achieve some of those directions that I need to take. Thank you.

Liz: Thank you, and thanks to all the participants and all your input. Obviously, the industry – the mining industry – is keenly interested in the outcome of this Plan and as it progresses. So I will say again that as much clarity and certainty that can be put into the Plan for industry, will help us to develop and help develop the future economic viability of the territory. So thank you very much.

Audrey: Hi, Audrey Lapenna with the Eeyou Marine Region Planning Commission. I wanted to say thanks so much for having Lorne and I attend this second Technical Session as observers. It has been...it has been really eye opening. We're, as I mentioned to many of you when we started the day yesterday, we're just beginning our process. And so, it's an interesting preview into some of the potential challenges that we may be faced with, and certainly brings a great element of, I think, the potential anyway to be proactive and try to get ahead of things. And so, I'll be taking my notes and perspectives from this session back to my Planning Commission, and yeah giving them the low-down on what we have to look forward to, so thank you very much.

Jennifer: Jennifer Pye, Government of Nunavut. I'd first like to thank the Planning Commission for having and hosting another Technical Session. I think despite the fact that there are still outstanding issues, we did make progress at this meeting and did scope out these issues in greater detail. As I said at the beginning of the meeting, these are important issues to the Government of Nunavut, and we will be taking what we learned in the past two days back to our departments and our decision-makers, and hopefully coming to our own decision and formulating our own recommendations on these outstanding issues.

We also look forward to look to working with the other partners in the next couple of months or so to do some more work on some of the outstanding issues, again. As a follow-up for the action items that we had from last Technical Workshop, we will be sending around some of the Parks-related information to the NPC and interested parties by the end of this week or next, and as well over the summer as some of the information becomes available; likewise, with the caribou methodology information that will be shared once it is ready. So thank you once again, and we'll be talking with everyone shortly I'm sure. Thank you.

Sophia: Hello, it's Sophia with the Nunavut Impact Review Board. I also wanted to thank the Commission for holding a second Technical Meeting. It was very informative. We look forward – or the Nunavut Impact Review Board looks forward – to continuing working with the development of the Plan. Thank you.

Rosanne: Rosanne from QIA. Thank you to the Planning Commission and to everyone else who has attended. I think these meetings are really good opportunities for everyone to talk at the table and talk in the corners and beside the table. I think that we've been making some progress, so I look forward to working with all the parties here as we move forward. So, thanks.

Miguel: In addition to what Bert's about to say, of course, thank you to the NPC for keeping us warm with coffee and food.

*(Laughter)*

Bert: I'm not sure if I should go ahead or people on the phone....Okay. Yeah, I'd just like to again thank the Planning Commission and also thank Jeff and Wynter who are on the phone the last few days. And I realize with the time change, it has meant some early mornings, especially for Wynter. And we do have a lot of work ahead of us, and I appreciate the flexibility and the understanding that how we can make this productive and get some results. And we will be following-up and making sure that we're able to continue that momentum.

We're missing quite a few of our team for this one, so I'm optimistic or hopeful that, you know, the Commission will consider having a follow-up Technical Meeting and have a bit more time to prepare and make sure that we've got the best information we can for this first generation Land Use Plan. Thanks.

David: Thanks, Bert. Folks on the phone, any closing comments?

*(Pause)*

Alright, last word to Sharon.

Sharon: Well, on behalf of the Commission, we're very grateful that the participation and the feedback and your submissions are coming. This is the first time for the Commission that we've undertaken these types of sessions, and we have a lot of work to do. We recognize that. And we hear what each of you are saying to us, and we take it to heart. We want this Plan to be the best it can be for Nunavut, and it's no easy feat.

I want to thank the team here personally as their team leader. These guys, this is it. We don't have a huge staff right now, and we are staffing up, but over the course of this summer to respond back to you, you know it was a quick turnaround. I commend Peter and Jon who was supposed to be on holidays – he was out on holidays but had a bit of a working holiday. I thank them for bringing the discussion papers together. I'd like to recognize our translators who quietly sit back there and support us. They don't just do translations. If there is something that needs to be done, they're there. And my bodyguard, Tommy at the back, he's our Manager of Translations. He has many roles as well. And David, for your unbiased facilitation for all of us, and keeping us in line, we really appreciate that.

And I would like to say that all the submissions are great. This morning, I think a big takeaway for us is food for thought from Transport Canada. To Dale and Jaideep, we really appreciate you giving us the follow-up in writing as well. And to all the people around the table, I can't say thank you enough. I do think that we've made headway, and I think these candid conversations help us to flush the issues out.

So we look forward to our next session, and just because we're not sitting around the table in person doesn't mean that the work stops. Pick up the phone, and I would encourage all the working groups to keep dialoguing because, as David said, if we don't stay focused in the next six to eight months or, you know, if the Hearing can be delayed and still happen in this fiscal, there is a lot of work to do. Following through on those commitments and keeping them centered is critical so everyone has a good opportunity to have their input.

Barney, I know that for you and Marty, it's a big commitment to be here. And from the community perspective, we really thank you. We learned a lot on the consultations from the communities, and critically their voice needs to be heard at this table as well.

So with that, maybe I'll ask Tommy if he would say a closing prayer, and we'll be done for the day.

David: Just before you do, Tommy, could I...I'm sorry. I overlooked the guys along the wall. Any closing remarks from you folks? A wave? Good luck out there? Alright, thank you. Tommy, if you could do the closing prayer please, that would be great.

Tommy: *(Closing Prayer)*

**MEETING ADJOURNED**