



January 14, 2016

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Dear Mr. Savoy:

**RE: Comments on Draft Nunavut Land Use Plan (Third Technical Meeting)**

Thank you for the opportunity to participate in the Third Technical Meeting with respect to the Draft Nunavut Land Use Plan ("DNLUP"). The NWT & Nunavut Chamber of Mines (the "Chamber") wishes to reinforce the importance of the land use planning process to economic development in Nunavut and the critically important benefits that our industry can continue to bring to Nunavut and Nunavummiut.

Prior to the Technical Meeting, we would like to highlight a number of areas of concern:

***Comments provided by the Chamber have been excluded from the discussion document*** — The Chamber has reviewed the "Considerations for Potential Refinements to the 2014 Draft Nunavut Land Use Plan" and note that many of the comments provided in the June 23, 2015 "Submission to Draft Nunavut Land Use Plan" were excluded. This is of particular concern as the resulting *Options for Refinement to DNLUP* lack balance and are potentially misleading. For example, Section 4. Caribou Habitat only includes options for protected area designations, regardless of high mineral potential, as determined by the Government of Nunavut's Department of Environment. The refinements document ignores comments provided by the Chamber pertaining to Section 2.1.2 Caribou Habitat:

*With careful planning mineral exploration and development projects (and related activities such as all weather roads) can operate within these areas in a way that does not adversely impact caribou, and that the NIRB process has been successful in implementing measures which ensure that this vital resource is protected while allowing industry to proceed. We do not believe that mineral exploration and development should be prohibited outright within areas of importance to caribou, but instead, that these areas should be identified within the land use plan for consideration at the NIRB regulatory stage. This would provide an opportunity to evaluate the effectiveness of proposed mitigations, timing windows and to evaluate the most up-to-date data on caribou populations and habitat use.*

*The Chamber understands the importance of a united effort among various partners and stakeholders; including the Nunavummiut people, wildlife management authorities, land use planning authorities, environmental assessment authorities and industry to manage caribou and ensure their long term sustainability. Being able to ensure that caribou herds remain abundant and capable of supporting both Nunavummiut harvesting and coexisting alongside responsible land development is of the utmost importance. We believe that how this vision is implemented*

*will dramatically affect the promising Nunavut mineral industry. In order to successfully manage caribou populations in Nunavut, it will require the help of all interested parties. The flow of communication between those parties is equally important.*

*The Chamber supports the objective of decision makers and regulators working together to provide a co-ordinated and consistent approach to caribou management in Nunavut.*

*With respect to the collection of information for baseline studies and impact assessments, this information is very important for industry members. The compilation of important data in a manner suitable and **accessible** to all interested parties is vital in order for industry to be able to continually adapt its on-site monitoring and mitigation initiatives.*

*It is the Chamber's view that existing data suggests not all caribou habitat is equally sensitive and areas which are especially sensitive, such as calving and post-calving areas can move over time due to many factors which are not fully understood. This creates a potential uncertainty problem for land users if development is to be restricted in calving or post-calving areas. The Chamber suggests that NPC consult with proponents and industry to ensure that no new measures brought in by the land use plan will overlap with any burden already placed on land users through various permits.*

*The Chamber suggests that adequately-resourced programmes and enforcement measures envisioned include open-door communication with industry proponents to ensure explanations and advice are provided. This will enable proponents to meet new or untested conditions in cost-effective, practical ways, and ensure that industry consultation precedes implementation of new mechanisms and new or untested conditions.*

*The Chamber recognizes the importance of healthy and abundant caribou herds to the Nunavummiut and their communities. We remain committed to working with communities to ensure the long term viability of caribou herds which exist in tandem with a sustainable development industry.*

The Chamber requests that comments provided in its earlier submissions and concerns raised by other parties about protected areas be re-introduced and included as part of the discussions at the upcoming Technical Meeting. The Chamber is of the view that the document entitled "Considerations for Potential Refinements to the 2014 Draft Nunavut Land Use Plan" should be revised to reflect all comments received from the Chamber, and that the revised document be resent to all participants prior to the beginning of the Technical Meeting.

As an ongoing participant in this process, key points of interest to the exploration and mining industry have been outlined and provide focussed recommendations to ensure that the interests of the mineral sector are properly reflected. The Outstanding Comments in **Attachment A** should be included in current and future discussions to provide a fair and balanced approach to finalizing the land use plan.

***The Caribou Workshop, as a defined action item resulting from the Second Technical Meeting, did not take place*** — At the June 2015 Technical Meeting, there was support for a special meeting amongst the parties on Caribou. The Chamber expressed its wish to provide its own analysis of the recent Government of Nunavut's proposals on caribou protection. However, despite repeated requests to the organizers of the proposed workshop to call for and organize a meeting, and drafting a proposed agenda, the meeting did not occur.

The Chamber made substantial efforts to get this meeting to work so that the Nunavut Planning Commission could be provided with a broader perspective on caribou protection alternatives and clear direction for the DNLUP. It is the Chamber's position that a Public Hearing not take place until such time as these issues and management options have been properly discussed among the resource managers, and that an appropriate management strategy, which allows open and transparent participation, is put forward.

***Notification of the Third Technical Meeting is too short to provide meaningful participation*** — At the close of the Second Technical Meeting in July 2015, no mention was made of plans for a Third In-Person Technical Meeting prior to the proposed Public Hearing in November, 2016. Thus the *Notice of the Draft Nunavut Land Use Plan Third Technical Meeting* came as a surprise and short-notice to the Chamber and its industry members. The Chamber did not receive the Notice until December 18, 2015, a time when most organizations are shutting down for the holiday season. A number of Chamber member companies would have been interested in attending the Technical Meeting, but such a short notice period makes preparation and travel arrangements difficult.

The Chamber does not consider these comments to be exhaustive, and, while no technical reports with comments are enclosed at this stage, the Chamber may provide additional technical information to the Nunavut Planning Commission at a later date depending on the outcome of the discussions at the Third Technical Meeting.

The Chamber hopes you will take serious consideration of these concerns in light of this next phase of the planning process. Should you have any questions, please contact the undersigned in the Iqaluit office at Tel: (867) 979-5291.

Sincerely,



Elizabeth Kingston  
General Manager – Nunavut