



Hon. Johnny Mike
Minister of Environment
Government of Nunavut

March 2, 2016

Re: Caribou Habitat Protection

Mr. Mike,

It has come to our attention that the Government of Nunavut is discussing caribou protection measures again. I want to make sure the government understands the perspective from Baker Lake on protection of caribou.

Baker Lake and Arviat are the largest caribou hunters in Kivalliq who depend on subsistence hunting to provide for their livelihood. Unlike the other coastal Kivalliq communities, the Arviat and Baker Lake depend on the annual movements of the Qamanirjuaq and Beverly caribou herds. Inuit, especially, the Inland Inuit of Baker Lake, and the Ahiarmiut tribe of Arviat traditionally depended solely on the caribou for their survival and for tools knew that, failing of caribou to show up on their seasonal migration meant devastation of famine and hyperthermia.

Because of this, there are various rules and activities in different seasons, which are traditionally observed that are very important part of protection of the animals. If Inuit did not have strict rules to protect the animals and their seasonal habitats and migration routes, it was matter of life and death for the whole family.

The government needs to understand, there is a very long history in Baker Lake around trying to protect the critical caribou habitat. The reason why the people of Baker Lake took the federal government to court in late 1970s was to put freeze on issuing anymore exploration permits until important caribou migration routes, calving and post calving grounds, and important traditional water-crossings are protected. This is where caribou protection measures (CPM) were created. The Caribou protection measures give seasonal protection to calving and post calving grounds and water crossings

Although, exploration companies are given guidelines and conditions which to abide by during their project operations, the protection measure do not guarantee long-term protection of the environment. Exploration often graduates to other project activities, such as, all-weather roads, increased in noise/human activities, and opening of mines.

The Baker Lake HTO has been trying to protect caribou calving grounds, post calving grounds, and water crossings for a number of years. When NTI did their consultations for their uranium policy in 2007, the HTO asked NTI to include a chapter of areas Baker Lake Hunters do not want uranium mining to take place. The HTO suggested protecting calving and post calving grounds, and the major rivers and water crossings, but nothing came of it.

Things really heated up when Anconia wanted to explore right in the middle of the Qamanirjuaq calving grounds. The Arviat HTO passed a motion, opposing Anconia and mining activity in the calving grounds. Baker Lake HTO supported Arviat HTO's motion not supporting Anconia's exploration activities, also that BL HTO do not want any type of exploration activities in critical caribou calving and post-calving grounds. Further, another motion was made and carried on June 21, 2012 stating that 'exploration activities should be banned in caribou calving and post-calving grounds'.

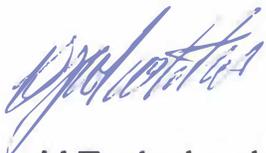
Baker HTO has also written letters to the planning commission, recommending mining and exploration to not take place in calving grounds, post calving grounds, and water crossings. The HTO did a radio show a few years ago, before NPC came for their consultations. Then fall of 2015 the HTO did a small workshop with some elders. The elders were very passionate at the meeting, they really wanted to see calving grounds and water crossings to be protected.

In closing, when we talk about calving grounds, we really have to ask ourselves, would people really support a full-on mine, right in the middle of the calving grounds?

After talking to other hunters, and hearing from our Elders, I am pretty sure the answer is no. Of course everyone wants jobs for our youth, and of course mining can help with that. But people want to see the really important places protected too, and for inland hunters, calving grounds is one of them.

I hope you will share our perspective with the other MLAs.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Toolooktook', written in a cursive style.

David Toolooktook
Vice-Chairperson



To: Members of the Legislative Assembly of Nunavut

February 29, 2016

RE: Caribou Habitat and Land Use Planning

I am writing to you to make sure that our territory's decision-makers understand the perspective of Kivalliq hunters when it comes to caribou habitat. As the Nunavut Planning Commission moves forward with developing a new land use plan, caribou habitat has become a very hot topic in our territory.

The Hunters and Trappers Organizations in the Kivalliq region were very happy to learn that the Government of Nunavut supports the protection of caribou calving grounds. For years, HTOs have been fighting to protect caribou calving grounds from industrial development. Caribou are very sensitive when giving birth. We were traditionally taught to avoid disturbing cows and calves during the calving season, to ensure that the caribou herds will thrive. Both elders and wildlife biologists have recommended to HTOs that we protect caribou calving grounds.

All of our HTOs worked together to try to stop Anconia Resources from exploring in the very heart of the Qamanirjuaq herd's calving grounds. The Kivalliq Wildlife Board has also discussed the need for protection of caribou calving grounds at all of our recent Annual General Meetings, and passed numerous resolutions opposing mining and exploration in calving grounds. Many Dene and Metis communities in Manitoba, Saskatchewan, and the Northwest Territories also hunt from hers that give birth in Nunavut. These communities also support protecting caribou calving grounds. Learning that the Government of Nunavut supports our attempt to protect the calving grounds was very welcomed news to our HTOs.

However, I would like you to be aware that there are other areas of caribou habitat that Inuit hunters would like to protect. The KWB has also asked for caribou post-calving grounds to be protected from mining and exploration. Caribou are also very sensitive in the weeks immediately after giving birth, and the KWB also supports protecting the post calving grounds based on the recommendation of western biologists and Inuit elders.

Some of our HTOs, would also like to see caribou water crossings protected. Inuit Qaujimagatuqangit teaches us that caribou are very sensitive at water crossings, to human activity or changes to the land. There are many traditional rules for how we should act around water crossings, to avoid changing caribou migrations. The water crossings were some of the most important areas for caribou hunting and inland camping, and some water crossings are still very important for hunting and camping today.

I hope that you will continue to consider the wishes of Kivalliq HTOs as the GN develops its plans for caribou habitat protection.

Barney Aggark
Chair, Aqigiq Hunters and Trappers Organization

-- Appendix A --

Examples of Letters Opposing Development in Nunavut's Calving Grounds

****Note:** This is a list of *examples* of letters opposing development in Nunavut's calving grounds. It is by no means exhaustive.**

Submissions to the Nunavut Planning Commission calling for ban on mining/exploration in caribou calving grounds

- Baker Lake HTO letter and motion to NPC
(Oct 18, 2013; Motion 2013-10-17-3)
- Arviq (Naujaat) HTO letter and motion supporting Baker Lake HTO position
(Nov 20, 2013; Motion 471-11/13)
- Arviq (Naujaat) HTO letter and motion to NPC
(Feb 10, 2014; Motion 2014-031)
- Kivalliq Wildlife Board letter to NPC
(Jan 22, 2014)
- Kivalliq Wildlife Board submission to NPC
(June 22, 2015)
- Baker Lake HTO submission to NPC
(Sept 15, 2015)
- Aqigiq (Chesterfield Inlet) HTO submission to NPC
(Sept 18, 2015)
- Hamlet of Chesterfield Inlet letter to NPC
(Oct 6, 2015)
- Arviat HTO submission to NPC
(Sept 24, 2015)
- Issatik (Whale Cove) HTO submission to NPC
(Sept 30, 2015)

Regional Wildlife Board resolutions and letters

- Kivalliq Wildlife Board Resolution
(February, 2013; #KWB-2013-005)
- Kivalliq Wildlife Board Resolution
(October, 2013; #KWB-AGM-2013-001)
- Qikiqtaaluk Wildlife Board
(March 4, 2013)
- Kitikmeot Regional Wildlife Board
(May 29, 2013)

Letters to Members of the Legislative Assembly of Nunavut, requesting a ban on exploration in calving grounds, post-calving grounds, and water crossings.

- Aqigiq (Chesterfield Inlet) HTO
(February 29, 2016)
- Arviat HTO
(March 1, 2016)
- Baker Lake HTO
(March 2, 2016)

Letters to Nunavut Impact Review Board in opposition to Anconia Resources Inc's Victory Lake Project in qamanirjuaq calving grounds

- Arviat HTO
(January 20, 2012)
- Baker Lake HTO
(June 21, 2012)
- Arviat HTO
(December 19, 2012)
- Aqigiq (Chesterfield Inlet) HTO
(February 13, 2013)
- Issatik (Whale Cove) HTO
(February 28, 2013)
- Kangiqliniq (Rankin Inlet) HTO
(March 20, 2012)

Letters to Nunavut Impact Review Board in opposition to AREVA's proposed Kiggavik mine, out of concern that it may lead to increased mining activity in calving grounds

- Baker Lake HTO
(January 14, 2015)
- Arviq (Naujaat) HTO
(February 12, 2015)
- Aqigiq (Chesterfield Inlet) HTO
(February 19, 2015)
- Kivalliq Wildlife Board
(February 23, 2015)

Letters from Dene and Metis groups opposing mining/exploration in Nunavut's caribou calving grounds

- Tlicho Government letter to NPC
(March 4, 2016)

- Lutsel K'e Dene First Nation letter to NPC
(Jan 31, 2014)
- Fort Smith Metis Council letter to NPC
(Feb 4, 2014)
- Northwest Territories Metis Nation letter to NPC
(Feb 19, 2014)
- Sayisi Dene First Nation letter to NPC
(May 15, 2014)
- Northlands Dene First Nation letter to NPC
(May 27, 2014)
- Athabasca Denesuline letter to NPC
(Oct 20, 2014)
- Sahtu Renewable Resources Board letter to NIRB RE: Tundra Copper Project
(May 4, 2015)
- Wek'eezhii Renewable Resources Board to NIRB RE: Tundra Copper
(May 4, 2015)
- Athabasca Denesuline letter to AANDC RE: Anconia Victory Lakes Project
(May 25, 2012)
- Dene Nation letter to NIRB RE: Izok Corridor Project
(Dec 7, 2012)
- Lutsel K'e Dene letter to NIRB RE: Izok Corridor Project
(Dec 7, 2012)
- Yellowknives Dene First Nation letter to NIRB RE: Izok Corridor Project
(November 30, 2012)
- Athabasca Denesuline letter to NIRB RE: Uravan Gary Lakes Proposal
(June 9, 2008)
- Lutsel K'e Dene letter to NIRB RE: Uravan Gary Lakes Proposal
(June 9, 2008)

**Kivalliq Wildlife Board submission to the Nunavut Planning
Commission**

Fourth Technical Meeting: Caribou Habitat and Marine Shipping Issues

February 26, 2016

CARIBOU HABITAT

1) Mainland Caribou Calving Grounds – Protected Areas

The Draft Nunavut Land Use Plan provides protection for core caribou calving grounds in areas that are not designated as “high mineral potential”. The calving areas that have high mineral potential are given no protection.

Recommendation #1 – the KWB recommends that the Nunavut Land Use Plan designate core calving grounds and key access corridors (as defined by the Government of Nunavut) protected areas, regardless of their mineral potential. Mining, exploration, quarries, all-season roads, and winter roads should not be permitted in these areas.

All mainland HTOs recommended mining and exploration activity be banned in caribou calving grounds during workshops with the KWB. Elders in each community stated that protecting caribou calving grounds was vital for the sustainability of caribou herds. The wisdom and values of Elders is an important aspect of Inuit knowledge, or IQ. Elders explained that there are traditional rules to protect caribou during calving and caribou calving grounds. Inuit have traditional hunting seasons, and do not hunt cows and calves during the spring and summer months. Further, many Elders instruct hunters to avoid making permanent changes to the landscape in calving grounds (e.g. they teach that cabins and other permanent structures should not be built in calving grounds).

The KWB has repeatedly recommended that mining and exploration should not take place in or near caribou calving grounds. The KWB has passed numerous resolutions to this effect, and has submitted them to the NPC. The KWB has also written letters requesting the Government of Canada, NTI, and the Regional Inuit Associations place a moratorium on mining and exploration in caribou calving grounds until the land use planning process is complete.

Kivalliq HTOs repeatedly opposed development in caribou calving grounds during NIRB screenings and reviews. UraVan’s Gary Lakes proposal, Anconia’s Victory Lake proposal, and AREVA’s Kiggavik proposals are all examples of this opposition. Dene and Metis communities that hunt migratory herds that give birth in Nunavut have repeatedly opposed development in caribou calving grounds during NIRB screenings and reviews. UraVan’s Gary Lakes proposal, Anconia’s Victory Lake proposal, AREVA’s Kiggavik proposal, Tundra Copper’s Coppermine proposal, and MMG’s Izok Lake Corridor proposal are all examples of this opposition. The Beverly and Qamanirjuaq Caribou Management Board (BQCMB) has repeatedly recommended that mining and exploration be banned in caribou calving grounds. See *Appendix A* for a list of examples of letters and motions from HTOs and other groups opposing mining and exploration in caribou calving grounds.

It is important to note that the Nunavut Impact Review Board has repeatedly recommended that the land use planning process deal with the question of mining and exploration in caribou calving grounds. In numerous screening decision reports, the NIRB has made it clear that this question is outside of its jurisdiction, and is causing significant public concern. As this question is outside of the NIRB’s mandate, it must be dealt with by the NPC.

The GN's definition of "core" calving grounds do not encompass all areas caribou use for calving. Both science and traditional knowledge show that caribou give birth outside of these core areas. The BQCMB, for example, has recommended that much larger "traditional" calving grounds be protected. The KWB believes that core calving grounds and key access corridors are the minimum areas that require protection to properly protect caribou.

2) Mainland Caribou Post Calving Grounds – Protected Areas

The Draft Nunavut Land Use Plan provides protection for core caribou post-calving grounds in areas that are not designated as "high mineral potential". The post-calving areas that have high mineral potential are given no protection.

Recommendation #3 – the KWB recommends that the Nunavut Land Use Plan designate core post-calving grounds (as defined by the Government of Nunavut) protected areas, regardless of their mineral potential. Mining, exploration, quarries, all-season roads, and winter roads should not be permitted in these areas.

The KWB has repeatedly recommended that mining and exploration should not take place in caribou post-calving grounds. The KWB has passed numerous resolutions to this effect, and has submitted them to the NPC. Various HTOs in the Kivalliq region have taken the same position. There are traditional rules to protect caribou during post-calving season. Inuit have traditional hunting seasons, and do not hunt cows and calves during the spring and summer months.

It is important to note that the GN's "core" post-calving grounds are frequently used by caribou for calving. Protecting the core post-calving grounds will go a long way towards protecting not just post-calving grounds, but actual calving grounds as well.

The GN's definition of "core" post-calving grounds do not encompass all areas caribou use during the post-calving season. Both science and traditional knowledge show that caribou nurse their young outside of these core areas. The BQCMB, for example, has recommended that much larger "traditional" post-calving grounds be protected. The KWB believes that core post-calving grounds are the minimum areas that require protection to properly protect caribou.

3) Southampton and Coates Island Caribou Calving Grounds – Seasonal Restrictions as Interim Protection

The Draft Nunavut Land Use Plan does not contain any provisions for caribou habitat on Southampton and Coates Islands

Recommendation #4 – the KWB recommends that the Nunavut Land Use Plan place seasonal restrictions on all land use on Southampton and Coates Island as interim protection, until sufficient data can be collected to properly delineate core calving and post-calving grounds on these islands. Mining and exploration activities should not be permitted during the calving and post calving season on these islands.

There is currently a lack of data on the seasonal migrations of caribou on Southampton and Coates Island. The Government of Nunavut has not delineated core calving or post calving grounds for these islands. Until this data is collected, the KWB recommends that seasonal restrictions should be placed on all mining and exploration activity on these islands. Once sufficient data is collected, calving and post calving grounds should be designated protected areas. The Coral Harbour HTO supported seasonal restrictions at a workshop with the KWB.

4) Mainland Caribou Water Crossings – Protected Areas

The Draft Nunavut Land Use Plan does not contain any provisions for caribou water crossings.

Recommendation #5 – the KWB recommends that the Nunavut Land Use Plan designate caribou water crossings protected areas. Mining, exploration, quarries, all-season roads, and winter roads should not be permitted within 10km of known water crossings.

The issue of caribou water crossings was raised at the Baker Lake and Arviat HTO workshops. Both communities recommended protecting known caribou water crossings. A submission from the Baker Lake HTO included a research report and workshop report, which contain information about the importance of water crossings to caribou and caribou hunting. The reports state that water crossings are essential hunting areas for Inuit in Baker Lake, water crossings are important areas for cultural heritage, and water crossings are sensitive habitat for caribou. The reports also list many traditional rules for caribou water crossings, which are inconsistent with mining and exploration. The report also details a long history, dating back to the 1970s, of Inuit in Baker Lake fighting to protect caribou water crossings from mining and development.

The Government of Canada has recognized the ecological and heritage value of water crossings through legislation. Some water crossings are subject to seasonal protection through the federal government's Caribou Protection Measures. Select water crossings on the Kazan have been designated Heritage Areas by Parks Canada. The Kivalliq Inuit Association also protects some water crossings on Inuit Owned Lands through its land use permits.

In their submissions, the Arviat and Baker Lake HTOs mapped out water crossings based on Inuit knowledge, or IQ. Maps of additional known water crossings that also warrant protection are included in *Appendix B*.

5) Migration Routes – Seasonal Restrictions

The Draft Nunavut Land Use Plan does not contain any provisions for caribou migration routes.

Recommendation #6 – the KWB recommends that the Nunavut Land Use Plan places seasonal restrictions on caribou migration routes. Mining and exploration activity should not be permitted during the migration season.

It is important that caribou migration routes are not disturbed. If routes are disturbed, caribou might not reach the habitat they need for calving, mating, and winter feeding. This could have negative impacts on the number of caribou.

Predictable caribou migration routes are also very important for caribou hunting by Inuit and other indigenous groups that harvest from mainland herds that migrate through Nunavut. If migration routes are disturbed, caribou may not reach favoured hunting locations like water crossings. Major changes in migrations could make caribou inaccessible for some communities.

The Government of Nunavut has provided maps of seasonal migration routes, and has also recommended seasonal restrictions on these areas.

6) Mobile Protection Measures

Recommendation #7 – the KWB recommends that the Nunavut Land Use Plan requires proponents to commit to abiding by “mobile caribou protection measures”. Mining and exploration activity should temporarily cease when caribou are found near the project, especially during calving, post-calving, rutting, and migration seasons.

Areas identified for protection are based on Government collar data. They are the areas most heavily used by caribou during calving, post-calving, and migration seasons. However, from year to year, caribou frequently utilize areas outside of these “core” areas. Caribou must be protected from disturbance when they are outside of the core areas. Mobile Protection Measures can help provide this protection from disturbance. When caribou are near a mining or exploration project, the project activities must cease until caribou pass through the area. These rules must be especially strict during calving, post-calving, rutting, and migration seasons.

Marine Shipping Issues

1) Sea ice and travel routes

The Draft Nunavut Land Use Plan does not provide protection for Inuit hunters' travel routes over sea ice

Recommendation – the KWB recommends that the Nunavut Land Use Plan include seasonal restrictions prohibiting marine transportation that would destroy areas of sea ice Inuit hunters rely upon for travel in winter months.

It is widely acknowledged that sea ice is absolutely integral to numerous traditional Inuit practices, including wildlife harvesting, camping, and travel. Marine shipping activities that destroy sea ice used for travel would have significant negative impacts on Inuit traditional practices that could not be mitigated. Travel between communities, as well as travel to hunting/camping sites would be impacted.

2) Floe Edge

The Draft Nunavut Land Use Plan does not protect the floe edge from damage from marine shipping.

Recommendation – the KWB recommends that the Nunavut Land Use Plan include seasonal restrictions to prohibit marine transportation that would damage the floe edge, or cause the floe edge to break up prematurely in the spring.

The floe edge is an essential site for hunting marine mammals. Damage to the floe edge from marine shipping could seriously impede the ability of communities to hunt marine mammals during the winter and spring. The Coral Harbour HTO has indicated that marine traffic has prematurely damaged the floe edge in the past, and that it had a significant impact on the community.

3) Chesterfield Inlet

The Draft Land Use Plan does not contain restrictions on shipping through Chesterfield Inlet.

Recommendation – the KWB recommends that the Nunavut Land Use Plan designate Chesterfield Inlet a special management area. Management restrictions should limit the volume of ships permitted to travel through the inlet on an annual basis.

Hunters and Elders from Chesterfield Inlet and Baker Lake have repeatedly complained about the impacts of increased shipping through the inlet, associated with the Meadowbank gold mine. There is a well-documented record of observations of changes in sea mammal distribution. Hunters complain that increased shipping has driven sea mammals out of the inlet during the shipping season, impacting wildlife harvesting. The Aqigiq (Chesterfield Inlet) HTO

recommended that the Nunavut Land Use Plan limit the amount of ships that travel through the inlet.

4) Coates, Southampton, and Walrus Island

The Draft Nunavut Land Use Plan does not contain restrictions on shipping near Coates, Southampton, and Walrus islands.

Recommendation – the KWB recommends that the Nunavut Land Use Plan restrict shipping near Coates, Southampton, and Walrus Islands. Marine shipping routes should be placed south of Coates Island, rather than between Coates and Southampton Island.

Hunters and Elders from Coral Harbour have repeatedly complained about the impacts of marine ship traffic on walrus habitat between Coates and Southampton islands. In particular, the walrus haul-outs on Walrus Island have been impacted by shipping. At a KWB workshop, the Coral Harbour HTO recommended that ship traffic be rerouted to the south of Coates Island.

5) Walrus Haul-Outs

The Draft Nunavut Land Use Plan “provides direction to regulatory authorities to mitigate impacts” on walrus haul-outs.

Recommendation – the KWB recommends that the Nunavut Land Use Plan provide increased protection for walrus haul-outs. Mining, exploration, and related activities should be prohibited at walrus haul-out sites. Marine shipping traffic should be required to maintain a minimum distance of 20km from walrus haul-out sites.

At a KWB workshop, the Coral Harbour HTO raised a number of concerns with the impacts of industrial activity and ship traffic on walrus haul-outs. The HTO directors said that the community has observed increased ship traffic negatively impacts walrus haul-outs on walrus island. The HTO was also concerned that other industrial activity could impact walrus haul-outs. Board members explained that there are traditional rules in Inuit culture to protect and respect walrus haul-outs, and that Inuit are taught not to hunt walrus when they are hauled out on shore. If walrus are shot on a haul-out, the other walrus will not return to the area. The HTO recommended that walrus haul-outs be protected from industrial activity, and that marine transportation should be banned within 20km of walrus haul-outs.

6) Beluga Calving Grounds Near Southampton Island

Recommendation – the Kivalliq Wildlife Board recommends beluga whale calving grounds near Southampton Island be designated protected areas. Mining, oil, and gas development and associated activities should be banned within 30km of these areas. Marine traffic should maintain a minimum distance of 30km from these areas.

At the 2016 workshop with the KWB, the Coral Harbour HTO noted the location of two beluga whale calving grounds near the east shore of Southampton Island. The HTO indicated that

calving is a sensitive time for beluga whales, and that these areas should be protected from disturbance and habitat destruction. The HTO recommended that Mining, oil, and gas development and marine transportation be banned within 30km of the calving areas.