

DRAFT NUNAVUT LAND USE PLAN

NUNAVUT PLANNING COMMISSION

4th TECHNICAL MEETING:

MARINE-BASED ISSUES

TRANSCRIPT

Iqaluit, Nunavut

April 8, 2016

ATTENDEES

Minster of Fisheries & Oceans

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NPC: Director of Implementation
NPC: Senior Planner
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NPC: Legal Counsel
NPC: Manager of Translations, Interpreter
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Leah Brown (phone – I think)
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Jim Stevens (phone)
Denise Baikie
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Marie Belleau
Naida Gonzalez (phone)
Jeff Maurice
Hannah Uniuqsaraq
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Trevor Taylor
Jenna Boon
Alain Joseph
Steven Lonsdale
Jaideep Johar (phone)
Dale Kirkland
Rachel T. Gosselin

****Guest:** Hon. Hunter Tootoo, PC, MP Nunavut and Minister of Fisheries, Oceans & the Canadian Coast Guard

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April 8, 2016

INTRODUCTIONS AND OPENING REMARKS

(Recording started a few minutes into the meeting)

David:We'll have to deal with infrequent interruptions that will be happening. What else? Interpretation: We have these little gadgets here. To get to the correct channel, you pop the back and there is a little button on the right side. That will automatically seek out the channel. Tommy and Annie will be providing translation/interpretation services English-Inuktitut. The meeting will be recorded, both audio as well as audiovisual. The audiovisual will be available not long after this meeting, and you will be notified where you can find it. A transcript will be prepared and available in two to three weeks, maybe a little less given that it's just one day. I think that's it for now. If something else comes up, we'll let people know.

What I'll do is a quick roundtable of just introductions and organizations, and I'll ask Sharon to make opening remarks on behalf of the Planning Commission. Then I think we'll do another short roundtable of expectations after hearing from Sharon. People may want to add a little bit more to that discussion. Then we'll get into the usual format of Planning Commission making an introductory presentation and roundtable of discussion to follow.

Oh, the mikes. These are pretty sensitive mikes, so you don't have to pull them towards you. Is the sound working okay? Okay good. I have to be reminded regularly myself about that. So let's just go quickly around the table. Introduce yourself and the organization you represent, and then I'll go to the phone after that. Then we'll go back to Sharon. Sharon?

Sharon: Good morning, everyone. My name is Sharon Ehaloak. I'm the Executive Director for the Nunavut Planning Commission.

Alan: Good morning. Alan Blair, Legal Counsel for the Nunavut Planning Commission.

Rachel: Good morning. Rachel Theoret Gosselin for WWF Canada.

Warren: I'm Warren Bernauer, the Planning and Assessment Coordinator for the Kivalliq Wildlife Board.

Amy: Amy Robinson, Government of Nunavut.

Geoff: Good morning. My name is Geoff Clark. It's very nice to be here. I haven't been to one of these meetings or I guess the first 4.0, but I have been updated. Luigi Torretti of our organization of Kitikmeot Inuit Association has been here. I have to send my regrets early that I will be leaving early. I will be leaving around 11:00 or so to catch a flight. I'm the Director of Lands, Environment and Resources for Kitikmeot Inuit Association.

I'd like to say three things right now in case I don't get to say them before 11:00 comes. KIA's important issues in marine shipping – and I'll summarize them quickly – relate generally to shipping during shoulder seasons, during freeze-up and break-up when caribou may be migrating, and/or when Inuit are traveling. It's a very sensitive time of year in Inuit belief in regards to managing caribou populations, and also it's a safety issue. Also is the identification of specific travel corridors for shipping, for generalized shipping that may happen in the Nunavut waters. Lastly, is ensuring that marine access to Inuit Owned Land is not hindered. This is an important interest of Kitikmeot Inuit Association. So these are the three matters. Thank you for bearing with me. Have a good day. Bye.

Sohail: I'm Sohail Dham, GIS Land Technician with the Nunavut Planning Commission.

Jonathan: Jonathan Savoy, Senior Planner with the NPC.

Peter S: Peter Scholz, the other Senior Planner.

Alaine: Al Joseph with Parks Canada.

Jeremiah: Jeremiah Young, Fisheries and Management Technician with Resource Management here in Iqaluit.

Ken: Good morning. Ken Landa, Legal Counsel for the Government of Canada.

Dale: Good morning. My name is Dale Kirkland. I'm the Regional Director of Programs for Transport Canada.

Spencer: Hello. Spencer Dewar, Indigenous Northern Affairs Canada.

Elizabeth: I'm Elizabeth Kingston. I'm the General Manager in Nunavut for the NWT-Nunavut Chamber of Mines.

Erik: Good morning. Erik Madsen, Vice President Sustainable Development with Baffinland Iron Mines.

Michael: Good morning. Michael Zurovski from Baffinland Iron Mines.

Mia: Good morning. Mia Pelletier from Environment and Climate Change Canada.

David: Thanks. Could we go around the back?

(This portion not on audio recording)

David: Thanks. On the phone, could I have people identify themselves please?

Tanya: Good morning. It's Tanya Alvaro from Coast Guard, Ottawa.

Christine: Hello. Good morning. It's Christine Kowbel from Lawson Lundell.

Christopher: Good morning. Christopher Morton, Land Use Planning, INAC.

David: Okay, thank you. I think that's probably everyone on the phone, but from time to time as I said earlier, there will be people joining and people leaving. So you'll just have to bear with that interruption.

For the folks on the phone, the sound quality is not great, but we'll try to work on that. In the meantime, I'd ask you to speak as clearly and as slowly as possible. Sharon, do you want to make the opening remarks, please?

Sharon: Thank you. Good morning everyone. Just before I start my comments, as David said, the session is being recorded, audio as well as video, so as we're speaking if we can each say our name every time we speak for the transcriber, as well as for the video recording.

First of all, I'd like to thank everyone for coming and attending this 4th Technical Session on the Marine portion for the Draft Nunavut Land Use Plan. The Nunavut Land Use Plan will apply to approximately one million square kilometers of marine areas in the Nunavut Settlement Area. The role the Plan will play in these marine areas is not well defined, as it is on land. Our meeting here is to clarify what the marine issues are and what role the Plan can and will play in addressing these issues.

We shouldn't think about the marine areas of Nunavut in the way that we do the Pacific or the Atlantic. The sea is land-like for half a year. The ecology and the economic systems that exist are unlike anywhere else in Canada. We need to think about planning as more than just where you can carry out certain activities. The Plan can operate on multiple levels, including recommendations and prohibitions.

We also need to deal with the justification and the uncertainties in the meeting today – expectations as David spoke about. The Land Claims is very clear that the NPC is to plan for marine areas. The justification on marine areas operate very differently than on land in some regards, and similar in others. We're looking for clarity and your thoughts and directions. It is the jurisdictional uncertainty, as much as discussing substantive issues that led us to this meeting.

The Commission is listening to our planning partners and trying to be responsive to address the issues and ensure that there is certainty and clarity around the important datasets. As I always say at every meeting, we make a few things very clear. This forum is a respectful one. The NPC is here to listen. Everyone has equal access to speak, and we want to understand everyone's perspectives. So our staff will ask questions, and they're asking questions because we need to have understanding and a holistic perspective of your thoughts, inputs, and guidance into dealing with these issues today.

So I said we're being recorded, as David has said. We reiterate that. This is open to the public, and the media is here today. So as we always say, the Land Use Plan is a living document. It can be updated and amended as new datasets become available. So this first generation Plan is just that – it's a first generation Plan. It will be continually reviewed. So with that, David, I'll turn it back over to everyone for the party's opening remarks. Thank you.

David: Thanks, Sharon. Why don't we start with Rachel? That was perfect timing, eh?

(Laughter)

Just give a very quick summary of your expectations of the meeting and perhaps some of the significant challenges that you see. And then we'll just go around the table in that direction. If you could introduce yourself...

Rachel: Rachel Gosselin for WWF Canada. I guess our expectation here is to make sure that there is some clarity put for everyone of how the Land Use Plan can address marine concerns from an ecological point of view, but also the development point of view. Yeah, we're here to hear how everything would be settled with NPC's jurisdiction.

Warren: Thank you. Warren Bernauer for the KWB. Our main interest in this meeting I think, is to find out if and how government can implement restrictions and other measures to help address Inuit concerns with marine shipping, which have to do with shipping corridors near walrus haul-outs, beluga calving grounds, and other ecologically sensitive areas and important hunting areas.

The volume of shipping through Chesterfield Inlet is another concern, along with the protection of sea ice travel routes and floe edge hunting from icebreaking and other shipping that might damage these travel routes or the floe edge. Thank you.

Amy: Amy Robinson, Government of Nunavut. So I think that similar to what other folks have been saying, our expectations are that we'd also like to see clarity in the Land Use Plan relating to shipping concerns. We also want to better understand the land use and other tools that are available to address these concerns, particularly as they relate to icebreaking.

Jeff: Qujannamiik. In terms of NTI's concerns, we're just here to ensure that due process is followed. I think you guys have already seen our correspondence in terms of allowing the RIAs to be at the table to discuss their concerns and their issues, and to be able to express them. Not just that, too, I think we do want to play a meaningful role in terms of identifying marine issues for both inside the Nunavut Settlement Area and its adjacent waters. I understand the NPC has a very clear mandate in terms of its area of application, but I think further down the road – like you said, this is a living document – further down the road, we can talk about broader marine areas. I think that would help the NPC make its future plans. I'll just leave it at that. I don't know if Marie – Marie joined us.

Geoff: This is Geoff Clark from KIA. This is perfect. I'll be able to say my expectations twice before 9:00.

(Laughter)

So again, icebreaking during what we call the shoulder periods where there is freeze-up and break-up, are important to Kitikmeot Inuit, related particularly to caribou migration and safe travel of Inuit over the ice. The identification of specific traveled corridors for ships – I would call this more routine shipping - through areas so there is common understanding of where the travel corridors should be would also help with safety and understanding by Nunavut residents of what is happening and what would be expected. And also there is ensuring that marine access to Inuit Owned Land is not affected. Thank you very much.

David: Thanks, Geoff, and I've got to say that I admire your taste in shirts. I just have to get it on the record. Al?

(Laughter)

Alaine: Thanks, Al Joseph from Parks Canada. Our expectations generally are to gain clarity on the issues and hopefully be able to address those that would affect regulated parks and national marine conservation areas.

Jeremiah: Hi, I'm Jeremiah Young, Fisheries and Oceans. My role here is as an observer and to listen to all the concerns. I'll take those concerns back. There will be people with more expertise in the field available on the phone.

Ken: Good morning. Ken Landa with Justice Canada. My hope, my expectation for the meeting, is that we can both deal with some of these issues at sort of a high level, but also start drilling down specific geography and some specific issues so we know what the targeted issues are – and not just talk about tools and theory, but start to develop the information base about what the needs are in specific areas and specific concerns.

Dale: Dale Kirkland, Transport Canada. I agree with what my friend, Ken just spoke to. If I may add, I'd like also to again listen and clarify some of the key issues around marine issues, marine shipping. To the extent possible as well, where Transport Canada may – and I stress may – have a role in addressing that issue, then perhaps we can speak to that as well.

Spencer: Hello, Spencer Dewar, Indigenous Northern Affairs. You know, I'm happy to be here for this meeting. Marine shipping issues have been something constantly that we've been maybe kicking down the road a little bit, so I think this is an excellent opportunity to clarify some issues. That being said, I won't repeat what everyone said about clarifying the marine issues. But I will add that the Government of Canada has brought a variety of expertise, whether in person or on the phone, so hopefully this is where we'll hear what the issues are. Then we'll be able to offer or consider some potential tools in our tool suite, or if it's the Land Use Plan or another vehicle that could probably address those concerns. Thank you.

Elizabeth: I'm Elizabeth Kingston with the Chamber of Mines. I am the Industry representative here on behalf of the mining and exploration industry in Nunavut. There's just one main point, I guess, I'd like to make: The Chamber would like to caution the land use planning process against increased alienation of lands and waters in the Nunavut Settlement Area. We would like to see a balanced approach to areas, particularly like Lancaster Sound, and not apply too stringent of restrictions against those areas to allow a balanced approach to activity. Thank you.

Erik: Erik Madsen with Baffinland. Just to reiterate what Liz said, I think both the Northwest Territories and Nunavut has made it clear the importance of exploration and mining to the North. There are already in place robust environmental assessment processes that have to review any kind of project before they go ahead. The resource sector throughout the Northwest Territories and Nunavut rely on shipping to move supplies, as do community resupplies. Certain mining companies also rely on marine shipping to move commodities out of both the Northwest Territories and Nunavut. So it is important to the economy of the North.

I also just wanted to reiterate, there are already regulators in Canada here and throughout the North, that are already mandated to set rules and regulations as to how activities operate. For example, Transport Canada has already set rules and regulations, and they have very strict guidelines that must be followed already. So there shouldn't be a need to duplicate and add on stuff that's already in place. Thank you.

Mia: Mia Pelletier, Environment and Climate Change Canada. There are a few items on the agenda that Environment Canada would like to provide input or comments on, particularly in relation to issues that might affect migratory birds and also Environment Canada's Protected Area Migratory Bird Sanctuaries and National Wildlife Areas.

As well just to put forward that Environment Canada would welcome the opportunity to work together with DFO and Transport Canada, Parks, and communities on marine spatial planning.

Joe: Good morning. Joe Tigullaraq from Baffinland. I have heard directly from people from Pond Inlet on their concerns about shipping. I'm just curious as to what I will hear in this meeting knowing also that the NIRB process will be looking at the impacts more carefully from all angles. Thank you.

David: Thanks, Joe. Luis?

Luis: Thanks. First I would like to hear the federal government in this meeting. And I hope to bring all the information required, and also give the input we have over the last reviews with it in regard to shipping, and provide my comments and concerns from the communities in those headings to which the federal government is aware of. And hopefully we can assist in what really shipping is and who really administers that today and that to follow. Thanks.

David: Thanks, Luis. To the phone, and I'll just ask people on the phone if they've got anything to add. Unfortunately, I don't know if I can manage it, so you'll just have to speak up.

Jim: This is Jim Stevens from Economic Development and Transportation. I just have a brief comment. I know quite a few of the folks at the meeting there will represent most of our views, but I'd like to add one additional focus. I'm not necessarily interested in the geographic delineation of the corridors, but how these corridors could be made safer through improved charting and other infrastructure related to shipping. I'd also like to highlight sometime in the future, the use of the Ship-Source Oil Pollution Fund as maybe a means to improving charting and other infrastructure. I'll stop there. Thank you.

David: Thanks. Next on the phone?

Michel: Hi, I'm Michel Gouguen. I'm here with the Canadian Hydrographic Service. I'll be here to answer questions as they come along.

Naida: Good morning. Naida Gonzalez, consultant with NTI. I would just reiterate the same questions that many people have already put forward: more understanding about what the community issues are; more understanding of what options are available through the Land Use Plan to deal with those issues; and I'm interested in what everybody can bring to the table. Thank you.

Deborah: Good morning. It's Deborah Boshaw with DFO. We're here to better understand some of the concerns that have been raised and where DFO may have a role in providing information that would assist the Commission in addressing the issues to provide that information and expertise. Thank you.

Tanya: Good morning. It's Tanya with the Canadian Coast Guard. I guess just building on some of the comments around corridors, we're happy to provide some information on our current initiatives that I guess DHF, ourselves, and Transport have been spearheading on corridors and establishing them. I'm happy to provide any information that we have in conjunction with Michel and others from Transport in the Room.

David: Anybody else on the phone who wants to add anything?

(Pause with no response)

Okay, thank you. I think what I'll do now is turn it over to Peter to introduce the first topic.

MARINE RESOURCE USE PLANNING IN CONTEXT OF NPC MANDATE(S)

Peter S: Thank you, Peter Scholz, Nunavut Planning Commission. The Commission has considered the many marine issues that have been raised and categorized them according to the headlines you see on your agenda. This first opening presentation is four slides, and it's just meant to be sort of an intro to those sets of presentations. After this presentation, we'll probably go straight into the second one.

So this one is Marine Resource Use Planning in the Context of the NPC Mandate. The object is to provide context for the following discussions on issues, priorities and options. We're hoping to achieve clarity on all the issues we're going to be discussing on what is being done, what is going to be done, what can be done, who is doing, and our activities coordinated.

The Nunavut Settlement Area, as I think everyone knows, includes around one million square kilometers in marine areas. According to the Land Claim, Land Use Plans are to include marine areas. NPC is directed in the Claim to support marine policy, both through our planning activities and through the Nunavut Marine Council. Marine issues were frequently identified by communities, and a considerable amount of research and community visitations went into the development of the Draft Nunavut Land Use Plan. In January at the 3rd Technical Meeting, all parties agreed we needed to have a marine session, and that is what we're having today.

A brief comment on what the Plan can do for marine areas at a high level: The best way to categorize it is direct and indirect. Direct – there can be designations. There can be terms on development. There can be prohibitions. For indirect, it's referring more to an opportunity to promote concepts, which is different parties can promote different concepts or different ideas that they would like to move forward in the vision of Nunavut, and bring suggestions in a public framework, a public context – to bring our ideas in a public framework.

Working collaboratively, marine issues have been identified. In some cases, multiple authorities do have responsibility or jurisdiction, or may have some level of jurisdiction. There is some lack of clarity in some jurisdictional lines. We're hoping those will be highlighted today and will be clarified. We need to ensure efficiency and avoid overlap. So with that, I'll move on to the next presentation.

David: Yeah, thanks Peter. I'll just canvas the room very quickly. Is there any response to Peter's introductory remarks? Anything on the phone?

(Pause with no response)

Okay, why don't you go to the next one, Peter? Thanks.

MARINE OPEN WATER TRANSPORTATION

Peter S: Peter, NPC. The first set of issues that we have and are bringing to this group is Marine Open Water Transportation. This relates to everything involving movement of ships in the non-ice season when there is little or no ice of concern. We understand that there are three sets of concerns that we can discuss today here. One is shipping through Chesterfield Inlet. The second relates to walrus haul-outs, and the third relates to beluga calving grounds.

Regarding Chesterfield Inlet, for those who are not aware, Chesterfield Inlet is a very long, narrow inlet from the sea that connects to a river and then to Baker Lake. It provides a very deep inlet into Nunavut. It is a heavily used corridor, as it is both used for community resupply and for mine resupply. It is important to marine mammals. Those marine mammals are, in turn, important to community harvesting and community self-sufficiency.

What communities have been saying to our understanding, is that the nature of the use of the passage is having a detrimental effect on marine mammals. Suggestions have been made to develop shipping schedules or to somehow ensure that ships come in and out at more set times to have a lesser impact on the marine mammals in the area. I think we'll move through all three issues, and then we'll open it up for discussion.

So staff have discussed possible tools and ways the Plan could relate to this. These are things we've brainstormed. It is not meant to be comprehensive, and it's not meant to limit discussions. It is meant to be a starting point for discussion. The experts – primarily DFO with TC and Coast Guard – may have much to add. There have been ideas raised of shipping schedules; harbor-like regulations applying to Chesterfield Inlet; enforcement of use of convoys of ships going in and out of the inlet so the ships would go in and out at strategic times based on marine mammal information; possible application of Coast Guard tools and Northern Marine Transportation Corridors; and possible application of vessel traffic service zones.

Moving onto beluga calving grounds, the concerns that Inuit have raised are that ship passage in the wrong place at the wrong time can pose stress to mother and calf bonding, which will affect survival rates. Regarding walrus haul-outs, the concerns that Inuit have raised are that ships in the wrong place at the wrong time can result in juvenile mortality, and that Traditional Rules for approach and access – getting close to walrus haul-outs – are not being respected by non-Inuit.

Potential tools that the Planning Commission has discussed for beluga calving areas and walrus haul-outs are applying Marine Protected Areas, considering Protected Areas in the Land Use Plan, and also possibly vessel traffic service zones. Specifically on the walrus haul-outs, they are very small, heavily used areas by walrus, basically points on the map. I don't think anyone is arguing that the Land Use Plan can say for the land portion of a walrus haul-out, if they can be Protected Areas or certain restrictions can be applied. More the discussion is for the offshore area of a walrus haul-out – the 500m or kilometers or 100m that is offshore – we know what the issues are. What can we do to address those concerns about inappropriate access by boating? Other tools we thought about include limitations on timing and proximity, as I mentioned, listings in the *Notice to Mariners* book, creating or possibly creating ecologically significant areas. Thank you.

David: Thanks, Peter. I think what I'll do, given that a number of these issues are driven by community concerns, I'll turn to the folks from the Kivalliq right now and see if you've got anything to add, Luis and Warren, to the discussion. Sharon has just asked me to confirm that the use of translation gear is not... Is anybody using the translation equipment, and does anybody expect to be needing it?

(Pause with no response)

I guess the answer is no. Is there anybody on the phone?

(Pause with no response)

Alright, I wouldn't discard the gear. It may come in handy later on today, but in the meantime, I think Tommy and Annie can probably take a break. Thanks.

So back to where I was - Luis, Warren - anything to add to the discussion that Peter has introduced?

Luis: Thank you, David. Luis Manzo, Kivalliq Inuit Association. At this point, the Kivalliq would like to hear from the federal licenses they were to have working on the last two years in terms of corridors, and all the initiatives for going around those corridors. We have our concerns. The communities are raising concerns in terms of impact of marine. We did research during the Kiggavik project and Meadowbank project. It stated very much that good money management will mitigate those impacts. So from that standpoint, I would like to hear about the research from mine shipping and what they're doing today, and what they propose to do in the future in order to put best input into this session. Thank you. By the way, KIA do not have *(inaudible)* waters. Thanks.

Warren: Thank you, David. Warren for the Kivalliq Wildlife Board. I guess I'll just add on to what Peter started with. With regards to Chesterfield Inlet, the concern as I've understood it, isn't necessarily that it's going to be detrimental to the marine mammal populations, but that increased marine

shipping through Chesterfield Inlet has significantly changed the distribution of marine mammals seasonally. So during the shipping season, the number of seals in the inlet drops quite substantially. They come back after shipping is done. While this might not be having a detrimental effect on the long-term viability of the population, it does seem to have a pretty significant impact on local hunting and local culture. This change in distribution has been observed by both hunters from Chesterfield Inlet and Baker Lake. Some hunters from Baker travel into the Inlet to hunt seals, or they previously did until the volumes of shipping increased.

Now I'm not entirely sure a seasonal or timing change could really deal with this. You know, the people from the mining industry or possibly Mr. Manzo might know a bit more, but from my understanding, the shipping season is quite brief as it is. So what the hunters in Chester suggested was maybe limiting the volume of shipping that goes through there. They obviously don't want to stop it. Baker Lake needs to be supplied, and the Meadowbank mines and other mines are going to have to be supplied as well, and they well acknowledge that. The idea here is not to cut off the supply route to future mines or to make it so people from Baker Lake can't get something sent in on the sealift. It was an idea that was thrown out there.

But we're definitely open to discussions about anything any regulatory agency can do to help ensure that hunters in Chesterfield Inlet can keep eating seal and that there are still sealskins around for the next generation to learn how to sew. When I did my workshop there this fall, they brought people in to teach kamik making, and they had to order in sealskins from out of town, because they couldn't find any seals near Chesterfield Inlet through most of the summer, which is an odd and somewhat troubling situation to be in is how they expressed it to me.

And then next I'll go on to the walrus haul-outs issue. The concern goes beyond the biological impacts of disturbing walrus at their haul-outs. It also has to do with the impacts on hunting again, and there are Traditional Rules for walrus haul-outs. Those were shared during my workshop in Coral Harbour. The hunters there said they're not supposed to shoot walruses when they're on the haul-out. If you shoot one there, they will abandon it, and the result in that is you'll have to travel further and further to hunt each time because they will go to a different area.

What they've noticed around Coral Harbour is Walrus Island, which is marked on the map there – The current shipping corridor to get to Chesterfield Inlet passes between Southampton Island and Coats Island, quite close to Walrus Island. During the shipping season, they've seen a significant reduction in the number of walruses hauling out on Walrus Island. That's one of their main walrus hunting areas, and they have to travel further and further to find walruses. There were also concerns raised with tourist cruises that come close to the island to photograph the walruses, not just because it's disturbing them, but because they feel rather uncomfortable hunting them if there are hundreds of tourists taking photos of peaceful walruses and some guys show up on a boat and start harvesting. It could lead to an awkward situation that I think everybody around the table can appreciate.

For some hunters, they are saving up a lot of money to go do their one walrus hunting trip every now and then. It's a long way to go. You have to get your grub. You have to get your fuel. You might have to borrow from somebody else. You've got to get everybody organized to go out and do this. And if you get out there and the walrus have been scared off by a lot of shipping from the shipping season, or if you find a tourist cruise taking pictures of walrus, things are rather difficult.

So those are the two substantive issues raised there. With regard to Walrus Island, they would like the main shipping corridor shifted to south of Coats Island. That was their major way of dealing with that situation there. We're not sure if that's feasible, if there are other reasons why ships couldn't travel to the south of Coats Island rather than to the north of it. This is something that Coral Harbour hunters have raised during several Nunavut Impact Review Board Public Hearings and has directed this concern to Transport Canada and other government agencies a few times. We really hope that there can be some consideration of shifting that shipping route. In addition to that, some protection of walrus haul-outs in general is obviously necessary for biological and cultural reasons. Thank you.

David: Thanks, Warren. Luis mentioned the Coast Guard's transportation corridor work. I may have missed that discussion in earlier sessions, but I didn't miss a news article a day or two ago related to work that Oceans North is doing related to the transportation corridors. So I'm wondering if anybody from Coast Guard, picking up on Luis' suggestion could describe the work and state-of-the-art with respect to that corridor discussion and research. I'm looking around, and not making eye contact isn't going to help you out.

(Laughter)

Okay, so could somebody from Coast Guard speak to that work that's being done?

(Pause with no response)

Well this isn't helpful, folks. Luis?

Luis: Without prejudice, for the information of the group, a committee is working with on behalf of the federal government to improve the traffic in working in what we call the corridor framework in the Arctic oceans. During the reviews, KIA have a lot of comments from the communities in regard to the issues that my colleague brought to the table, which is distribution or redistribution of seals that may or may not be affected. We have an expert documented at the time, which is really capturing the impact, because there is no baseline, and in wildlife we can actually *(mix in modeling?)*

But in terms of what is being carried out, our document was based in research. And what we found during this research is that the legislation – the actual shipping routes – they are more than 40 years in use. We're using those existing lines for over 40 years. There is different legislation, but at the end of the day, the captain of the ship needs to make the decision where it's supposed to go. That's between Coast Guard and Transport Canada – that moves accordingly. So Transport Canada will execute the plans of the ship and approve them. They need to be sure they are safe to travel in those locations, but ultimately, the captain of the ship is the one who makes the decisions on which route to take because of the safety. And that safety decision has to be based not just in human heart, but also in mind.

The research is being carried out and has a lot of components. I was happy to hear that, because they have components like better maps and better improvement in navigation systems in the Arctic. Auxiliary is being actually assessed to tackle any emergencies, because Chesterfield raised it many times. I heard someone on the phone who is part of this framework – I don't know if she actually can elaborate more deeply. It's also a document table for the federal government in that

regard, which has a lot of assistance to compile in that framework. I was happy to see that a month ago. This was what I wanted to hear about – the results that actually tackled all these concerns we have at the table. But very much KIA, even though we raised our comments, we don't have a prediction in variable waters. I have to be fair with you. I chose the research because of the concerns of the community. But at the end of the day, the decisions need to be made by the federal government in these cases because of the safety issues involved. Thank you.

David: Thanks, Luis. Spencer, any success in scaring somebody up from Coast Guard?

Spencer: Spencer. Is the teleconference line working? I have just sent an email to Coast Guard.

Deborah: This is Deborah from DFO. *(Audio from phone too distant to discern exact wording. Deborah spoke to the marine transportation corridor issue and alerting "them" to the inquiry).*

Michel: Hi, it's Michel here. If you could please repeat the question, I didn't get all of it.

David: Yeah, Michel if you could fill in some of the gaps, that would be really helpful, but just for clarity, what I think people are asking for is just a synopsis of where that study is. We're not asking for an Oceans North analysis of Coast Guard's work, but somebody from Coast Guard or somebody who can speak to the work that Coast Guard is doing on this particular issue. Fundamentally, corridors are the foundation for the rest of the discussion today, and if there is work that Coast Guard is doing that would be helpful to everyone in this room and on the phone, we'd like to hear about it. I don't want to hear about it through Oceans North in particular.

Michel: First of all, the corridors concept is Transport Canada, Coast Guard and CHS, so we've lumped it together. We did engagement throughout Canada about a month ago. We went to all the communities to present the first draft of the corridors and to get feedback from all the stakeholders. So we have that. So basically what you have right now of the corridors is the first draft. Based on what comes out of these engagement sessions, we'll look at the next steps.

Tanya: Hi, it's Tanya from Coast Guard. I'll expand a little if you don't mind. So Michel was absolutely correct. It is the three of us that are kind of spearheading this work. It actually kicked off probably about two to three years ago I believe. We've been doing consultations all along the way, but there has been a recent schedule of more formalized consultations. But we've been out talking about the corridors for a number of years now with a variety of people.

The principle behind it was we want to reinforce marine safety in the Arctic and how Coast Guard can play a role in that moving forward. And a lot of that is based on the fact that while circumstances and the environment is changing – and it is changing fairly rapidly – the reality is we need sufficient lead-time in order to make sure we can actually be there to respond to the needs as they arrive. So it kind of started in that vein where the three of us were looking at what role we can play in the future. Then we ended up working and doing a lot of analysis on traffic patterns, metric data, and some environmental data. That's what created these corridors.

The corridors, I should say, are existing already. We did not create them. We're just recognizing that these are the existing shipping patterns in the Arctic. What we did do was characterize them by use so that it gave us a better understanding of who is using them, why they are using them, and when they might be using them. So then we can really tailor our approach as a federal

government moving forward to how we approach servicing them, and who needs to be consulted, and who we need to talk to about setting up levels of service or reviewing those levels of service and looking at them.

That was the premise for what we did. Michel is absolutely right. We've just gotten a whole bunch of new feedback from Northerners and others. We have been working with Oceans North on the corridors concept, and you all know that they just released their report. They suggested that they liked the approach but would like some more formalized consultative process with indigenous people. I think that's a sound recommendation, and I think we're looking at how we can make that work.

Now we're turning our attention toward implementation. I think everyone agrees that the corridors exist. They're there. We need to now figure out how we move forward with implementation and how we can work with you as the Nunavut Planning Commission to kind of complement the work you're doing. You complement the work we're doing, and that we're not working at cross purposes – that we really are working together to make these corridors the way they need to be. I heard a lot a few minutes ago about shipping schedules etcetera, and I think that was where our thinking was always going. I guess the question we need to know, we need the specific data behind it, and I guess Coast Guard can act as a bit of a facilitator to help have some of those conversations that we need to have when we move toward implementation of corridors.

Maybe I'll leave it there and see if anybody has any questions of us based on that. We also have a bit of a presentation that we can send to everybody if that's easier, if you would like some key messages about the corridors. We can share that.

David: Thank you. Fortunately, NPC has put up a map showing historic use in effect – the corridors that are currently being used. Can you, Peter, highlight the Walrus Island component of that map? I'm just picking up on Luis' comments and Warren's comments earlier. It seems that the corridor continues to go right by Walrus Island.

Peter S: Certainly. This map is from the Oceans North report that was released earlier this week. You can see it is right in the middle of one of the largest marine transportation routes in the territory.

David: Thanks, Peter. That seems an obvious point of discussion, and I'll just throw it out. Is there any likelihood that corridor could be changed to avoid Walrus Island at least during critical seasons? I'll go back to Coast Guard to get a sense of what their thoughts are at this stage, given the state of the study that they're doing.

Maggie: Hi, it's Maggie deHaan. Tanya had to step out unfortunately, but in terms of looking at that, I think that would be one of the areas that we would have to study in terms of what we were talking about with the potential restrictions we could look at in terms of shipping times. I think the two areas between the Oceans North report and our original corridors, definitely highlights some of the differences in terms of where there are sensitivities. I think those are the areas that the stakeholders need to focus interest in terms of what potential – either voluntary restrictions or regulations – need to be put in place in order to address those.

David: Okay, thank you. Peter, can we go back to the list of tools that you had up earlier? What I'm going to suggest people do is take a look at that list and then we'll go through it one by one around the table to get some feedback – shipping schedules, apply harbour-like regulations to Chesterfield Inlet. Let's focus on walrus for the time being.

Peter S: Sure. There are two slides actually. The list is Marine Protected Area, Land Use Plan Protected Area, creating a vessel traffic services zone, limitations on timing and proximity, *Notice to Mariners*, or creating an EBSA.

David: You didn't include the corridor tool – rerouting that corridor.

Peter S: The NPC is not familiar with any existing tools on how to change shipping corridors, so we didn't list this one.

David: Okay. Well, if you want to avoid walrus haul-out areas, then it seems to me the first thing you might look at is rerouting the shipping.

Peter S: Also, actually, I think this is new for us. We thought the concern was tourist ships getting too close to Walrus Island. We weren't aware – I don't think anyone on our team was aware – that Walrus Island was actually in the middle of a transportation corridor until a few moments ago.

David: Alright, let's go around the table. Warren?

Warren: Thanks. Warren Bernauer from the KWB. In addition to the general shipping corridor issue, which isn't just Walrus Island... The whole area that it goes through between Coats and Southampton Island is a very intensive area of land use, according to the documentation that the Inuit Organizations have done numerous times, like the occupancy study that was done in the '70s, the Nunavut Atlas that was done in the '90s, and more recent that I've gotten from the HTO.

In addition to that, the actual walrus haul-outs themselves aren't exactly necessarily... These issues share overlap, but there are also differences between them as well. I think some sort of a Land Use Plan Protected Area, if you can make one in a marine area, would probably be sufficient. I'm not entirely sure if creating a long-term legislated area is appropriate quite at this point without significant consultation. But something that's more flexible like a land use planning tool if possible, I think could help with these walrus haul-outs. Thank you.

David: Peter?

Peter S: A question probably for Warren: If there is some sort of regulation that makes freighters or barges stay a certain distance away from Walrus Island – I don't know, 5 miles, 10 miles, a mile, I don't know – would that be what is needed to prevent the walrus from leaving the area? Do you know?

Warren: Thank you. Warren from the KWB. I'm not sure. I'm not a biologist, so I can't necessarily comment on the sensitivity of walrus. I'm also not a hunter, so I haven't observed them extensively myself. I believe the concern from Coral Harbour was that they would like to see shipping rerouted from that area in general. That said, they did say if they could stay, you know 5 to 10 kilometers away from walrus haul-outs in general, that would be a help. I'm just trying to make sure that we can see that there are kind of two issues here. There is the request to have the

corridor shifted, but there are other walrus haul-outs around Southampton Island, and in general they would like ships to maintain a distance away from those.

David: Jonathan?

Jonathan: Thanks, David. Jonathan Savoy from the NPC. I'd just like to remind everyone that we also have migratory bird setbacks. It might be a similar issue that we could draw upon where we have nesting colonies of birds. Environment Canada has recommended setbacks based on the type of bird and the type of habitat. It is possible that a similar condition would work for a walrus haul-out, depending on the signs of the disturbance.

David: Luis?

Luis: Yeah, the whole area requires a lot of research. But maybe Peter can...if you have a measuring tool in your GIS, you can measure from the border about the size from Coral Harbour to Walrus Island and the other way around, from Coats Island. You will see the distance in which the ship has in between both sides of the island. On top of that, if you happen to have the layer for bathymetry you will see the ships will use an area in which it's safe to use, which is not going to be close to Walrus Island because it has to be based in the depth of that bathymetry. It's quite a distance. The map sometimes, to be short, will give you a different idea. It's quite a distance in between both points.

Now we understand the concerns of Coral Harbour and Chesterfield in terms of the marine disturbances, which need to be talked about and the required three-four years of baseline data to do that. On top of that you need to do it for beluga, and you need to do it for seals. I don't know if there's going to be that really. It's very minimum the amount of information we have to actually define any, which is sad to say. We're working on different initiatives, but we're also working with the federal legislation, which is the one who mandates these shipping routes. I'm trying to capture also the concerns, and I believe that we can comprehensively write something that the ships or captains of the ships can actually go by, as a management tool per se. Right now we can't really decide with the data we hold other than marine mammals. We know that Walrus Island is sensitive.

We don't have issue – we want to protect those islands. But the distance is quite far, and then you talk about the speed of the vessel, which the speed of the vessel is about 10 knots. That's very, very slow. All those components need to be researched, and I think the federal government will have to in the future to then draft something in the Land Use Plan. At this point, it's very, very hard to actually make that decision. You don't have the basis to do so. Thank you.

David: Okay, Sohail, can you stop manipulating the map and just leave it up there? For me at least, it's kind of annoying to see the thing shifting. That's a good picture. Peter?

Peter: Peter NPC...

Naida: David, this is Naida on the phone. I was wondering if I could ask a question.

David: Naida, let Peter go first, and then I'll get back to you.

Naida: Sorry. Yep.

David: No worries. Thanks.

Peter S: Peter Scholz, NPC. Sohail has measured. It's approximately 40 kilometers from Walrus Island to the nearest portion of Southampton Island. We haven't had a chance to measure the additional length to the shipping corridor – ships rerouted around Coats Island. Just eyeballing, it's going to be 100-200 kilometers of additional distance for ships to go if they do that. I think just to recap, Warren said between a 5 and 10 kilometer buffer off Walrus Island should be enough based on existing knowledge. So we have 40 to play with, and 5 or 10 is what is stated as needed.

David: Okay, so just for clarity, the current corridor runs 20 kilometers away from Walrus Island. Individual ships may get closer. Cruise ships may get much closer. So what I hear you suggesting is that people stick with the corridor, and in particular during the sensitive seasons. Is that what you're getting at, Peter?

Peter S: Peter Scholz, NPC. I'm standing up in front of the map. So the ships are coming where my hand is. They're basically going midway between Coats Island and Southampton Island. Walrus Island is here. So they're probably mainly going just to the south. That's 40 kilometers, so this is going to be about 45 or 50 kilometers. If we put a 5 or 10 kilometer buffer, that would be about to here, so the ships would be limited more to that. That range was about 30 kilometers wide. We haven't been able to draw a 5-kilometer buffer, but it would be about that big.

David: Thanks, Peter. Naida, I'll just ask you to be a little more patient. What's the blue line coming out of Coral south?

Naida: Nadia Gonzalez with NTI. My question is to Transport Canada and possibly other federal departments. But at other meetings, there has been mention of some constraints due to federal obligations, either international or legal that might constrain what NPC can do in a Land Use Plan. So my question is, are there any constraints on NPC applying...*(interrupted by phone system)*...I'm not sure you heard that.

David: You got interrupted at the last...

Male? *(Phone): I'm sorry, it's (inaudible).*

David: Naida, do you want to repeat the last part of your question, please?

Naida: Yeah, my question is whether there are any constraints from the federal perspective to NPC creating setbacks for shipping for various marine values?

David: Thank you. I'll turn to the feds. Spencer? Dale? Ken?

Dale: It's Dale from TC. Thanks, Dave. I'll just add one comment to the comment. For Transport Canada, it's subject to safe navigation. So, the answer is setbacks subject to safe navigation.

Ken: It's Ken Landa from Justice Canada. Digging in a little bit deeper to the questions of are there any constraints into what NPC can do, there are. The constraints – NPC is bound to follow the

Nunavut Planning and Project Assessment Act that sets out the boundaries of their jurisdiction. That comes out of the Nunavut Land Claims Agreement, so we're talking about a statute that has a constitutional status. It's paramount to other legislation. That's important. I think it's important also not just to recognize the constraints in the statute, but also the constraints in tradeoffs. We're talking about balancing different issues.

Both Warren and Geoff in their presentations about key issues, talked about important things that need to be protected. Like every other organization, we all have interests that kind of push in opposite directions, even internally. So, people want to see restrictions that protect the values they care about, but they also don't want those restrictions to crash up against other interests and desires that they have.

I think the concern is less the legal constraints, but more of the policy constraints and the outcome constraints about how you balance tradeoff and how you regulate things in a way that doesn't foreclose something else you're interested in. So when Geoff talked about protection of access to Inuit Owned Lands, of course that's important. That's a key issue. But he also talked about wanting to see some restrictions on icebreaking in the shoulder season, and like every other organization, there is a balance and there are tradeoffs there - because if you did have restrictions on icebreaking, then you have a form of constraint on access to Inuit Owned Land.

So I characterize this as, yeah we need to be aware of the jurisdictional parameters that NUPPAA creates for the Planning Commission, but we also need to be aware that if we start throwing down rules about one issue, it's going to have an effect on other things that we also care about. To me, that's the much more important set of constraints.

David: Yeah, thanks Ken. Michael?

Michael: Sorry, it's Michael Zurowski from Baffinland. Just for people, because I have to know about the regulations, there is subject to safe navigation, all vessels are required to, where possible, stay 5 nautical miles away from any land or shoreline. Five nautical miles is 8 kilometers. So there are existing regulations that require that.

NPC did make a comment. Probably the biggest concern is cruise ships wanting visual effects. Really they need to be made aware of the Canadian regulations. Canada has some significant regulations with the Arctic Waters Pollution Prevention Act, NORDREG, the Arctic Ice Regime Safety System, the Zone-Date System, and the Ice Regime Guidelines. So the existing regulatory guidelines or the regulatory obligations are there, and they are being adhered to.

Even when looking at those maps that were shown by Oceans North, they are really based on volume of traffic. They are not actual ship tracks. So I think people need to be very, very careful of it. From our point of view - from Baffinland's point of view - following the coast of the north-end of Baffin Island is not the preferential and the safest shipping route. So you avoid the shore. You come up almost like a Nike swoop coming in before you come into Pond Inlet, Eclipse Sound and Milne Inlet. The vessels are required to stay in a 5 nautical miles away until such time as they are coming into their destination port. So the existing regulations are there.

David: Dale?

Dale: Yeah, it's Dale from TC. I just wanted to add one further comment related to the walrus. TC in previous submissions to these proceedings, we made reference that there are publications that speak to marine mammals. They are the *Marine Environment Handbook*, the *Marine Mammal Regs*, and the annual *Notice to Mariners*. They are DFO publications. I'm not in a position to speak to them, but nonetheless, we have raised that in previous submissions to the proceedings.

David: Thanks, Dale. What I'm hearing, and maybe I'm misreading it, but I'm hearing that there are tools available to address the concerns that folks in Coral and elsewhere have raised about avoiding walrus haul-out areas, but the enforcement of those regulations may not be as rigorous - in particular with respect to cruise ships, as necessary.

We all know that the captain is the master of the ship and that ship safety is paramount. We also know that bathymetric charting of Arctic waters is woefully lacking in many areas. So we can't just willy-nilly redirect ships to a corridor that may be more hazardous than the corridor they are using. But we've had this discussion before in the previous Technical Sessions, and we're trying to find solutions here, and not - with all due respect - repeat what's already been said. So, Peter, Jonathan, before I go back to you guys to make sure you've got nearly as much as you need, Naida, are you satisfied with the answers that you've been given so far?

Naida: Yeah, those were helpful answers. I think I just needed to know there weren't some surprise constraints that we didn't know about.

David: Okay, thank you. Peter.

Peter S: Having listen to the gentleman from Baffinland, I'm feeling slightly confused. Environment Canada has provided setbacks for key marine bird habitat. Could the two of you expound on those a little bit? Because what I'm hearing from the gentleman from Baffinland, it would sound like any sort of near-shore setback is not needed at all. So I'm feeling confused now.

David: Okay, Michael and then Mia.

Michael: One issue is that the clarity in those regulations only applies to ships that are greater than 300 tons. So for any of the vessels that we are using, absolutely they apply for those setbacks. One of the key areas are the smaller ships that are not subject to those regulations. Just one other item just when you were talking about the Coast Guard corridors: It is specific looking at this bathymetry and navigational aids, and one key component to that is that they're looking at existing shipping corridors. They're not talking about the future or planned corridors. Mr. Livingstone made a very, very clear comment. There is very, very poor bathymetric and navigational aids coverage in the north, which is one of the reasons that if you ever look on the Oceans North map, going within the Foxe Basin, there is a red line for modern multi-beam bathymetric work, and that was all done by Baffinland. The gap within that is only because of tidal corrections. We need to do a little bit more work before we can actually finalize that.

David: Thanks, Michael. Peter, do you have a follow-up before I go to Mia?

Peter S: Thanks. What is 300 tons for someone that doesn't know about boating?

Michael: It's a size of vessel.

Peter S: Yeah, but what is that? 20 feet?

?: A (25?) foot fishing vessel.

Michael: A fairly large ship. In the case of the vessels we're using, they're all generally longer than 100 meters, so very large vessels.

Trevor: Trevor Taylor, Oceans North, but I used to be a fisherman. The Nunavut Fisheries research vessel is about 160 tons I would guess. So something the size of the Kiviuq – the Arctic Fisheries Alliance fishing vessel – would run about 350.

Peter S: So a question for Warren or anyone else who can speak to it: What is the size of the vessel that may be negatively impacting the walrus, and how close are they getting? Then building on that, mainly for the federal government, based on that size of ship getting too close, what terms or regulations are there to say to those ships, "Don't go at certain times," or "Go in a certain way." Who is going to enforce it, and is that something that should be in the Plan in some way? Or is that an enforcement issue, because there are existing regulations?

David: Thanks, Peter. Warren? I don't know if you can answer that question.

Warren: Thanks. Warren for the KWB. There are a series of questions there, and unfortunately I don't have clear answers for you right now. But I really appreciate you asking them, because I can follow-up with Coral Harbour to give you guys as much of the information as we can get you moving forward. I think that's all I can really say to that right now, unfortunately. Thank you for the question. I appreciate it.

David: Thanks, Warren. Mia?

Mia: So the setback that we have established for marine seabird colonies are 500 meters for vessels – for large vessels – and of course, that distance is shorter for smaller launch vessels like kayaks and zodiacs. As well as Protected Areas – the National Wildlife Areas and Migratory Bird Sanctuaries have quite a bit larger marine boundaries, and that depends on the individual Protected Area. Some of them are quite extensive, up to 13 kilometers.

Peter S: NPC. Are you are saying that your setbacks are based on some sort of nationally established Protected Area, and that's what allows you to create those setbacks?

Mia: No, sorry. To clarify, we have five National Wildlife Areas and a number of Migratory Bird Sanctuaries in Nunavut, and those have a different level of legislative protection than the setbacks that are in the Nunavut Land Use Plan - for all seabird colonies, so the Protected Areas have additional requirements for vessels that require permits to actually enter the boundary of a National Wildlife Area, for example. But for seabird colonies that do not have legislative protection, the setback distance is 500 meters. That was in our Nunavut Land Use Plan submission.

David: Thanks, Mia. Peter?

Peter S: I'm just going to throw an idea out. So should the Plan say something like any vessel entering within a kilometer shall notify the Coral Harbour HTO in advance, and Environmental Canada shall look at establishing a National Wildlife Area for Walrus Island? These are just ideas that I'm pulling off the top of my head here.

Michael: Before we start trying to...

David: Michael, could you introduce yourself please?

Michael: Sorry, it's Michael Zurowski from Baffinland. Before we start to go through regulations, we had quite a bit of consultation with Igloolik and Hall Beach looking at Jens Munk Island or Rowley because we wondered if we had two access shipping routes. One thing also from the practical point of view: The cruise ship will come in, and they are much larger. But they will launch much smaller crafts, generally 16- to 20-men zodiac boats to come in, and zipping in very quickly to visit and see all the walrus. Those craft are not dissimilar to what the Inuit are using to hunt or of dissimilar size. The difference is the Inuit are coming in very carefully not to disturb the walrus, primarily for hunting purposes, but you're impacting coming in.

So we have to be a little bit careful that if you apply a regulation, it's going to apply to all vessels. You cannot have a regulation that exempts everybody, because it's just an open-door policy. So there are existing regulations, and you're talking absolute notification through an AIS system with the government, where you know where very large systems are – or very large vessels are. But again, that only applies to the larger vessels. It does not apply to the smaller vessels.

So notification to the local community is an exceptional idea, and it's one of our requirements in our project certificate. When we're looking at it at the NPC, the NIRB is a very well respected and highly rigorous system that includes the Inuit Associations, the local Hunters and Trappers, the Elders, and community participants. Proponents are required to do significant amounts of consultation beforehand. So those terms and conditions for any project can easily be applied by NIRB rather than the NPC as a blanket. Then they would also be project-specific. If you're looking at trying to establish overall boundaries to prevent the access from the cruise ships, then we really need to ensure that they are conforming to the Canadian regulations.

David: Thanks, Michael. Just one question before we take a break: Which organization would be responsible for regulating cruise ship traffic? I think the answer is we're not really sure. Well, yeah, but the example that you've given is large vessels and so on. Which organization would be able to direct cruise ships to ensure that when they are launching smaller vessels – assuming that the large ship is sufficiently far away from Walrus Island, for example – that they behave responsibly? Which organization can give that kind of direction to Crystal Serenity? Ken?

Ken: Ken Landa from Justice Canada. Part of the answer to your question is going to be a little bit frustrating, and I know that. Part of the answer to your question is there is no one organization, because the activities that we're talking about break down into the very big – like cruise ships. But when you start breaking it down, you've got your very large vessel steaming into an area, stopping, and deploying smaller vessels. Obviously, Transport Canada regulates much of that, including ship design etcetera.

But I think the activity that we're hearing about that is causing some frustration is the tourism activity. It's the activity of tourism in a place, and the Government of Nunavut I think, is the primary interest – the government interest – involved in regulating that. My understanding, also, is that cruise ships are typically going through the Nunavut regulatory process. They are going through a NPC conformity determination. They are going in front of NIRB to have their project proposal screened, so there is a regulatory angle on this that hasn't yet been fully plumed.

Based on everything that we're hearing, I've got a concern that we're lumping in unlike problems into one basket. The map that was up earlier that showed the patterns of existing use. That's really about the large vessels sort of steaming through an area with no interest in stopping or causing localized disturbance. That's very different from those vessels that want to stop and stick around in an area for a while. I think we need to start pulling those pieces apart and understanding which are the aspects of this that are particularly troublesome. Scale is a problem, but when Peter was up there making his 5k circle, it looked to me like the vessel steaming through the area was outside the 5k circle. So ships – as we think of ships – may not be the problem at all. It may be these smaller vessels that are deploying off ships, and that's a maybe. I don't know the answer to that, but I think we need better visibility into what the troublesome issues are before we start looking for solutions.

David: Yeah, and I certainly agree with you. The concern, though – and I guess I'll remind people about the concern that Coral and others have raised – is in the particular case of Walrus Island and walrus haul-outs, they are very concerned that ship traffic – vessel traffic – is disturbing or may disturb walrus. And that will have negative implications for their harvest. What do we do about that? What does the Planning Commission do about that? Does it sit on its hands and say, "Woe is us," and everything is going to have to sort itself out, or does the Planning Commission put something in its Plan that balances those issues you've talked about?

My sense is that doing nothing is not an acceptable option. So back to the question – and it will be a question that recurs time and time today: What do we do? Most folks are relatively aware of the context. Big vessels properly operated with conscientious captains, normally don't cause problems. Big vessels improperly operated, have accidents. We've seen all kinds of examples of that in the past.

In the North we have an opportunity to get a little bit ahead of those things and address not only the big vessel concerns. If there are gaps in the regulatory system, they are probably not significant ones, but there are a number of other issues like bathymetric mapping that needs to be done so people aren't simply following the last person through, because the last person didn't have the accident. That's what these corridors are all about: simply other vessels have gone there safely, so let's go there safely too. We all do that in the winter on skidoos or in the summer in canoes.

The issue is how do we carefully ensure that these problems are avoided in the future? And it's not going to be enough to say, "Here's the picture, and everything's good," because it's not. From the community perspective, it's not good. It's not good enough. So, Amy I'm going to turn to you afterwards, after the break, to talk a little bit about the Government of Nunavut's role in ensuring that cruise ships cause minimal disturbance and maximum benefit.

BREAK

David: For folks who didn't introduce themselves earlier, I'll start at my far right.

Steven: Thank you. My apologies for coming in late today. I tried going to the other room and was told to come here instead. So, my name is Steven Lonsdale with the Qikiqtani Inuit Association. I don't really have anything prepared for an introduction, but I'll just mention some expectations that I might have. I got the tail end of those expectations of the meeting when I came in. So off the top of my head, I guess, I'm hoping that the issues discussed here will be the same issues – very specific issues – discussed at the community consultations, the additional community consultations, if and when they're going to happen. Because the issues being discussed are very specific to say, a walrus haul-out. And communities have identified these areas as important. Although I would like to speak to them, I can't really.

So when that dialogue happens at that grassroots level, you get so much more information on say, the timing of when the walrus are there, the migration routes of different marine mammals, and the times that are important for Inuit to access those areas. So, this discussion when it does happen at the consultations, you will get very specific information, and these are things that are linked to cultural practices, food security, and exercises that have been done for a very long time. So, the less disruption to what's currently happening, to what has historically happened, is I think the aim of identifying these different marine issues and marine corridors. That'll be it. Thank you.

David: Thanks, Steven. Is there anybody else who came in after the first round of introductions? Please.

Peter K: Good morning, everybody. I'm Peter Kydd from the NWMB. I don't have any opening remarks. Thanks.

David: Thanks, Peter. We'll try to build some more room around the table at lunch so everybody can sit there – those who want to engage in the discussion more directly. I'm going to turn it to Amy now just for an update on where the GN is with respect to ship traffic, and in particular cruise ships.

Amy: Amy Robinson, Government of Nunavut. Unfortunately, our tourism colleagues within the Department of Economic Development and Transportation couldn't be here today. But in brief – and take what I say with a grain of salt because I don't work for ED&T – I know from recent meetings with these colleagues that they are in the process of updating their tourism legislation and regs. I'm not entirely sure where that new legislation is, the status of the legislation. But we have contacted them, and hopefully we can give around the table more information after lunch. I do know that they were considering a suite of new tools associated with this new updated legislation. Included in the suite of tools was some sort of area-specific restrictions on tourism. So, after this meeting, we can gauge from these colleagues whether or not they would be supportive of some sort of zone specific to Walrus Island with appropriate setbacks. I hope that helps.

David: It does, Amy. Thank you very much. If you can get additional information today as to where that legislation might be, that would be great and quite helpful. I'm going to suggest that we move to the Chesterfield Inlet discussion now. We certainly could spend the rest of the day on walrus, but I don't think we can. Peter, could you just quickly summarize again and repeat very quickly what the issue and some of the suggested tools you've put up?

Peter S: Peter Scholz, NPC. I'd be happy to. The communities of Baker Lake and Chesterfield Inlet – the hunters from those communities specifically – have said that marine mammals, specifically seals, appear to be in lower numbers or absent from Chesterfield Inlet during the short shipping window. Staff brainstormed potential ways to mitigate those impacts. One is to develop shipping schedules, which may be related to developing harbour-like regulations for Chesterfield Inlet. This may include possible use of convoys. This is basically saying that ships can go in between the hours of X and X, or they have to come in convoys just to reduce the randomness of the ships going in and out. We thought there might be terms or policies being developed by Coast Guard under the Northern Marine Transportation Corridors Initiative that would have application here, because this is shown as being one of the busiest used transportation corridors in the territory. We understand that there is something called vessel traffic services zone, which may have application in this context. That's it.

David: Thanks, Peter. Okay, I'm going to turn to Government of Canada to respond to the suggestions that are up there and add any other options, suggestions or comments that they might have. Then we'll go around the table again.

Dale: It's Dale from TC. Jaideep, I heard you call in on the line. Jaideep?

Jaideep: It's Jaideep Johar...

Dale: Okay, Jaideep, can you provide some comments with respect to the harbour-like recommendation with respect to Chesterfield?

Jaideep: For sure.

David: Okay, Jaideep. Go ahead, please.

Jaideep: Good morning. Jaideep Johar, Manager of Marine Safety and Security from Winnipeg. With regards to Chesterfield Inlet, there are a couple of operational issues that we should consider before we take the whole matter as such. It is a tidal port. What I mean to say is that ships can go in the Chesterfield Inlet, stopping from the Hudson Bay based on the tides because of the water levels. So there are specific tides that are available and have to be high spring tides where these vessels can go. So normally these vessels, they try to enter this area when they have high tide, and most of them I believe coordinate with each other so they don't miss the tide. Otherwise, they would have to wait for a day or two. So that's something very important to consider if you want to think about having some guidance towards when captains can go and when captains cannot go. Now that's one.

Number two is right now the vessels are required to report to our traffic monitoring system - NORDREG. So there is an important mechanism in place where these vessels can report before they enter the waters. What I mean to say is that there is monitoring in place.

Now the third question, which I have various documents provided by NPC and others is with regards to having specific traffic management in that area. Now this falls back to a couple of things. Number one is perhaps as we know, there are mining companies in that area. So there has to be work if required, with the partners and with Industry if there is a need for specific traffic

monitoring, especially in this area for Chesterfield Inlet. So there needs to be work with Industry, stakeholders, and the communities where there can be free-flow of information.

The other thing that I want to point out is we have heard that Chesterfield is also kind of very difficult for navigation. It's difficult for navigation due to present charting and navigational aids available. But as we all know, and my Coast Guard colleagues can point out, I think they are looking into the proposal here to put some additional navigational aids to assist the master. So to answer your question, I was just giving background of Chesterfield and what kind of ships go there and what are the challenges that are being faced. So to answer your question, marine mammals going across is a concern, but we also have to look into this part and how we manage those concerns with the concerns facing the masters who are traveling into this area with regards to the tidal restrictions and other restrictions. So my suggestion is we really need to understand when you require or where you want to give the guidance to Industry – when to enter, when to not enter, and how they will relate to the navigational challenges with regards to tides and everything. So this is just a synopsis I provide before we proceed with further discussions. Thank you.

David: Thanks, Jaideep. So I'm going to ask you a question that I know you're going to be uncomfortable answering, but we're all here to figure out a solution. What would you suggest would be the best approach in dealing with this, other than as you've said, continuing to discuss it with the parties? I know we're not going to get to absolute solutions today, but I would like to narrow down the options. What in your view would be the most practical, pragmatic approach to take to address what you know to be the concerns of Chester in the current context?

Jaideep: That's the question, and how do we go forward looking into this? First of all, we need to know when are the crossings taking place and at what timeframe in the year. And then, we've got to work with our Industry to also find out the present challenges they are facing and how they can incorporate that into their navigational plan. So there has to be a little bit more work here to understand when we need it and when the vessels are coming into that area, if it's okay for them also. We've got to also understand and have Industry involved in this also, because they are the ones who are navigating in this area. So before, my suggestion is we go towards kind of guidelines or restrictions of when they can go and cannot go. A lot of consultation with Industry will surely help us to understand at any rate, some of these concerns, which might not exist also – which might be just a perception. So we can get the points from both sides – the operators and the concerned – and then as a regulator, once we have that information, we can develop guidelines, or we can work toward possible solutions.

David: Okay, but I'll go back to it. When do you expect to be able to have that discussion? In the meantime, what would you suggest the Planning Commission do in addressing the issue through the Land Use Plan?

Jaideep: Again, as what I would say, it begins in navigation. What NPC can do, it is my sincere position again, that we need to involve Industry also a little bit more broadly here, especially the mine owners here who have the vessels coming into that area, and the shipping companies who send the vessels to this area.

A coordination with them will surely help NPC to find out a good solution here. We, as Transport, can surely facilitate and look into those guidelines, which will be subject to safe navigation. I know

it's not an easy answer, but I think that's the best possible approach – that we have to involve Industry, as such, who are operating there and the community as such.

Tanya: Sorry, it's Tanya from Coast Guard. If I can just jump in here for a second and support what my colleague has been saying about needing to bring Industry into the conversation. We do have regular contact with our stakeholders though Arctic Marine Advisory Board and other advisory boards, so if ever there is a proposal that you want us to table or a full-on presentation about what the impacts are and to start having that conversation, I think it's a question of just scheduling it and making sure that those forums meet. You can either come to them, or we can present something on your behalf, or we can start that dialogue. But that dialogue already exists, and I think we can just jump in and add it to those conversations.

David: Okay, thanks Tanya. Ken?

Ken: Ken Landa from Government Canada. I guess I'll build further on what we just heard from Tanya Alvaro from Coast Guard. I'm going on some assumptions that we're talking about a very limited number of customers who are procuring the movement of goods and services up and down Chesterfield Inlet. Maybe we're talking about three, four, five customers? I think we're probably talking about a very limited number of shippers. So it really ought to be possible within the Nunavut land use planning process for those shippers and those customers to engage and talk about how convoys may or may not affect them positively or negatively. I think they would have views on this.

This is the process. The land use planning process is the process in which it's not enough to throw out the ideas to government and ask government, "What do you think?" Just as these rules – or perceived lack of rules – have impacts on the community interests, so would the new rules have impacts. So this is the right process, but the conversation needs to move to that next stage.

I have a question, and that's from a fairly naïve perspective. Do we have a reason to believe that convoys and intensifying movement is actually better than what Peter characterized as random? It's not random. I know what Peter was saying. Jaideep reminded us of how tidally dependent this movement is, so it's tidally dependent with some random features to it. Is there a reason to believe that's better? Have we thought about how harbour-like restrictions might affect other users of the waterway other than the barges that I think most people are thinking about? Have we thought about what the cost implications are of having barges idling, waiting for the right moment to gather up into a convoy? Have we thought about greenhouse gas emissions and carbon emissions associated with barges sitting in a holding pattern? These are real issues that before you leap to a solution, you need to have measured.

David: Well, I think you've characterized exactly what the Planning Commission is trying to get out of this session – some discussion as to the practicality of all the options they have proposed, as well as other options that others can bring to the table. The convoy question is a very good one. Is it better to have random traffic than very noisy short bursts of traffic? That's the kind of question that we need to talk about here.

I welcome – because it's a bit like pulling teeth I've got to say – I welcome contributions from the people around the table and on the phone on the feasibility of those particular options. Because there clearly is a concern from the community, and doing nothing, or planning to go back to the

community and talk to them at some time in the undefined future, isn't going to help the Planning Commission with its questions right now. So some constructive comments would be really helpful. I'm going to turn to Michael for just that.

Michael: It's Michael Zurowski from Baffinland. I'm not sure this is going to be hugely helpful, but one thing I have learned over the years is that these solutions will come from the people that are involved. So the people of Chesterfield Inlet – both the mining company and the community – need to get together to look at some of the options. Convoying is a good idea, but also there are significant cost implications with the merge, whether or not it's the mining company or the community that is going to incur that. There is not a huge amount of capacity to be able to unload several barges at the same time in any of the communities in the North.

Maybe I'm not saying it right, but the Planning Commission I don't think, can make solutions to all of the issues that we're going to have in the North. I think they make suggestions, but the real solutions will come from the communities themselves and the specific proponents involved in those issues. If we make the Land Use Plan a living working document, then we can put some terms and conditions in the future. But I don't think...If we're going to try to get the Land Use Plan as a great panacea for the North, we're going to be here for a very long time.

David: Thanks Michael, and we certainly have been here for a very long time already. I think everybody recognizes the validity of what you're saying, but communities are in turn, turning to the Planning Commission and raising their issues and raising their concerns, and saying, "Help us out here." The Planning Commission, in turn, is turning to the folks around the table – the responsible agencies or the concerned parties – and saying, "Okay, we've developed some options here that may or may not be practical to try to address what we're hearing from the communities. What do you experts say about this?"

So your comment about convoys with unloading and loading, I think is helpful. But that's not the end of the discussion. There needs to be more, in my view, to enable the Planning Commission to do the right thing in the circumstances right now. Doing nothing is not the right thing. So I'm pleading to folks to try to help the Planning Commission out here and provide some constructive suggestions as to where to from here. Sure, the communities need to get together. And they have. And they've raised these issues. Sure, Coast Guard is doing consultations on the corridor work. Fine. But those are all works in progress or works that have happened, and they are not particularly providing constructive solutions at this point in the game. Again, I'll ask people to engage in the discussion in a way that's helpful to the Planning Commission and not defensive. Ken?

Ken: Thanks, David. Ken Landa, Justice Canada. I think the best constructive suggestion I can give is to identify the barging companies that are working up and down Chesterfield Inlet and not try to advance this discussion until they are a part of it.

David: Are you suggesting that the Planning Commission take the lead on that, or is that a Government of Canada role with respect to Coast Guard's work on transportation corridors or Transport Canada's mandate?

Ken: My suggestion – Ken Landa, Justice Canada – my suggestion is that for the purposes of this land use planning process, that's necessary. So that's one on which I do think it belongs in the planning

process. I see NPC as a lead on that. That's not to exclude anybody else from participating in that, but rather to say we are at the point where problem identification has happened. But we're at the point where we're looking for solutions, and those companies are very important components of figuring out what's good and what's potentially not so good about any solution we might be looking at.

David: Thanks, Ken. Did I out of the corner of my eye...okay. Yes please.

Jeff: Jeff Maurice, NTI. I do agree with you there. I think there needs to be more discussion in terms of the federal department's involvement mandate and marine transportation corridors. There is that aspect of the Planning Commission that is kind of missing in terms of what their roles and responsibilities are and how they can contribute coming up with some solutions with the local concerns.

NTI has recently been involved in the Canada Marine Advisory Committee – same with the Arctic Marine Advisory Committee. So we do play that role, and we do hear the same issues there. But I think at the end of the day, once that dialogue does happen in terms of how the federal government can play a role, it's ultimately going to be the responsibility of NPC to make that decision. But I guess my point is that dialogue does need to happen in order for those solutions to be addressed.

David: Sharon?

Sharon: Thank you. Sharon Ehaloak, Executive Director with the Planning Commission. I thank everybody for their comments. This isn't a new issue. As David said, we've been here for a long time. This process has been known. We're looking to the regulators to give us some guidance, some clarity. You know, Coast Guard with the collaborative approach – we foster that. We embrace it. We want to see that happen. It's late in the game that Coast Guard is engaging. It's very disappointing that they are not here at this meeting in person. This is a priority area.

The communities: The Commission has undertaken 30 community consultations and has been back to the communities twice. I know everyone around this table knows that. Those reports have been approved by the communities. Their issues have been identified by the communities, and they are on our website. We need some solutions very clearly. We do not want to duplicate any regulations. We want to mitigate and ensure that all voices are addressed and that the waterways are managed appropriately and not in an ad hoc fashion.

I thank Michael for his clarity on some of the issues that we've discussed this morning, but we are here. We have a timeline, and it's critical that we have engagement. I encourage the federal family and the other regulators, please give us some solid solutions and some directions. While engagement with companies can help clarify some of the issues or challenges, that's all fine and well, but we need to have the terms and conditions put in place that respond to the needs of industry, the communities, and are consistent with the regulations.

I've heard Tanya speak a couple of times this morning about consultation and stakeholders. I would be interested from the Commission's perspective, who are your stakeholders? What is your consultation methodology? When was the consultation done? Could we get the information? The datasets given to the Commission – and Dale with Transport Canada and Jaideep – have been

phenomenal to support us and give information. We need that information so the decisions that are in the Land Use Plan and the options are sound and defensible. I don't think anyone around this table wants to see a Plan go forward unless it is sound and supports everyone's needs and concerns.

So I embrace you to please engage with some opportunity of solutions. And tell us what you think. Have we hit the mark with some of the options we've put together? If we're way off, that's okay. Tell us. We want to know. Thank you.

David: Thanks, Sharon. Warren?

Warren: Thank you. Warren Bernauer for the KWB. I just have a couple of really brief comments. The first is kind of a response to the statements made by the representatives from Baffinland. I can definitely appreciate the comment that there needs to be more communication between communities and Industry and things like this. However, these communities have raised these issues with Industry numerous times during NIRB review processes, and you've referred to the NIRB process as something that can deal with these, and we shouldn't be looking at the NPC as a panacea for everything.

But there are a lot of limitations of what you can get out of a NIRB review dealing with one of the people that are operating out of the many that pass through this inlet. And we haven't had good luck – or the greatest experiences – in dealing with this through NIRB. They haven't been able to resolve the situation thus far, as far as the communities are concerned. They are still raising the same concerns. I think that this might be an issue that the Land Use Planning Commission can deal with better than a very project-specific process. I appreciate Ken from the Government of Canada raising that this does look like a land use planning issue rather than strictly an assessment issue.

In addition to that, I have to raise a bit of frustration. There is a bit of déjà vu here, given that these issues have been raised through the NIRB process to the federal regulators. We're getting kind of similar answers of, "Well there needs to be discussions like this," "There needs to be discussions about that." I can appreciate that the government isn't a model. There are a lot of different departments with different and sometimes overlapping mandates, and things can get really complicated and difficult.

But from the perspective of the community, they have been raising these issues with government over and over during these review processes, and it's feeling like we're getting the same response from Transport Canada over and over – not just with Chesterfield Inlet, but with the Coral Harbour shipping route as well. They've raised this issue of moving the shipping route numerous times, not just due to Walrus. Generally there are all these ships running through their main land use area, and would it be possible to move the shipping corridor. The answers here are similar to the answers at Kiggavik, the review there. They are similar to the answers that were given during the Meliadine hearings from the transcripts that I've read over. It sounds quite similar.

So I hope we can someday get to the heart of the matter, because this keeps getting deferred to a different meeting, to a different process. From NIRB, it gets thrown back to NPC, and now we're at NPC, people are suggesting that this is something for NIRB. The communities are getting frustrated, and I can understand why they are getting frustrated. Thank you.

David: Michael?

Michael: This is Michael Zurowski from Baffinland. I wasn't specifically saying it's only NIRB, the process. Maybe I'm missing it, and maybe it's because we've operated differently with the community of Pond Inlet for our sealift and supply. I don't see why the proponent, in the case of Agnico Eagle and the community have not got together to try to find solutions. When you were talking before, maybe I was misunderstanding - so the seals are essentially moving away from the area during the shipping season. If they've already noticed that and adapted it, can they not just adapt their hunting season when the seals come back? It seems like they've already solved the solution. Just going into Chesterfield Inlet, we were saying they were avoiding the shipping season, but they were coming back. There's not a regulatory mandated hunting season for seals is there? In Chesterfield Inlet?

David: Warren, I suspect you'll have a response to that?

Warren: Yes, thank you David. No, there isn't a regulatory mandated hunting season for seals. However, there is a biologically mandated need to eat fairly regularly.

(Laughter)

And if you can't access healthy food for months of the year, it's a pretty big deal. I appreciate your clarification that you weren't just referring to the NIRB process. I think the Kivalliq Inuit Association may have some comments here. I know Mr. Manzo has discussed this with the community as well. You know, I think I've documented this concern the best I can, but I know that he has done some work as well, and he may be able to shed some more light on the matter.

David: Luis?

Luis: Thank you, David. I appreciate the intervention. Like I said before, and I will state it again, we don't have predictions on navigable waters. We do have predictions from the NIRB process. We submit comments. Based on those, we also table scientific research in sensitive areas. Actually I have in front of me the map of Chesterfield Inlet and the distribution of seals, belugas, and narwhals.

Yes, they're moving away from the area temporarily. But there is not enough baseline data, evidence here that this happens, because unfortunately, those surveys have not taken place. So that's why in the initiation of this meeting, I suggested the need to view this baseline that I've collected. I do have concerns with the proponent. We try to mediate it - the proponent and the community - and I think they're talking in terms of whatever impacts the hunters have. I haven't got a response yet fully from the proponent perspective, but we're watching.

We do also have research to carry on in areas very important, like the whole entire watershed from the Thelon, the whole entire watershed to Kazan and the Back River, which lets the drainage into Baker Lake, which we think it's a bit important to take place. We put a program 20 years there for community effects. We don't have to. We are not the institution. With the federal partners, we are four years in the making in this scientific research to try to alleviate the concerns of the communities. The similar thing needs to happen in the watershed from Baker Lake into the

Hudson Bay. That component will be looked at and researched later, maybe in year 8 or year 10. It depends on what we collect in the other watershed. But that needs to happen in Hudson Bay, especially the cumulative effects from shipping, if there is any. In order to do that, you need a baseline. By experience of five years of scientific research, to modeling – to put forward regulations, everything is based on that risk and what risk you have.

In the time of Kiggavik, we put a very strong comment. It's not a matter of how many ships are there now. It's just when is an accident going to happen? So the problem is how we're going to prevent that without having the data. Then regulations trigger. And when regulations trigger, we are out of the picture, because it is out of the hands of Transport Canada and the Coast Guard. That's why we went to look to these communities and tried to be part of those tables and at least get enough ancillary in the communities to be ready. We're looking at training as well for the community of Chesterfield to be ready in case there is any accident.

In the matter of wildlife, then again, we don't have the predictions. It is other institutions who have it, and in response I want to collect that data, and I haven't gotten it. That's why I took the initiative to take the whole entire watershed, Back River, Thelon and Kazan River, and we are four years in the making. We are submitting to Polar Research Canada all the research done the last two years. You will have all that information there. It will be public. It's enough good data, but it's not related to shipping or wildlife. Data collection is very expensive. Just to give you an idea, the estimate in Baker Lake in terms of salinity and sediments will cost the KIA \$1.5 million by the end of that whole analysis. We started already. We're happy of the state of the environment of the Thelon Watershed. We will produce our report, hopefully at the end of the year of the state of the environment of the Kivalliq. We have enough scientific information out to produce a first report.

Like Sharon said, we will be happy to see the other partners here be proactive and start looking at solutions and looking at the programs. Look to universities, they can do the research. It takes a long time, but for the quantity of activity I have in the Kivalliq, I have to be ahead of the game in order to produce comments in those hearings. It's going to be very hard. I'm sorry, Peter. It's going to be very, very hard to put some sort of regulation with restriction because of the safety issues that come – ships stocking in the mouth of Chesterfield Inlet, loading and unloading. It's not feasible when the tide is up and tides quickly change. It would be unsafe for the workers. So that's another issue that needs to be looked at very closely, especially in the entrance of the Chesterfield Inlet.

I probably don't provide a straight solution to you, but it is just incentive to other partners to do the same the Kivalliq do and move forward...*(muted)*.

David: Luis, you weren't at the last meeting, but I have a mute button here.

(Laughter)

Sharon: And he uses it.

(Laughter)

David: Although it didn't seem to slow you down at all. Thank you. Peter.

Peter S: Peter Scholz, NPC. I just wanted to put on the record a response to Ken Landa's suggestion. I don't think the staff would know how to ensure identification of all shippers in Chesterfield Inlet if we were instructed to or asked to talk to shippers. I, for one, would not be comfortable talking about the details about marine safety and shipping scheduling with a professional shipping company to distill that into planning policy without having more expertise in the room.

David: Thanks, Peter. Ken. And I think in the interest of time, we're simply going to have to move on to the next discussion.

Ken: Thanks. Ken Landa from Government of Canada. My suggestion wasn't aimed at creating an offline discussion, but rather a discussion that has both – well, there are at least four core areas of expertise. You need the Local Knowledge about what the problems are; you need the regulatory knowledge; and you need the active shippers to know what they know about their needs and the operating environment that they're in. I think where I'm coming from is the idea that you need something like what we call in government, a regulatory impact analysis of how any given set of rules is going to affect the environment that folks are caring about and operating in.

So, for example, if there were rules set down that made it more difficult to get fuel in a timely manner, I don't know how close to empty Chesterfield's tank is at the beginning of the shipping season. If you set down a rule requiring convoys, are you potentially affecting community resupply in some way? I don't know how close to empty the mining companies' fuel tanks are. Warren, when he first outlined this problem, I think said although this is a serious problem, the people in Chester don't want to foreclose necessarily the development of additional mines. They don't want to have a negative impact on community resupply, etcetera. And it's for exactly that reason that companies like NTCL, NEAS, and Woodward needs to be part of this conversation.

David: Thanks, Ken.

Tanya: Before you move on, it's Tanya from Coast Guard, and I'll be brief. For our part, we're happy to help facilitate that conversation in conjunction with either CHS or Transport as well, with the shippers and yourselves moving forward. Because I know you're looking for action items, so we're happy to put forward ourselves as part of that conversation or to help facilitate it.

Going back to what was asked for in terms of our engagement methodology, happy to share that with you as well and our list of everyone that we have talked to, to date. We can send that to you directly after the call.

David: That's great. Thank you very much, Tanya. I was going to ask you provide that information that Sharon had referenced. That's very helpful. Did I hear you say that you were prepared to perhaps take the lead on this next step in the discussions – not just assist NPC but actually take the lead on it?

Tanya: Well, we're not regulators, but I'll tell you what. I will speak to Transport offline, and we will facilitate something between the two of us.

David: That's great. Thank you very much. Okay, well I think we've got as much out of that discussion as we can get. It will feed into the subsequent discussions today. And just a heads-up: we're a little bit behind schedule. We may be working into the evening. I hope that doesn't inconvenience too

many people, but we've only got today to deal with the marine transportation discussions, and I think there is maybe a lot to be said that will result in a longer than usual day. So Peter, can you go on to the next section?

MARINE SPATIAL PLANNING

Peter S: Peter Scholz, NPC. We're moving on to the next section, which is Marine Spatial Planning. Our format here is fairly similar to the one I think we're familiar with now. Instead of corridors, we're dealing with areas.

In essence, we have two sets of areas of concern under Marine Spatial Planning. One set is identified by communities, and another set is identified by DFO. There are three areas of interest identified by communities. The first is Moffet Inlet, which is just a couple hundred kilometers south of Arctic Bay. The community has identified this particular inlet as being of very high importance for marine mammals. They have made very clear to NPC a desire to restrict access by unnecessary vessels or tourist vessels. Under the current Draft Plan, Moffet Inlet is listed as a Protected Area with high levels of restriction, and Transport Canada indicated some concerns at the 2nd Technical Session in July of last year regarding the proposed Protected Area regulations for Moffet Inlet.

So moving this forward, it is for us to discuss how community concerns and recommendations for restrictions can be dealt with. It is a fairly similar situation with Foxe Basin, which is near Igloolik. I'll just highlight here that the polygon in question, there were some concerns raised in the past that this would cover the whole width. It is just the polygon in question. So it's not covering the whole width of Foxe Basin. I would also note that the boundaries shown here are identical or similar to a proposed potential marine Protected Area, which I do not believe is being pursued at this time. Again, there are concerns regarding ship traffic to an area that is of very high importance to marine mammals.

We've talked about Walrus Island. We had it in two, because it had a stationary aspect to it and a marine corridor aspect, but I think we've talked about Walrus Island quite a bit. The community of Naujaat, formerly known as Repulse Bay, has put in a request for a proposed community marine use area, which is this large purple polygon. There is not a lot of detail on what they proposed. Warren, maybe, will speak to that in a bit more detail.

We'll now move into three sets of data, which were provided to the NPC by DFO. One is char areas of abundance. Char, as I think most people know, are an anadromous fish species. They live in both fresh water streams and in saltwater areas. The polygons you see cover those areas of abundance, both salt and fresh. In the current Draft Plan, in Schedule B, what is listed is direction to regulatory authorities to mitigate impact. That is all there is listed. We're bringing this forward again, to see if there could be more detail added on what mitigate impacts might mean.

More or less is the same story for turbot areas of abundance, which are concentrated in Hudson Strait, in the Cumberland Sound, and in OLFIZ: outer land fast ice zones. So same sort of question: Schedule B in the Draft Plan says mitigate impacts. Is there more that should be discussed in the Plan on that?

The last one are these very large polygons provided to us by Department of Fisheries Oceans a number of years ago – the ecologically and biologically significant areas that cover over half the marine areas of Nunavut. We were asked to include that in our Schedule B with direction to regulatory authorities to mitigate impacts. Again, these are very large areas, important for different reasons. We're wondering what more detailed planning implications might be than just a direction to mitigate impacts.

Staff, as with the corridors, did some brainstorming and discussed the top possible tools that could be included in the Plan. Again, CCG Northern Marine Transportation Corridors Policies, vessel traffic service zones, development of new Marine Protected Areas or creating Protected Areas under the Land Use Plan, and creating finer scaled EBSAs. We understand that DFO has been working on the EBSA policies and procedures, and they have more detailed maps now available. We're wondering if we should replace or add to our EBSA map along with more detailed descriptions of what is important in these different EBSAs and/or creating ecologically significant areas.

As previous, these are not meant to be comprehensive. These are staff brainstorms based on our understanding of marine tools. Thank you.

David: Thanks, Peter. Don't go back too far. There are two or three issues that I think we could probably address fairly quickly: char, turbot and the EBSAs. I'm just going to throw it out and see what DFO may think. From my understanding of the EBSAs, I'm not really sure how useful they are in the planning context, except as kind of a general information note.

With respect to char, I don't know that any concerns have been raised explicitly by communities. I'll turn to folks who might be able to discuss that in a little bit more detail. And for turbot similarly, I don't know that there are marine shipping concerns related to turbot. So if we could just get a reaction to those three topics and perhaps take them off the table, then that might be helpful in making some progress. So can I turn to...yeah, Jeff?

Jeff: Thank you. Jeff Maurice, NTI. Could you maybe possibly elaborate a little bit more on the mitigating impacts on fisheries, like arctic char and turbot? I mean what does that refer to exactly – mitigating impacts from what? Thank you.

Peter S: Peter Scholz, NPC. No, I can't elaborate. Schedule B says direction to regulatory authorities is to mitigate impacts on char or turbot. That's all.

David: Perhaps I can help. The topic is marine shipping, right? So are there any concerns from the community perspective or the Regional Organizations' perspective related to char and turbot with respect to marine traffic? Yes or no?

Jeff: Thank you. Jeff Maurice, NTI. That's an important question to ask, simply because if we're just talking about marine shipping, then I think the discussion becomes a little bit easier. But if we're talking oil and gas development, tourism, or anything else, then we're obviously going to have a larger, broader discussion that we're going to stay here all night for. So, maybe based on that, I'll just make a general comment.

NTI was involved with developing our Economic Development Strategy. We partnered with the Government of Nunavut on that. Fisheries were identified as one of the key sectors in terms of developing Nunavut's economy. When I started off at NTI, I started working on the Nunavut Fisheries Strategy. So from that perspective, fisheries are an important component not just to Inuit culture, subsistence, and food security, but also from an economic development perspective as well, not just char and turbot.

Maybe I'll just leave it at that, but if I may, the next issue is EBSAs. I would have to disagree with you in terms of EBSAs not being an important tool to use as something for marine planning. I think they are a very important tool, because if you delve into the EBSAs in terms of the reports and the data that the federal government provides, it doesn't just give you an ecological perspective on what's there, but also dives into the science component as well in terms of what's already known in those ecological areas. So from a planning perspective for marine areas, I think they are quite important.

That relates to my comments earlier in terms of the missing component from our federal counterparts on what they can do to help the NPC develop a Plan. As you may recall, in 2007, DFO implemented the Oceans Act. Around 2012, they created Canada's Ocean Strategy. Obviously, these are large airy-fairy issues trying to deal with marine planning. But they are a key stakeholder in terms of managing marine areas. If we're not having that discussion with someone like the Department of Fisheries and Oceans, then it's going to be harder for the NPC to do their job. So yeah, I kindly disagree. EBSAs are important. Thank you.

David: Thanks, and no problem with disagreeing.

Leah: Can I jump in? It's Leah Brown with Fisheries and Oceans on the phone here.

David: Yeah, please.

Leah: Just in regard to the EBSAs, we are in the process of reevaluating them. So we understand, as a department that the information provided in the EBSAs as they are today isn't very useful from a planning perspective. But we are undertaking the process to go by region to refine the EBSAs and provide more detailed information. So this information would include spatial layers as well and would help identify any management measures associated with them. So we have gone through the process of reevaluating one of the bio regions within the Eastern Arctic, and the others are on the table for the following years.

David: Okay, thanks Leah. Any timelines?

Leah: We can expect a publication for the Eastern Arctic bioregion, I would guess in the next couple of months, but I can definitely keep you informed through the Government of Canada Working Group as to when that publication is available.

David: Thanks. I'm sure the Planning Commission would find that useful. Trevor, you had a comment?

Trevor: Just to quickly squeeze in – Trevor Taylor, Oceans North. I just want to strongly agree with Jeff's observations on EBSAs. Just briefly on turbot – Greenland halibut – I mean depending on how broadly you interpret your mandate, if it's just on marine shipping that doesn't involve the

bottom, then there is really nothing that you need to say. If you take it in its entirety of marine shipping activity, then there is one activity that is well documented to have very adverse impacts on Greenland halibut, particularly in zones of relatively low abundance like you would see along the coast of Eastern Baffin Island. That is fishing by otter trawls. That is – in my view, based on my experience, and I did fish with an otter trawl for Greenland halibut in places like this – the one thing that can very easily cause very detrimental impact on stock and would jeopardize the communities in those coastal areas to have any kind of small fisheries similar to what is in Pang right now. I could elaborate at length, but I don't think you want that right now. But if it's an issue that you want to deal with, it can easily be dealt with. But if it's something that you believe is outside your mandate, then fair enough. Thank you.

David: To clarify a couple of things, because every now and then it seems that folks are confusing me with the Planning Commission, I just want to be clear that my role is an independent facilitator for these meetings. I'm not part of the Planning Commission, though they do pay the bills. So just be clear about that.

And in terms of the EBSA discussion, in my own defense, what I was getting at is that in their current state, they are useful as general information. But in terms of the detailed planning discussion that the Planning Commission is looking for, it's not terrifically useful as they are just now. Certainly, they've got a lot of potential to being helpful in providing more information to all parties, including the Planning Commission, but that remains to be seen. Peter.

Peter S: Peter Scholz, NPC. I have a question for the Nunavut Wildlife Management Board. In correspondence from summer of 2015, the Wildlife Board requested NPC remove setbacks on fishing vessels from certain areas, as it was NWMB jurisdiction, not NPC jurisdiction. The suggestion that was just made by Oceans North - would that fall under the same umbrella or not?

Peter K: Thank you. This is Peter with the NWMB. In reference to the setbacks to the migratory bird areas, I believe that is a discussion that is currently ongoing between Environment Canada and the NWMB. It certainly is an area that is of concern to the NWMB, and it is within our jurisdiction. Fishing gear is often a non-quota limitation that would fall within the NWMB's jurisdiction. I don't believe it's a discussion that we've had with the fishing industry at this point. I'd have to get back to you on the details of the discussions with the setbacks. It has not been shelved, but it's a discussion we are currently undertaking with Environment Canada and other stakeholders in the fishing industry. I'm not exactly sure if Environment Canada retracted those setbacks for the Planning Commission's process because of those conversations that were happening. I look for maybe clarification on that. Thank you.

Mia: I'll have to get back to you on that one.

David: Thanks, Mia. Peter and Ken.

Peter S: Yeah, thanks for the comments, but my question specifically is these otter trawl devices. I've never heard of them before. What I'm getting at is if the Plan said no vessel may have an otter trawl on turbot areas that are shown on the map, is that something that NWMB would then raise a flag and say, "That's our jurisdiction?"

Peter K: Thank you. This is Peter with NWMB. The short answer is yes I believe it is. It would be a limitation on fishing. Fishing gear is a non-quota limitation, so it would raise some flags for us for sure. Thank you.

David: Thanks, Peter. Ken?

Ken: Ken Landa, Justice Canada. So I'll confirm the same thing. Not only are regulating methods of harvest within the jurisdiction of the NWMB, it is within the exclusive jurisdiction of the NWMB. So the Plan cannot regulate methods of harvest.

David: Okay, do you want to be a little clearer about that?

(Laughter)

Trevor?

Trevor: Well, I probably don't need to say it now. I was just going to explain that otter trawls are basically draggers. That clarifies everything, I think.

David: Yes, Jeff.

Jeff: Thank you. Jeff Maurice, NTI. I'd also like to add, too, that we were actually talking about Zone 1 of the Nunavut Land Claims Agreement – Outer Land Fast Ice Zone area. That is also the purview and mandate of the Nunavut Planning Commission. I don't know if you have anyone here – sorry, Nunavut Marine Council. I don't know if you have anyone here that is going to be participating in this process, but if you look at it from an ecological perspective – and these are just small little pockets we're talking about here. If the Nunavut Planning Commission wanted to have a broader discussion on shipping and marine impacts in Zone 1, those activities directly impact on Inuit and communities inside the Nunavut Settlement Area and the Outer Land Fast Ice. I understand your mandate restrictions and considerations, but I think that's an important discussion to have with the Nunavut Marine Council when making your Plan. Thank you.

David: I'll turn to Sharon, but I guess I'd point out that the Planning Commission does sit as part of the Marine Council.

Sharon: Sharon from the Planning Commission. That's just what I was going to say. 15.4.1 – We are part of the Nunavut Marine Council and sit on the Board. So we're active with that, and our lead on the Marine Council file is Peter. Peter is our technical lead. We're working with the other regulatory IPGs and with yourself, of course – NTI - along with government with issue-specific identification in moving forward the Plan for the Marine Council. So it is active, and we are looking at it. We can take that as notice. Thank you.

David: Okay, Peter, can you go back to the other issues or areas of concern? I guess I'll just go around the table and ask people if they have any observations. I suspect Baffinland may have, and others may have as well. Warren?

Warren: Thanks. I'm just going to get something else quickly off the table for you. The Naujaat area of interest – that's their core marine use area as what they identified there. The major concerns

have to do with any sort of shipping that might damage sea ice travel, which we're going to come to later in the agenda anyway, and for oil and gas activity, which isn't the focus of this meeting.

David: Thanks, Warren. So I'll open it up for comment on the other areas of concern or interests from the communities. Moffet Inlet – observations from anyone? Solutions?

(Pause with no response)

I guess it gets back to, in particular cruise ships. Hopefully Amy will be able to update us later. Yeah, please.

Alaine: Hi, Al Joseph with Parks Canada. I don't have all of the details, but Moffet Inlet would be – or could be – included in an eventual National Marine Conservation Area. It's part of an extended boundary, which has recently been worked on by the Steering Committee for Lancaster Sound National Marine Conservation Area. So, if it did become part of that NMCA, the area would be under Parks Canada jurisdiction, and we could work with Arctic Bay to set limits on, for example, cruise shipping in Moffet Inlet.

David: Thanks, Al. I know Elizabeth raised the issue of Lancaster Sound earlier. Is there any elaboration on that from the Chamber or Baffinland?

Erik: Yeah, it's Erik Madsen with Baffinland. I guess the Lancaster Sound area is being looked at. As far as we know, it's not going to limit shipping. It's going to be allowing shipping to go through there. There will be certain aspects that will be put forward in it, but they want input from Industry in that, and we'll be part of the table moving with that, Industry representatives, but shipping is not prohibited in Lancaster Sound.

David: Alright, and I guess Elizabeth's comment was that's a process that's underway, and the Planning Commission doesn't need to add to that in any concrete way. Okay. Anything else on Moffet? Next one, Peter?

Peter S: It's Peter Scholz at NPC. Just a question for Parks Canada: So, right now Moffet Inlet is shown as a Protected Area on the Plan. Are you suggesting that it would be proposed as shown with potential future NMCA, or should it stay as a Protected Area? If I could just get some clarity on that...

Alaine: So the Lancaster Sound Steering Committee is made up of Parks Canada, QIA, and the GN. At this point in time, I would suggest leaving it as a Protected Area designation. When the Steering Committee decides to officially release its proposed boundary, then at that point in time, you might want to modify the proposed NMCA boundary accordingly. Unfortunately, at this time, I can't give you that data.

David: Thanks, Al. Warren and then Ken.

Warren: Thanks. I was just going to ask when the new proposed boundary would be out so the Planning Commission could incorporate it rather than going with the old federal proposal, but you answered that. Thank you.

David: Ken?

Ken: Thank you. Ken Landa from Government of Canada. We're not on the Moffet slide anymore, but it says community concerns regarding cruise ships – I wonder if somebody could remind what the Protected Area would prohibit.

Peter S: In the current Draft Plan, if memory serves – Jon's looking it up right now – it's a pretty extensive list of prohibitions. Pretty much nothing would go in. The following uses are prohibited: mineral exploration and production; oil and gas exploration and production; commercial shipping; cruise ships; hydrodevelopment; and any research related to any of the above.

Ken: Ken Landa, Government of Canada. Just to state the obvious, that goes significantly farther than the identified concern. I think that's something that deserves a look.

David: And what would you suggest, Ken?

Ken: It just seems to me that the prohibitions should be tailored to the concern that you're looking to address. Not to say those other things wouldn't be a concern if you asked people about it, but I think you want your reaction to be tailored to the thing that is the concern.

David: Peter?

Peter S: Peter Scholz, NPC. Just a quick point of clarification: That bullet is meant to highlight what is considered to be the primary issue. But we didn't have space in these slides to put all of the community concerns for certain areas there. What I read in the Draft Land Use Plan is reflective of what the communities have said in totality. Perhaps just having one bullet there wasn't enough.

Rachel: Rachel from WWF Canada. We just wanted to bring to attention that these zones with shipping restrictions or marine use restrictions were taken out from community consultation reports. But it seems like what KWB has brought and what we heard from communities and from other Wildlife Boards that presented in previous Technical Meetings, there are many other zones that communities have been raising concerns, like we just saw Chesterfield Inlet or Coral Harbour. And these areas were not looked as closely and brought to the Plan, and we just wanted to make sure that these areas – not to bring those ones out – but there were probably quite a bit of other places that should be looked at in that same type of area of interest for communities. Thank you.

David: Thanks, Rachel. I'm wondering...Peter you look like you might have a question or a response. Okay. Anybody else? Yeah Sharon. Go ahead.

Sharon: I think I know what their perplexity is. It's Sharon from the Commission. Rachel, can you clarify? You said with regards to the concerns from the communities. So as I stated earlier, we've been to every single community twice. We've had the reports verified by the communities and approved, and those are the reports on our website. Are you indicating that you don't think that has been adequately looked at? Could you clarify what your comments were for the impact areas? Thank you.

Rachel: Rachel from WWF Canada. Yes, not that they haven't been looked at, but I think that we're looking at some similar issues and different ways to deal with them. So I think that the

conversation we just had regarding Chesterfield Inlet and the routing around Coral Harbour could be dealt with in the same way as having a Protected Area in the Land Use Plan.

David: Thanks, Rachel. Can we move to Foxe Basin? So there is general concern regarding ship traffic, and identification as a potential Marine Protected Area. Any comments, concerns? I'm looking to Baffinland in particular. Michael?

Michael: Sure. Actually, the outline of that boundary was based on Baffinland's consultation with the community of Igloolik and Hall Beach, so we don't have any of the issues. We had both a western and eastern shipping corridor that we were looking at, and I think this is going back to 2007 or 2008. So we have no issues with that.

David: Thank you. Any other comments? What's the next area? Walrus Island and Naujaat – we've talked about those two already I think. Arctic char we have dealt with. Turbot and EBSAs we have sort of dealt with. So any final comments on the list of options for improvement up there that people would like to insert in the discussion now? Please.

Mia: Mia Pelletier from Environment Canada. In addition to these areas of interest that have been identified, Environment Canada is interested in marine conservation planning from the perspective of migratory birds. As the NPC is aware, we've already identified a number of key migratory bird habitat sites that have marine components. I guess this is just a comment to say that there is overlap between the key marine habitat sites for migratory birds that we've identified to the NPC, and these areas of interest. Environment Canada certainly would welcome the opportunity of working with the various regulatory agencies in the communities in conservation planning for those areas.

David: Thanks, Mia. Any final comments? Yeah, on the phone?

Jaideep: David, Jaideep here from Transport, if I can take a couple of minutes.

David: Well I don't know. If you ask politely maybe.

(Laughter)

Yes, please.

Jaideep: Thank you very much. If it benefits the group, I will read out some specific guidelines that probably look into dissolving some of the issues. David, if it's okay, it will just take me a couple of minutes. I just want to read a specific page from the Guidelines for others to be aware of what is existing right now.

David: Absolutely. Go ahead.

Jaideep: Okay, so this is a handbook that is called *Marine Environment Handbook* includes guidelines to vessel masters as of now:

- Reduce noise disturbance by avoiding the areas when a specific area is listed in the Guidelines – like Protected Areas and other areas.

- Reduce power.
- Slow down the rate of transit.
- Discontinue the use of noise-producing ancillary systems.
- Complete the transit or exit the area as soon as possible.
- Suspend operations briefly when a vessel comes across animals on the ice surface to allow the animals to leave without fleeing.
- Transit along ice edges should be done as quickly and directly as safely possible.
- Avoid visible concentration of animal dens when possible.
- Work with the communities along the transit routes to gather real-time information to avoid possibility of disrupting fishing, hunting activities, or trapping people on the ice.
- Direct routes to minimize potential interactions between the ship and the valuable components of the ecosystem.

These are the present – I have given kind of a summary of what is there, but some of them do touch on the questions we have been raising. This is just for information. Thank you.

David: Thanks, Jaideep. So do you have any suggestions as to whether the Planning Commission should speak to those in the Plan itself?

Jaideep: What I could do is – these are publically available documents – what I could do as an action item is maybe pinpoint or take those specific areas that are useful to our comments, and I can provide it to the NPC for their review as well. It was mentioned that when we speak to Industry, we can work and say that it’s already existing, and how these are being incorporated right now when the captains are transiting in that area. Does that work?

David: Well, I’ll ask the Commission. I think it gets back to are these guidelines effective enough as guidelines, or would you like to see a little extra strength put behind them? Obviously the Planning Commission, the Land Use Plan, would offer that opportunity, if you think it’s appropriate.

Jaideep: That’s a very good point. Let me review this more closely and relate to the concerns raised. I’ll get in touch with Ken Landa and see what best we can provide to NPC. Ken, does this work for us?

David: Spencer, I think that was directed to you, or Ken?

Jaideep: Ken. I was asking Ken, but you know, let me work on this and relate to the issues and then get with Ken as to how to proceed and how we can provide that to NPC, if that works alright.

Ken: Ken Landa from Government of Canada. So certainly Jaideep providing the material is really important reference material, and it’s really quite useful. I note that many of these are carefully crafted to talk about where possible etcetera, putting primacy on safety etcetera, and that is important. Knowing what the Commission may do with these and how these things might be integrated into the Land Use Plan would be an important part of answering that question. As conformity requirements, every one of these would essentially boil down to a future promise about how the ship’s master will conduct their operations. So, I think even integrated into the Land Use Plan, they are of limited value, because everybody will say, “Yes, I’ll do all of those things.”

David: Yeah, okay, but as it stands, if they don't do them, it's on their heads. If it's in the Land Use Plan and a requirement that they do them, there's a little more force and effect associated with it. That's the issue. Is it okay the way it is, or would you like a little assistance there?

Ken: No question. I was pointing out limited value only because it's very easy to say, "Yes, I'll do all of those things" at the project planning stage.

David: Okay, any comment from the Planning Commission? Sharon?

Sharon: Thank you. Sharon from the Commission. So the Commission recognizes that the applications have limits. The Commission can extend the applications in the Plan. The Commission would want to be sure that we're not contradicting any regulations or legislation, and that would be, I think, a path forward that we would work with Canada to ensure the interpretation and the regulation explicit – that we would get it right. Thank you.

David: Thanks, Sharon. And I think the issue is whether some reinforcement would be welcome and the opportunity to consider that in the context of an approved Land Use Plan. We're kind of on schedule, oddly enough. So I'm going to suggest that we break now and get back at say 1:15.

LUNCH BREAK

David: Let's resume, and Amy just advised me that she can provide an update on the cruise ship tourism regulation development, so we'll go to Amy first. Then we'll go back to Peter for marine on-ice transportation. Amy?

Amy: Amy Robinson, Government of Nunavut. So I just received an update from our tourism counterparts with ED&T. So apparently the new updated legislation will be tabled in June. It will most likely pass third reading in October. The regulations will be drafted after that, and it is unclear whether they will come into force at all. The new act will come into force as early as January 1, 2017. So generally, it won't be fully clear about what they are calling restricted tourism areas - like area-specific restrictions on tourism - until the October. This, of course, is a parallel process to this planning forum, but it's just an indication of whether or not ED&T might be in support of some sort of zone for Moffet and Walrus Island. Thank you.

David: Thanks, Amy. Any questions of Amy? Okay, Peter do you want to pick up where we left off? Oh, before you do, I want to make sure there are no questions our outstanding issues from this morning. But, in addition to that, I was advised that if people do want to raise other marine-related issues, feel free. I guess that would include oil and gas development or whatever else related to the marine environment that comes to mind. Okay, Peter?

MARINE ON-ICE TRANSPORTATION

Peter S: Thank you. Peter Scholz, Nunavut Planning Commission. We're moving on to marine on-ice transportation. We're going to do our best to summarize the community concerns regarding safety of hunters, effects of traditional food, cultural and health impacts of ice, and community connections, and identify options for addressing those concerns.

The sea ice is land-like for six to eight months a year. Icebreaking at the wrong place at the wrong time can strand hunters and/or isolate communities. To give some idea of the connections across Nunavut, we found this map on a website called PanInuitTrails.org. This map does show a compendium of different types of modes, but the lines that are basically hugging the coast are most certainly on-ice transportation routes. You can see these are quite an extensive network across the territory. Some of these routes are very heavily used, and some are not used so much.

A point of interest from the Quebec experience is that typically on-ice travel, at least in the case of Raglan Mine, is that on-ice travel is not possible for at least 36 hours following passage of an icebreaker if temperatures are in the -35 range. Obviously, on-ice transportation is seasonal in nature. Rather than thinking in terms of months or in terms of the four seasons, the staff have been looking at the more traditional Inuit method of thinking in terms of six seasons, as these relate more specifically to hunting and Traditional Use patterns.

These six seasons are shown on the North Baffin Regional Land Use Plan. I'll go through a few of them, and you'll get the logic. Starting at December-January - I apologize if my pronunciation is off - is a season called Ukiuq. This is when the sea is frozen, the land is cold, and the days are dark. Moving into February and March, the next season the sea is still frozen, but the sun has returned. It is very cold. Moving into the next month, which I can't pronounce in April-May approximately - Upirngaaq - there is still some snow on the land, but the days are very long. There is a great deal of light. And so on and so forth, as the land defrosts, the sea defrosts, the land freezes, and then the sea freezes. These are the six seasons. So when we're developing seasonal-based policies, it's a bit easier to think in this concept of six seasons. It's also considered to be more reflective of Traditional Knowledge and culture.

So potential tools that could be included in the Land Use Plan regarding icebreaking or icebreaker passages across important traditional on-ice linkages are inclusions in the *Notice to Mariners* Document. When we list here planning measures on projects that involve icebreaking that cross on-ice transportation, we would use the available sources of where these on-ice linkages are, which could include the website I just mentioned, the 1992 Nunavut Atlas, and other sources of information.

There are a few types of planning measures that could be considered, such as - when we say planning measures, we're thinking of as a possibility saying that projects in Nunavut would not be conforming with the Plan if they involve icebreaking crossing these on-ice corridors during these seasons, for example. That's what we're getting at with that second bullet. The third option we thought and brainstormed was vessel traffic services on service zones. With that, we'll open it up for discussion. Thank you.

David: Thanks, Peter. Perhaps I could turn to the communities again to elaborate if need be on any of the concerns that Peter has summarized.

Warren: Thank you. Warren for the KWB. As I'm sure most people are aware, the issue of icebreaking is probably a bit more of a testy issue in the Qikiqtani and the Kitikmeot regions. Hudson Bay doesn't freeze over to the same degree as the North Baffin area does. That said, there are still serious concerns about marine shipping that could potentially damage travel routes or the floe edge, which is the other main issue – hunting at the floe edge. That's a very important cultural practice. Some sort of a land use planning situation that can protect the floe edge would be quite useful.

I know the original North Baffin Plan had requirements to mitigate the impacts on the floe edge, if it was shipping that would cause it to break up or to degrade prematurely. That concern was raised in several communities as well when I visited them. I think I would just emphasize that these travel routes over sea ice are integral to all the communities that I visited. It's how they visit one another. It's how they access hunting grounds. You know the floe is all great, but if you can't access it because your travel route has been somehow messed up or caused breakup prematurely, it can impose large problems. Thank you.

David: Thanks, Warren. Hannah, welcome. I don't know if you want to introduce yourself. There may be some folks here who don't know you.

Hannah: Thanks, David. Hannah Uniuqsaraq. I'm Director of Policy and Planning for Nunavut Tunngavik, Inc. Thank you.

David: Thanks. Is there anybody else that joined this afternoon who wasn't here this morning? I don't think so, eh? Okay, sorry. Simon, did you want to introduce yourself?

Simon: Hi, Simon Qingnaqtuq. I'm the Chair of the Kitikmeot Regional Wildlife Board.

David: Thanks, Simon. Apologies for appearing to ignore you when you first signed on. Can you hear everybody else okay?

Simon: Excuse me, Mr. Chair? Simon from Kitikmeot Regional Wildlife Board.

David: Yeah, go ahead.

Simon: Are we on the marine on-ice transportation?

David: Yeah, that's where we are right now.

Simon: I have a concern from the Kitikmeot. May I speak?

David: Absolutely. Go ahead.

Simon: Okay, we have written a letter to the Kitikmeot Inuit Association and Nunavut Wildlife Management Board that the concern on Victoria Island is that of caribou crossing to the mainland. They are really concerned about their harvesting there, the caribou that are going to cross to the

mainland. That's the biggest concern that we have in the Kitikmeot and also the Northwest Passage. We're also really concerned about the wildlife that we have on the Northwest Passage, the caribou and the seals in the area.

The biggest concern that I have is that you probably all know there is a cruise ship that is planned to go through the Northwest Passage August 16th and ending September 5, 2016. That's a big concern that we have in the Kitikmeot.

David: Okay, thanks Simon. Just so you know, we'll have more discussion about caribou crossing immediately following this session. It's *Marine Icebreaking 1-Caribou*. Then it's *Seal Pupping* and *Floe Edge/Polynya* issues, which will all be addressed separately. But do you have any suggested solutions at any rate – for example your concern about cruise ships. Do you have any suggestions that you think the Planning Commission could incorporate in the Land Use Plan?

Brian: Let me translate.

David: Yeah, just ask him if he has any solutions to the problems that he's concerned about.

Brian: (*Translated*): Can you hear me? Simon? Simon? The moderator has asked that I ask you if you have any other concerns about ice crossings.

Simon: No, the only other concern that we have is high Kitikmeot, Victoria Island. That's the biggest concern that they had when we had a teleconference with the Kitikmeot Regional Wildlife Board, and also the concerns they had with the Northwest Passage, ice where the Coastguard come through – especially in the fall time, where they have to cross onto the ice. The biggest concern was the safety of the harvesters and the caribou crossing to the mainland.

Brian: (*Translated*): Last question: The people at the conference are interested if you have any other concerns related to ice crossings. What are your thoughts on this one?

Simon: (*Translated*): The ice crossing conditions, there should be more concerns with the regulators when it comes to the regions that utilize winter crossings for hunting and for other purposes. Even the Nunavut Wildlife Management Board should be concerned, of all the organizations in Nunavut, and the best solution is to lobby everybody. That's my only concern right now at this time.

Brian: (*Translated*): Tommy, if you can hear me, others are still trying to adjust their earpieces. I will mention it again.

Simon: I think the solution to this problem, you know, is working together with the Kitikmeot Regional Wildlife Board, Nunavut Wildlife Management Board, and the MLAs. I think there is a solution, but it is to get the concerns straightened out with this marine shipping transportation for the safety of the harvesters, especially with the ice conditions. I think there is a solution to this problem working together with the Inuit Organizations.

David: Thanks, Simon. Do you see a role for the Planning Commission in that discussion?

Simon: Yes, I am sure that with the Nunavut Planning Commission – I am sure that the Nunavut Planning Commission will help us out especially with the ice condition with our harvesters.

David: Okay, thank you. Peter, do you want to talk about the seasonal restrictions that have been raised in the past and where your thinking is now?

Peter S: Sorry, could you rephrase the question please?

David: Well the concern about ship traffic is related to timing and noise obviously, but timing is the big issue. You've laid out the traditional seasons discussion. You mentioned that it takes 30 minutes I think it was, for the ice to refreeze sufficiently at -30.

Peter S: 36 hours.

David: 36 hours? I missed that. So clearly that's a concern. But what are you thinking, or what are the options with regard to mitigating that impact short of saying no traffic whatsoever?

Peter S: Peter Scholz, Nunavut Planning Commission. Based on the available information - not exclusively on ice transportation for harvesting or community-community travel, and we're excluding other icebreaking concerns in that - just looking at the human element, there are fairly specific locations where transportation from a community to a harvesting ground or from community to community where significant negative impacts could occur if icebreaking occurs at the wrong place, at the wrong time. It's not the whole territory. Generally it's a spider web of routes coming up from each of the 25 communities heading in different directions. The level of use tends to vary. Some areas are understood. Some are not so well understood.

What's happened in Labrador and Quebec with some of the mines that are near communities where icebreaking is required is that there is an agreement through the environmental assessment arrangement that there are notifications put up to the communities. Ice bridges are rebuilt through spring on water. These kinds of things is where the experiences indicate that at really cold temperatures, it still takes over a day for the ice to refreeze to the point - if the water is fairly calm and the tides are fairly nonaggressive - for water to refreeze to the point where it's safe to cross. You have to think about it. It's a snowmobile, a komatik with 500 or 600 pounds, a person on snowmobile wearing many articles of clothing crossing this ice. You can't just cross. You have to cross it when it's safe.

Icebreaking too late into the season when it has warmed up, the ice will not refreeze, and it will effectively cut off that corridor for that season. Icebreaking early in the season can cause ice to shift and ice jams. Each location is sort of a little bit different. So, what the Planning staff at this stage are wanting to work towards is getting a bit more detail from each community where each of these spider web routes - some better understanding of these spider web routes - and putting down in the Plan in a pan-Nunavut way, in a consistent way, that icebreaking subject to safe navigation, should not occur beyond a certain date range and beyond a certain frequency. Does that answer your question?

David: Yeah, I think so, and I guess I'll turn to Transport Canada and others to comment on that approach and indicate whether or not it's something that requires Planning Commission engagement or if it's something that can be handled outside the Plan.

Dale: This is Dale from Transport. Jaideep, are you on the line?

Jaideep: Yes. I'm here.

Dale: Okay, any comments from ourselves with respect to the suggestion by David and the concern raised by Peter?

Jaideep: Not at the moment. I'll listen to what everyone says, and then maybe I'll provide some comments a bit later.

Dale: Okay for sure. Thanks, Jaideep.

David: Erik, go ahead.

Erik: Yeah, it's Erik Madsen with Baffinland. It's a good discussion. Obviously everybody knows that Baffinland's plans are to ship through ice. We understand that there are concerns with that. Exactly what Peter has said is in the area all around Pond Inlet, Arctic Bay. And in that area that we are shipping, we have done a number of workshops to do exactly what you are saying to see who is using the land during the ice periods, during the key floe edges there at the time, and all that. We have a very good idea in working with the communities exactly where those trails are.

We also took a group of people. We took the president of the QIA. We took the Deputy Mayor of Pond Inlet and a number of other people down to Nain in Labrador last year. They were there and watched the Umiak go through the ice. There are videos of that. They actually were there and watched an Inuit company that was formed there 10 to 12 years, and they actually build these ice bridges within hours of after a ship going through. The President of the QIA and everybody there then snowmobiled across the crossing within hours of the ship going through. This Inuit company builds these ice bridges in strategic locations – I think there are about four locations that they build them – as a ship goes in, and as a ship goes out - so that everybody in that area knows exactly with notifications when the ship is coming. When these bridges are built, the people use them, and they go across to their hunting camps. Then they safely get across the area during that period. Like I said, it has been going on now for 10-12 years.

We're not doing it this year, but next year we plan to take another group of people down there to look at this operation. There is a report that was produced out of this, and I would be happy to present it or send a copy to the NPC and anybody else who wants it. There are pictures of the crossing. There are comments from people that were on this tour. People are already talking about in Pond Inlet how they can create a business to do this when Baffinland starts doing this. They are already looking at where these locations should go in these crossings strategically so they can safely be put in and people can move across these crossings. So it is being done, and it is being done safely.

It's all about communication: working with everybody, understanding what is done, and making sure those things are assessed. I'll make sure I send a copy to whomever – maybe it's to Peter – and make sure to copy the support. It will be in our EIS that we submit, and obviously we have to demonstrate that this has been done, and it has been done successfully before.

David: Thanks, Erik. Just one question for you: Did they send you across the ice bridge first?

(Laughter)

Erik: Yeah, it's Eric. I unfortunately was in Greenland, working on our permit in Greenland that day, but the President of our company, Tom Paddon, drove across it first.

David: Well that's confidence.

Michael: It's Michael Zurowski from Baffinland. I just pulled it up. This is a Beaufort icebreaking study from 1981, and I'm just going to read a paragraph. It's talking about the komatik that was then loaded to the limit of what the Inuit thought the sled could support. The total weight of the 25 blocks was estimated between 500 to 650 kilograms, and the sled itself weighed about 120 kilograms. Ninety minutes after the ship's passage with no sign of weakness in the broken ice, the loaded komatik was pulled back and forth across the ship's track several times. The majority of the participants were convinced it was safe and much easier to cross the track than they had expected.

One of the issues of what we're looking at is each area will be slightly different based on tide ice and various conditions. But going through with the freeze-up, the most dangerous time is when the ice stops freezing, and that would be in May and June, when the ice is starting to become rotten. I agree, once you break the ice through that – but it's always from a shipping point of view easier to extend the shipping season than to break it up early, which is one of the reasons why after consultation with the community of Pond Inlet, the shipping season would start the last week in June and would end the first week in March. It is approximately 8 to 8½ months. It is not 10 months, as reported. But it's easier to summarize.

So we have talked to the community of Pond Inlet, and it is not an exact science so that shipping window would shift each year with the start and the end. The Inuit in Pond Inlet really stopped going out on the ice probably mid- to the third week in June. There have been a number of high profile rescues on the ice. One was a tourist company that was pushing the envelope. If it was their insurance, they would have to pay for the rescue, rather than the taxpayers of Canada. I'm quite sure they would be much more careful in their planning and their implementation.

David: Thanks, Michael. Comments from anybody? Any response from the Planning Commission? Have you heard enough on this? I'm not seeing any....oh, Ken?

Ken: Thank you, David. Ken Landa from Government of Canada. Peter described a spider web, and I think that's an interesting way of looking at it. It may be the different strands of that web need different kinds of treatment, so as the Planning Commission's knowledge develops - as Peter has described - on the different strands and where they are and what the concerns are on each side of that strand, I think that we would be in a better position to start looking for solutions. It may be that fairly short and fairly localized strands are different from the Northwest Passage, as we sort of think about it classically – the primary route through. So this is just a suggestion that as information continues to develop on the web, I think that's when we'll be able to start looking at specifics.

David: And in the meantime, the regulatory process for specific activities should address the concern. Okay, Warren?

Warren: Thank you, David. You know, with the interest of building some protections into the Plan, but also at the same time not trying to put a one-size-fits-all thing into different regions that have very different seasons, ice profiles and needs, what about a land use planning stipulation like recognizing that ice bridges can be built during much of the season that just bans icebreaking that just causes travel routes to degrade earlier in the season, permanently destroying them. I might not be articulating this very well, but would something like that agreeable and possible in a Land Use Plan? Icebreaking traffic that goes through Inuit travel routes that would prevent it from happening in those later seasons when you get towards spring?

David: I think anything's possible, right? Some temperature related constraint might address that. Michael?

Michael: It's Michael Zurowski from Baffinland. Based on discussions with Nanisivik where they would come in earlier, and our discussions and communications with a number of communities, through the environmental permitting process establishing transportation or routes that are going to go through the ice so that the beneficiaries of Inuit can modify their travel route, because they don't always follow the exact same route. They follow which is for the easier ice. So in the case of coming out of Eclipse Sound and Pond Inlet, staying close to the north shore of Bylot Island and immediately coming out of Pond Inlet immediately going north, what's our shipping track that we would follow? As I said before, it's the Nike Swoosh that goes up and down, which you may have seen on some of our maps, and that would be much better in making sure the community knows where those ships are going, where those tracks are going to be, and where the bridges and the tracks are available so they are very, very aware of it.

You know, we would have ice management vessels at the port. These are icebreakers, so any type of rescue or any type of response capability is available with those vessels. As we made our environmental impact for going south through the Foxe Basin, there are a number of mitigation efforts that will minimize any type of impact on both harvesting activity and travel routes. The danger will be the people that do not check with the community, do not check where the icebreaker is coming in, and the people that go out on the ice without proper preparation. We've just seen that with a MLA going the wrong way and getting lost out on the ice. So it's really planning and communication.

David: Michael, you said that your shipping activity would end in March?

Michael: Yes. The shipping is planned to end with the last ship leaving late February, but it's based on ice conditions and season. It's not exact. So right now the nominal number is starting June 25th going through to the last week in February or the first week in March, and then it would stop. We are not planning to, because we've talked to the communities... The floe edge activity is exceptionally important to the community of Pond Inlet, so that is what we would be looking at. Over time, the shipping window could expand based on mitigation of impacts or perceived impacts.

A lot of what we're discussing right now is perceived. You know, depending on where you are and depending on the tidal or the meta-ocean data tidal currents, waves, ice formation, and temperature, the water will take certain amounts of time to refreeze. The 36 hours that Peter was mentioning is in an area of high currents and high tide activity. But in other areas where – in the case of Eclipse Sound and Milne Inlet – we expect the refreeze to occur within hours, within 90 minutes to a few hours.

Erik: Just to add, it's Erik Madsen here. So this fits in to what Peter was saying. You look at the April-May time period with longer sun hours. That's when people are on the land, and that's exactly why there won't be shipping in that area during those periods.

David: Alright, thank you. We have a shy guest that maybe we can invite to stick his nose in a little further, but maybe not. Anyhow, I want to follow-up on that, because in this case you've selected a cutoff date, or at least a cutoff window. It's based on Community Knowledge, community harvesting. But ultimately, it's based on ice conditions.

Michael: It's Michael Zurowski from Baffinland. Absolutely. It's based on a number of different conditions. Also from a commercial point of view, when the ice is moving about in April, May, and June, it is the more difficult time to ship. So from a commercial point of view, it is also one item where people are talking about climate change and other items.

The open water shipping window for looking to go north, in 50 years has not changed a single day, and the icebreakers that we require has not changed in 50 years. That is the benefit of this project, which really started in 1962-1963. So we do have the benefit of some of the old ice reports. Right now really looking at it, it's one thing to look at the certain aspects, but it's also about communication with the communities. You will always get one or two people that have not been informed or who have not been following forward. But as long as we have information, communication, and planning, I see the impacts being minimal to insignificant. Thank you.

David: Okay, thanks Michael. So we have a guest. I'd like to welcome the former Chair of the Nunavut Planning Commission who is wearing a different hat now. Please, Hunter?

(Applause)

Hunter: They suckered me into this.

(Laughter)

?Male: You're a politician. You're supposed to like to speak.

(Laughter)

Hunter: There's only one camera here though.

?Female: Oh, there's lots.

(Laughter)

Hunter: Well I just want to say that with my former hat on, I know how important – I said it during the Mining Symposium – how important it is to finalize a Land Use Plan and provide certainty for Industry and for everyone involved. I'm really glad to see these Technical Meetings. There are a lot of things that need to be worked out, and they are only worked out by people sitting around the table like this and having a discussion on the issues. That's what's important, and I'm glad that everyone is here doing that. I just wanted to come and say hi. I have to run and do another open

house I'm having. So if any of you guys are done before 5:00, you can stop by my constituency office in the Royal Bank building at the corner. I'll be there from 3:00 to 5:00. I have to go set up, so thanks.

(Applause)

David: Thank you.

Brian: Peter had a comment.

David: Yeah, Peter, go ahead.

Peter S: Sorry, I have no comment.

David: Well Brian says you've got a comment, so I guess you've got to have a comment.

(Laughter)

Just following up on Michael's analysis and summary of how they've approached this issue, I think it could be really worth trying to build in the checklist that you guys have followed. If you can provide that explicitly to the Planning Commission, then maybe they can at least recommend a model that appears to have been successful. Are there any other comments from folks? I don't know, Peter, if again you've got enough to move this forward. I know that progress is incremental in all of this, but are there other questions that you would have of folks now while you have the opportunity, that can help narrow the gaps?

Peter S: Peter at NPC. I guess at this stage, the Commission would request if any parties have territory-wide maps on tidal ranges and current strengths, which would assist us in application of any kind of checklist on a territorial-wide scale. If DFO or any of these agencies have these maps available, could they send it to us in RTS format?

David: Okay, well with that, unless somebody has an issue that we can pick up later, let's move to the next topic.

MARINE ICEBREAKING: CARIBOU

Peter S: Thank you, everyone. Peter Scholz at NPC. This is the first of three sets of slides on marine icebreaking from an ecosystemic and environmental perspective listing concerns. We have deconstructed the different icebreaking concerns and kept them isolated so we can think about each one individually and then re-aggregate the information back together once we've collected whatever information is available.

A few folks have mentioned this already. There is very strong messaging from the Kitikmeot regarding caribou sea ice crossings. Concerns are relating to those caribou herds and Peary subgroups that cross sea ice as land for a portion of the year. Icebreakers crossing the sea ice leaving open water could cut these migration routes. Icebreaking at the wrong place at the wrong time can have a significant impact on the herds. The impacts result from basically caribou needing

to get from one side of an icebreaker track through another through open water. It obviously would be a lot of biological energy for an animal to go from the ice into the water and then pull itself back on the other side. Some animals may not be successful and will drown or freeze in the process. Some animals may not choose to cross and wait, which may result in delayed migration. All of these kinds of stresses could have implications on reproductive success.

There are two timeframes of concern for caribou. One is the spring migration. One is the fall migration. The two groups of primary concern are the Dolphin and Union tundra wintering barren land caribou, which cross from the mainland to Victoria Island in the spring. They cross back south in the fall. The Dolphin and Union herd is very important to the communities of Cambridge Bay, and also Umingmaktok and Bathurst Inlet seasonal camps. The number of the Dolphin and Union herd, years ago, the literature indicates was up to 100,000. It is presently approximately at 28,000 based on the literature. Literature indicates that the current harvesting value of this herd is approximately one million dollars annually.

The other group of concern is the subgroup on Prince of Wales and Somerset Islands. This is one subgroup, which to our understanding, crosses less in a seasonal fashion but fairly regularly crosses between these two islands during the icebound season. Peary caribou as a whole are listed under the Species At Risk Act as either endangered or threatened. So upcoming research is anticipated for this herd to increase knowledge of the importance of this ice bridge to that subgroup.

As I mentioned, caribou populations have been in decline. Sea ice is essential for these two groups of caribou. Climate change is affecting the timing of their crossings, especially in the fall. Shipping has been mentioned by members of the community of Cambridge Bay as already causing a negative effect to caribou with early-season icebreaking of shallow ice in some circumstances. This causes either stresses or mortalities to the animals.

The Dolphin and Union dates, which the GN has passed to us and were reiterated about a month ago during *Tech 4.0: The Caribou Session*, which was here in Iqaluit in March, stated that the spring migration is from May 15th to June 15th. The fall migration is October 30th to November 30th. The proviso on that is that spring migration is in May, but icebreaking after March is likely to have negative impacts on the ice conditions and make crossing more difficult for the animals.

Obviously, an improved understanding of sea ice migration patterns for all the caribou herds, especially the Somerset and Prince of Wales Peary subgroup, which will be coming out through the strategy, is needed. But at the end of the day, what we're dealing with here, as I said, is an icebreaker going through either of these corridors at the wrong time, could have a significant impact to the herd as a whole. The communities in Kitikmeot have reiterated many times, and unanimously, their concerns of this not happening.

The Planning staff have raised this issue before over the past few months and have raised possible tools that could be used to prevent an icebreaker crossing at the wrong place at the wrong time, which we would like to put on the table to include *Notice to Mariners*, vessel traffic services zone and planning measures similar to what we mentioned in the last presentation.

We've listed encouraging partnerships between NGMP – I'll just go into that. The NGMP – Nunavut General Monitoring Plan – is created by the Land Claim agreement. Basically, this is

meant to monitor aspects or values of importance to Nunavummiut annually. It is currently housed within the Indigenous Northern Affairs Canada. CHARS – the Canadian High Arctic Research Station – is the best-funded research agency in Nunavut. NPC sits on the NGMP Board, but NPC is not involved with CHARS directly, so we just wanted to mention that a stronger connection and communication with NGMP and CHARS might assist in getting planning research needs, this one being one of the highest priority ones, into the research community. Most of the research community is plugged in – academic university community – is plugged into CHARS, whereas NGMP is more standalone. Thank you.

David: Thanks, Peter. Did you want to ask Simon if he has anything to add?

Brian: *(Translated)*: Simon do you copy? What other subjects do you want to bring as a concern?

Simon: *(Translated)*: In our region, our caribou herd, especially by the community of Cambridge Bay is a big concern. Icebreakers are a big concern as well. It totally interrupts the sea ice crossing. The other concerns are from the community of Tuktoyaktuk. The Peary caribou also have sea ice crossing through the Northwest Passage to the community, near the community. It's a big concern, especially to the female caribou in Kitikmeot region and our caribou migrating through the ice from Cambridge Bay toward Kugluktuk is also a big concern. From Kugaaruk, there is also concern about sea ice crossings with a caribou herd coming from the general direction of Igloolik. They cross to our region – to Kitikmeot – and arrive. The sea icebreakers movement is a big concern with all the herds crossing through sea ice crossings.

David: Simon, it's David. I have a question for you. We talked about the spring crossing of the Dolphin and Union herd. Peter has outlined that while the herd crosses in mid-May to mid-June, any icebreaking traffic before then should probably have stopped some time before that to allow the ice to refreeze. Do you have any sense of when icebreaking should stop in the spring to allow the ice to refreeze adequately for caribou crossing?

Simon: Okay the main concern Cambridge Bay has was that shipping seasons should be closed by the end of October. That's the concern that Cambridge Bay has. For caribou crossings, like in the springtime, the concern was ice breaking up early, especially with the climate change. That was the concern that came from the Kitikmeot Cambridge Bay hunters and trappers.

David: Okay, so if I understand, the community's recommendation would be no icebreaking from about October 1st through to the end of the caribou crossing season in the spring or early summer. Is that correct?

Brian: *(Translated)*: Simon, I have a question for you. Do you copy? Do you hear me? Our moderator has asked a question. Are you saying the end of October to mid-June – June 15th during the spring months – that icebreakers should not be traveling? Is that what you were saying earlier?

Simon: *(Translated)*: This is coming from Cambridge Bay, and icebreakers should not be operating during the time from October. It's a big concern to the community of Cambridge Bay. There should be no traffic from the beginning of October.

David: Until when?

Simon: *(Translated)*: There were very specific standing dates of traffic to be stopped. That was their concern, but October is the one indication they have mentioned. I will read a letter I received by email from Cambridge Bay, which thinks it's too late in the year. Shipping season should be closed by the end of the first week of October.

Brian: He confirmed, David that they didn't provide an end date.

David: Great. Thank you, Simon. Any comments in the room? Any guidance that the Planning Commission might want to...Mia.

Mia: Mia Pelletier, Environment and Climate Change Canada. In terms of potential regulatory tools for protecting Peary caribou – ice crossings in particular – the Peary Caribou Recovery Strategy maybe a tool that can be used to protect sea ice crossings, specifically for Peary caribou. If the ice crossings end up being defined as critical habitat, Environment Canada won't know until the Caribou Strategy is approved, which is anticipated to be next March. But the current draft we're consulting on has Peary caribou ice crossings identified as critical habitat. If that holds, then there will be a regulatory mechanism in place to regulate shipping through those areas.

David: And I guess it's premature to indicate what the dates might be?

Mia: Yeah, Environment Canada has just finished their community consultations on the draft, and it won't be until next March. Then it has to be approved by the NWMB.

David: Alright, Ken?

Ken: Ken Landa, Government of Canada. I understood very well what Simon was saying about stopping shipping in October and not restarting until caribou migration is finished. With that completely understood, I would like to understand better what next best solutions to that approach might be, and when, if you did have a resumption after the fall crossing, when is the window when a spring prohibition need to start and stop in order to achieve what we're talking about with respect to the herd?

David: Alright, I'm going to ask Peter whether he would have, based on your review of sea ice refreezing and tracks – and I'll ask Michael as well – whether March 1st is a somewhat randomly selected but useful target. Brian will speak on behalf of Peter.

Brian: Thank you, David. Thank you, Peter. The NPC would prefer to hear from the folks around the table before we provide a timeline in terms of how we think it should be. Qujannamiik.

David: Then I'll ask Michael based on your experience.

Michael: I have a couple of clarification questions. I'm not sure that when Simon was talking about the existing icebreaking – and there has been no icebreaking. The only two vessels were the Nunavik...and they were both in open water. Looking at going through – not McClintock Sound, but Franklin Sound – from ice conditions, I think it's a bit moot, because I don't think that would ever be considered a viable shipping route because of the ice conditions within it - so east of Prince of Wales Island. Going through Cambridge Bay, there is an issue.

As I was told before, caribou don't read, and they don't consult with communities very well, so that would be much more of an issue. But looking at establishing a prohibition during - when you were talking - the first of October...Based on what I was just looking at, the Zone Date Safety System, I think that's a little on the early side. I'm not sure about those dates, but maybe prohibition from shipping from the 15th of October through to a two-month window through the 15th of December, and then stopping at May 1st to the end of June would probably be very viable for any company. I don't know, because I'm not operating in that area. I'm mainly looking at the flowage activity and consultation through Pond Inlet. I think maybe establishing that any proponent must communicate with both Kugluktuk and Cambridge Bay and talk to them about the shipping windows - when is it viable for them? When are they going out on the ice? If the biggest concern is the caribou migration crossing, that needs to be established through the NIRB process.

It's not an absolute that those dates are exact. I want to caution people that those dates are roughly the time. The caribou doesn't go by the calendar as well. They go at a rough time, and with climate change, those numbers will shift and move around. They have over a period of time. Back in, looking at Eclipse Sound and Milne Inlet, our open water shipping window in 1965 was the 10th of August - this was with no ice class - the 10th of August through the 20th of October. Last year it was the 5th of August through to about the 25th of October. So the window is a plus or a minus. It's not an exact science. But the best part would be to establish a window of concern, and then maybe even put those dates as the concern, but ensure that both the community and the various communities along that route are an active participant during the permitting process. Thank you.

David: Thank you. Any comments? Any additional comments on caribou crossings? Alright, then we'll just motor along to the next section. After this next one, we'll take a short break.

MARINE ICEBREAKING: SEAL PUPPING:

Peter S: Peter Scholz, NPC. This is the second of three presentations on marine icebreaking. The second set of concerns relates to seal pupping. In the image on the right, we found this image online of a seal den here. You can see that the seals have burrowed into the snow and sitting on the sea ice creates an insulated cavern for the young seal.

So, icebreakers coming along - again at the wrong place at the wrong time - can crush the animals. If the animals are not in the direct path of the icebreaker, the pressure wave traveling under the ice from the passage of the vessel could flood the pupping den. If the pup is too young, the pup would possibly expire from freezing. The overall noise of the passage and disturbance to the ice could also separate mother-pup pairs, which obviously would result in the death of the pup or displacement from the site. There can also be stress to the mother seal, which can affect lactation.

Why are these things important? It's not well understood how an icebreaker in the wrong place at the wrong time, how significant the impact would be to overall population levels. Seals are a fundamental part of the Arctic food chain. The importance of their sealskin to Inuit culture cannot be understated. The NPC is not in possession of maps of seal pupping areas. We are in possession

of seal habitat in the winter, as stated by Inuit, for the process of developing the North Baffin Regional Land Use Plan 15 years ago. That map is now on the screen.

There are a number of tools that staff has considered. One would be to minimize the number of transits through areas most heavily used by seals during that six to eight week pupping season when they are the most sensitive to impact from passage. Where ships need to travel through ice they could be put in convoys – so you have basically one icebreaker and other ships behind it. So basically you have multiple ships passing at once as a way of just concentrating your impacts in a smaller area.

On-board mitigation measures, incentives to reduce speed, or navigate around known denning areas... The issue here is if you're traveling in fog and there are seals under the ice, you're not going to see them. So we have to rely more on Traditional Knowledge of where the denning areas are. We could also look at other restrictions to the types of icebreakers or more research on what are safe operating distances, for example how far the pressure waves travel away from the boat.

As with caribou, we're running into issues that Transport Canada stated to us clearly in the 2nd Technical Session in July and the 3rd Technical Session in January, which have to do with navigational regulations or setup to avoid accidents and to protect people. With both seal pupping and caribou, we're dealing with specific locations and specific seasons where icebreakers should not go unless absolutely necessary, due to environmental concerns. The Planning staff is certainly very interested in what tools can go in the Plan that would be consistent with current shipping regulations. Thank you.

David: Okay, thanks Peter. You made the analogy between caribou crossings and seal denning locations. I was just wondering, I think it's pretty clear where the caribou crossings are. But I think it's perhaps less clear where, if anywhere, there are high densities of seal denning sites. I'm just wondering what the state of knowledge is with respect to seal denning site densities. I don't know if somebody from DFO on the phone could perhaps answer that question.

Deborah: It's Deborah from DFO. Leah, are you on the phone right now? Mr. Chair, we'll have to get back to you. We've had different experts lined up for different times today, so I'll see if we can provide that information, either later in the session or after.

David: Okay, thanks. Ken?

Ken: Ken Landa, Government of Canada. This may be a very similar question. But again in comparison to the caribou, I think I understood in the context Dolphin and Union and in Peary, we're talking about potential impacts on a population or subpopulation level. I get the sense that we're not talking about that in respect to seal. Although it's important, we're talking about mortality of individuals in probably relatively small numbers in compared to population. Do I understand that correctly?

David: Peter?

Peter S: Peter Scholz, NPC. I would defer to DFO on that question on seal pupping. Yes, you are right. We have very specific information on caribou. I was not trying to draw an analogy. I was just trying to

focus more of people's attention. It is not an outright prohibition. It's certain places at certain times for environmental reasons. It's that same theme.

David: Yeah, it would be really useful to have somebody from DFO speak to this. My guess – my sense rather, I should say – is that seal pupping is not as dense in a geographic area as a caribou crossing. But having said that, a local impact on a local community is significant, even if it isn't a regional impact. And timing, as we heard with Chester, it's a local impact, but it's got a significant impact on the community. So it would be really helpful if DFO could fill in or at least address some of the questions that we've had today, if not fill in some of the knowledge gaps. Ken?

Ken: Ken Landa, Government of Canada. Thanks, David. I didn't mean to imply in my question that local impacts aren't important. What I'm trying to understand is would there be a noticeable impact, either on the species seal itself or on human reliance on the seal, or on ecosystemic impact. I'm just trying to understand the scope of the impact of any kind that would be noticeable. I'm not prejudging whether there is or isn't, of course. I have no basis on which to know that. That's what I'm trying to understand though.

David: Yeah, I agree. It's what I would like someone to educate us all on. Questions? Dale?

Dale: It's Dale from TC. I just wanted to add to the record to hopefully help Peter here. As I mentioned before, there are three publications that may assist as it relates to seals, and those are again the *Marine Environment Handbook*, *The Marine Mammal Regs*, and the *Notice to Mariners*.

David: Thanks, Dale. And I guess I would add the same comment I did earlier that there is an opportunity to reinforce those measures through the Land Use Plan if people so choose. Amy?

Amy: Amy Robinson, Department of Environment, Government of Nunavut. So just as a tangent, I've been asked by our polar bear wildlife biologist to draw the link between icebreaking impacts on seal pupping and seals in general, with polar bears, just to keep in everyone's reference. That doesn't, however, draw a link to any sort of recommendation regarding polar bears and specific designations or terms. It's just a FYI. Thanks.

David: Thanks, Amy. That's a good reminder as well. Any other comments right now? I guess based on the discussion earlier, conveying may not be a particularly useful tool if you're trying to reduce disturbance. I don't know. It would be helpful to have an expert tell us. Okay, let's take a break. It's 4:30, or 2:30 rather. We'll come back in 15 minutes. Thanks.

BREAK

MARINE ICEBREAKING: ICE FLOES & POLYNYAS

David: Okay, Peter, could I ask you to lead off on Marine Icebreaking: Floe Edge-Polynya discussion?

Peter S: Peter Scholz, NPC. This is the final of three presentations on marine icebreaking. This relates to concerns on icebreaking affecting floe edges and polynyas in Nunavut. The communities have

indicated concerns that icebreaking in the wrong place at the wrong time could affect the structural stability of floe edges and/or polynyas. These features are extremely important to both the economy – the traditional economy – and the ecology of Nunavut. They are habitats for marine mammals and birds and areas of traditional activity, primarily hunting. This map here shows the common polynyas of Nunavut through the winter. We don't have a map of floe edges.

So following the same pattern as in previous presentation, we looked at possible tools that could possibly be utilized inside the Nunavut Land Use Plan. Planning measures, that refers to the same as before. You know, projects that involve icebreaking near these structures at key times would not be considered in conformity the Plan. We also looked at the Oceans Act, Article 31, which relates to large ocean management areas. There may or may not be factors in there that could have application in the Plan. We also looked at vessel traffic services zones, which I'm going to give a quick segue: I'm still not totally clear what they are and how these would work, these vessel traffic services zones. I'm just understanding that they might have application here. Then there are special Management Areas or ecologically significant areas. With that, I'll open up discussion. Thank you.

David: Thanks, Peter. And you're not the only one who is kind of wondering about these vessel traffic services zones. I'm wondering if Dale or somebody could describe to us what they mean and what their application might be.

Dale: Thanks. It's Dale from TC. Jaideep, are you there to speak to this one?

Jaideep: Basically any vessel that is entering a NORDREG zone...what is NORDREG zone? That's a defined boundary in Arctic, so there's a defined boundary there. Any vessel that before it enters the zone, it has to give a 96 hour notice and then a 24 hour notice to the NORDREG, including the sail plan and the destination, and what kind of cargo they are carrying. This NORDREG, which we call MCTS: Marine Communication Traffic Service Center. It relays the information to a safety duty officer, which is 24 hours, 365 days standing by in prairie and northern regions in Edmonton and Winnipeg to monitor these vessels. If we come across any issues with the vessel in the reporting, we immediately phone the vessel and take corrective actions. So basically NORDREG is a communication hub between the vessels and Transport Canada for a number of entities including icebreaking and Coast Guard. That's the main function of it.

With the past two icebreaking activities, also I would like to clarify a few things here. Number one is I hope that you're not mentioning about the vessels that are going to the communities for resupply. There have been instances where they needed Coast Guard support to go into that area. Now you have a defined fine line where they can go and where they cannot go. It's challenging. The reason it is challenging is that these vessels are subject to search schedules or delivery schedules, which are subject to the ice conditions. Thus, the demand in the community for resupply – I'm just talking about resupply right now to the communities. So it is very difficult to put a fine line here where ice doesn't allow them to go.

So Transport Canada has a zone-based system, which is basically giving an idea to all the vessel owners or the vessels of when they can operate and when they cannot operate. However, this is just a guideline. We have something, a system called Arctic Regime System or Arctic Ice Regime System where they can operate into these zones beyond the zone-based system also. But they have to meet certain requirements. They have to make sure that they have an ice navigator on

board, and they have to send certain messages to Transport Canada, which includes calculation of ice conditions. If you find that ice conditions are positive, we allow the vessel to sail. We review each and every report by the vessel if they want to go into the area that is beyond the zone-based system. If you find that vessels are not complying and they are going to that area, which is not suitable for the vessel, we under our act and under our powers under Arctic Waters Pollution Prevention Act, officers can redirect the vessel, stop the vessel, or ask the owner to get assistance from the Coast Guard icebreakers.

So I just wanted to clarify a few things here with regards to icebreaking. I hope my information towards MCTS is clear. If you need any more information, I think our Coast Guard connection also online, they could also assist me.

David: Thanks, Jaideep. So I have a follow-up question. Given that there are these zones, can the government identify specific terms and conditions with respect to environmental issue that would accompany the ship classification and ice observer requirements? Can you within these zones, specify areas that ships should stay away from, subject to ship safety? That sort of mitigation, is that possible?

Jaideep: I cannot give a definite answer on that right now unless I consult internally, because there may be a requirement to change. That's surely a long, long process and probably you don't want to go there. But there could be some measures we might look, but I'll have to really consult with my technical experts from headquarters how we can incorporate environmental issues into that.

David: Okay, well, I was just asking, given your description of what is currently done with respect to these traffic zones, is there anything as far as you're concerned that would prevent the Planning Commission from taking that a step further and using the power of the approved Land Use Plan to further stipulate what can and can't be done within these zones? I'm thinking in particular of ship traffic at certain times, or ship traffic with respect to certain locations and times.

Jaideep: We probably could look at it also, but this will not capture all the vessels, because these requirements are not applicable to vessels under 100 gross tonnage, which are smaller vessels. So if the vessel is more than 100 gross tonnage, these applications are applicable. If it is less than that, then we have issues that they are not applicable. But surely that could be looked at. I apologize I cannot provide you how environmental issues can be taken into account right now. I really need to get more guidance on that, but surely that could be looked into one of the ways to do it.

David: Thanks, Jaideep. Dale, did you want to add something?

Dale: It's Dale from TC. I just wanted to ask our colleagues from Coast Guard if they have anything further to add to the conversation here.

Vincent: This is Vincent from the Ice Office in Montreal. Do you have any specific questions concerning the icebreaking – icebreakers in specific?

Dale: It's Dale from TC. No I have nothing specific to ask. That's okay. Thanks.

Vincent: Okay, thank you. If I can just add a comment here. The icebreakers on the commercial vessels, they go in and out for the resupply of the communities, as Jaideep was saying. If things were to change as far as regulations etcetera for that, well it will have impacts on the community as far as resupply goes, and eventually probably increase cost etcetera. Just keep that in mind. Just to throw that in there...

Jaideep: And also we should not forget the search and rescue operations. Our main mandate here that they have some restrictions, and I hope that will not be included, and it will take precedent on anything else.

Tanya: Sorry it's Tanya in Ottawa from Coast Guard. I think the whole response – emergency response issue – we haven't talked a lot about that, if at all. I would think that if there are any changes that are being proposed by the Planning Commission, if we need to have side conversations on what is allowable within that emergency response window, that we have that conversation. But ER, Environmental Response, is kind of dealt with separately from regular activities.

David: Yeah, thanks. I think people are aware of the importance of emergency response services in the Arctic. I think the Planning Commission would take the appropriate steps in ensuring there is no interference in those areas.

With respect to community resupply, just speaking personally, I wouldn't take for granted that any change in regulations or in operating procedures would necessarily increase cost or make things more difficult for communities. In fact, the status quo may not be the best approach, and that is what the Planning Commission is trying to explore here. Is there a way to ensure that the community values that are important to them are protected in a reasonable way, and at the same time the benefits that communities get from resupply are maintained? It's not either-or. Are there any other comments from folks around the table?

Michael: Sorry, Michael Zurowski from Baffinland. I think when you were talking about more expensive, I think what Coast Guard and Transport Canada were trying to ensure were that the commercial aspects are looked at before there is any implementation. You are correct. It may not necessarily be more expensive, but we want to ensure the northern communities are not...that things are not made more expensive.

David: Yeah and I would suspect that as in the case of emergency measures and rescue operations that the Planning Commission staff, as residents of northern communities, are well aware of those issues as well. The communities themselves can speak to it. Warren?

Warren: Thanks, David. I'd just like to briefly restate that this is a very important issue to the communities that I spoke with. The potential damage to the floe edge from shipping could have huge implications for food security. I just really hope that the federal government departments here take this issue seriously and really start to look for some creative planning tools to deal with this. Yeah, it's becoming quite concerning that we don't seem to be making any substantive progress on any of these questions.

David: Yeah, that concern is shared. Alright, are there any other questions or comments?

(Pause with no response)

Peter do you want to go on to the next section, please?

POTENTIAL FUTURE CONSIDERATIONS

Peter S: Peter at NPC. This is our last presentation. It is only three slides. We've entitled it Potential Future Considerations. These are factors that the staff do not see as having significant planning implications at the present time, but may in the future. We're just throwing it out for people's information.

They are essentially under sea utilities, whether they be Internet lines or pipelines. While construction of these facilities would naturally relate to the concerns we've discussed throughout the rest of the day, with the actual structures themselves, the Planning Commission is not aware of any reason that there would be planning policies on undersea utility structures. Our last slide is just for review and next steps. Thank you.

David: Thanks, Peter. Any comments? Can you put that previous slide back up? Are there any comments? Does anybody see any concerns related to utility corridors or undersea pipelines looming?

(Pause with no response)

Having seen none and heard none, I think we can go on to the next slide. Rachel?

Rachel: Rachel from WWF Canada. Sorry I wasn't quite aware that we were moving off the icebreaking. I just have one general comment about the icebreaking section. We believe that if areas are identified as ecologically or culturally or social economically important and that these values are prioritized by community and by parties around the table, and that these values are known to be adversely affected by icebreaking, we believe sound planning would be to have these zones identified as Protected Areas where icebreaking should be prohibited. If a proponent or project is contemplating to go through these zones and want to have icebreaking, then it would be the proponent or project planner to think of how these values that want to be protected by the Land Use Plan can stay protected and mitigation can be brought. As Michael from Baffinland described all the mitigation that could happen for their own project, we believe it would be the best way to go rather than doing nothing. Thank you.

David: Thanks. We'll have a round of concluding comments as well as discussion of progress. I've got to say, progress was limited from my perspective. It's incremental at best. This issue became important quite some time ago, and it's a little disappointing from the perspective of someone who would like to see this Plan done – and I think we all share that – and done well, but done soon that we've made so little progress today in identifying solutions.

We have certainly identified a number of next steps, and I think we've collectively given the Planning Commission staff something to work with. But did we advance the discussion very far? I don't think so. So, key points captured? Well some further discussion – Coast Guard with Tanya

has offered to facilitate or at least catalyze further meeting, and I think that would probably be a very good idea. There are some key pieces of information that remain outstanding. We've had some commitments from some folks to provide more information, including from Michael some of his experience with respect to late season shipping and so on. Other folks have indicated that they would be submitting additional information, all of which I'm sure would be welcome by the Commission.

Peter, Jonathan, Sharon, Brian – do you want to add anything about how you would like to see more information, when you would like to see it, and what stands out for you as a result of this meeting? Peter, Jonathan and then Sharon will follow-up.

Peter S: Peter at NPC. I'd say the main success of this meeting was the greater sense of confidence that all of the relevant agencies are now fully familiar with the fundamental planning marine issues of Nunavut. We are at a late hour of planning. I just, for one, would definitely encourage parties in their areas of jurisdiction to follow-up where they feel appropriate in a timely fashion. Thank you.

David: Sharon?

Sharon: Thank you, David. First of all, I appreciate everyone that made the effort to attend. This is a very important topic, the same as the caribou topic and the other issues that the Commission faces to put mitigation measures in a Plan that are realistic and provide good guidance.

I have to say, we have heard the comment and we heard the comment again this week: Planning Commission, where is your Land Use Plan? It's frustrating sitting on this end without having the coordination of the parties around that table. The data that we receive is the data that goes into the Plan. In the absence of data and the absence of direction, the Commission must make the best judgments. While we may have identified some next steps today, this isn't the outcome of the workshop that we were hopeful to see.

The timeline is short, and it's not an unrealistic timeline. The Commission met recently. We took everything that the parties asked us to do back and extended the timeline to March for the Public Hearing with the extra layer of the regional consultations, subject to the supplementary funding. The Commission is willing to do that and prepared to do that. We want the parties to participate in that.

In saying that, next March-April is the Public Hearing. In the absence of the data, and if the parties are not collectively proactive with this, the information that is present is the information that will go forward for consideration of the Land Use Plan. Like I said, I'm very appreciative. Mike, your guidance...Jaideep, Dale...everybody from all the parties...WWF, Warren, NTI, Wildlife Management Board and the departments from Canada...and Simon on the phone taking his time – I really appreciate the efforts that are made.

We need to be realistic as we move forward into the next steps. We need to have some resolution, and as I said at the last meeting, please have the side meetings between the parties. Resolve the issues, and give us the direction that you would like to see. For us, providing certainty for investment, for Inuit, for everyone to provide a balance and their voice to be heard – that's very critical. I think everyone should have the right to have that information before the Commission. I won't belabour it, but the timeline is going to happen. We're moving forward.

We're not stopping. In the absence of data, decisions will be made. I'll leave it with that. Thank you.

CONCLUDING REMARKS BY THE PARTIES

David: Thanks, Sharon. So I'll just invite people to make closing comments and indicate whether or not this meeting met their expectations. Rachel, I'll start with you.

Rachel: Rachel from WWF Canada. I'm not sure that this meeting exactly met my expectations. I was hoping for more discussions and more advance on getting down to lower details than what we've done. Hopefully maybe written submissions or side discussions will move the questions forward. That's it. Thank you.

Warren: Thank you. Warren Bernauer, the Planning and Assessment Coordinator for KWB. I'd just like to reiterate that all the concerns that I've raised today are quite serious concerns for Kivalliq hunters, and they are concerns that we don't think can be dealt with on a case-by-case basis through the Nunavut Impact Review Board process or through one-on-one discussions with the mining industry. I believe these are all land use planning issues and should be dealt with through the land use planning process.

To be frank, I'm pretty disappointed with how this meeting went. The Wildlife Board sent me to this meeting hoping that the Government of Canada would have some substantive suggestions to deal with the concerns we've been raising, but I feel like a lot of our core issues – like rerouting shipping corridors near Coral Harbour, mitigating the impacts of shipping in Chesterfield Inlet, and preventing icebreaking from destroying floe edge hunting – have again, just all been postponed to future meetings. Again, this gives me a certain sense of déjà vu.

Hunters raised these issues at NIRB hearings, and they were kind of pushed off the table and deferred to another time. The KWB raised these issues at previous NPC meetings, and they were deferred to this meeting. It is the same today. As we move forward, I really hope the federal government can kind of step up and start to play more of a coordinating role and more of a proactive role in looking at these concerns we've shared and trying to find some sort of creative suggestions how these can clearly be dealt with. There is only so much we can really expect from the communities in terms of raising them. I think we've documented them pretty well and raised them over and over. I don't think it's fair to them to keep deferring action on things that are of fairly substantial concern to them.

That said, I do sympathize with all the people that work for the federal government, and I can acknowledge the difficulties. When issues like this might all lie between your mandates and to coordinate something like that on a human level, it's a very difficult task. I just want to make it clear that these comments are not directed at people, just at an institution that needs to coordinate better internally to have some suggestions for us. Thank you.

David: Thanks, Warren. Amy?

Amy: Amy Robinson, Government of Nunavut. I just want to thank NPC for hosting this 4th Technical Workshop. I think it is 4.5 or 4.2. As always, I know a lot of work goes into hosting these things,

and thank you. I just want to reiterate that the tourism concerns that were raised here have been heard, and we've already flagged the issue for our counterparts within ED&T. We're going to aim to hopefully have clearer land use recommendations for May 16th. I can't say what those land use recommendations might be, but we'll aim to have them at least. Thank you.

Jeff: Qujannamiik. Jeff Maurice, NTI. I guess I share the same sentiments as the Chair and NPC in terms of movement on the Land Use Plan. I think I was expecting a little bit more as well, a bit more engagement on some of the issues. I'll reiterate what I said earlier. I think our federal counterparts need to step up in terms of contributing to the information that is required for the Nunavut Planning Commission to do their job. There needs to be more engagement on the issues to come up with some practical solutions to some of the questions posed.

There also needs to be more coordinated approaches in terms of how we work with the various federal counterparts on moving this file forward. I'll just leave it at that, and thank you for the opportunity. Maybe one more thing: We will be making a written submission on the Nunavut Land Use Plan. We're hoping that maybe it will stir some discussion.

Hannah: Qujannamiik. Hannah from NTI. I won't add any further to what Jeff had mentioned, but I wanted to thank NPC for taking to their Commission the proposed revised timelines that NTI had suggested moving toward the final hearing. We appreciate that. We are endeavouring to meet the May 16th deadline in order to advance these conversations. Our staffers will be making a presentation to our Executive at their next meeting on April 19th requesting some decisions and direction moving forward. So qujannamiik. I wasn't at the Mining Symposium discussion when NPC presented the new timelines, but I would assume a formal notification will be sent to the parties at some point? Thank you.

Peter K: This is Peter at the NWMB. I won't reiterate what everybody else has said, but I think it's obvious that there was less discussion around some important issues than most of us expected. With that being said, I think it's a positive first step, and hopefully we will start making progress on some of those pieces, and NWMB is happy to be a part of those conversations. We will also be submitting our written submission on the deadline, but we look forward to continuing this process. Thank you for all the hard work the Planning Commission has put in on all these Technical Workshops. It's certainly appreciated, and there is lots of valuable information coming out of them. Thank you.

David: Steven, go ahead.

Steven: Steven Lonsdale, QIA. I share some of the feelings that are being expressed here around the table. I was hoping for more discussion, and myself, I noticed I was pretty quiet throughout the meeting. I think it's only because I didn't want to speak on behalf of anyone else. Some of the issues that were being discussed were very specific to a region, specific to a community, and as I said in my introduction, I was hoping that these discussions would be discussed further during the additional community consultations. That is where there will be more discussion. There will be deep discussion on exactly what we spoke to today, because these travel routes that are used by community members is where you feel the most impact. That's where you see the most impact. So I can't speak to Walrus Island and how a ship going through will affect that, but anyone living within that area will have a lot to say about it.

I think today around this room, we were pretty context because the context just wasn't our issue to really speak too deeply about. We have our regulations, and we have Transport Canada that has rules to follow, but for the most part, everything that was spoken of today is going to impact individual community members and how they gain access to their historic, traditional travel routes and different areas where places are visited.

Before you cut me off, I'll speak a little. I'm just going to rewind a little to the discussion on the icebreaking routes and how there was talk about the ecological impacts, even just mitigation measures and things like that. But I think if you do speak to hunter... Say if icebreaking happened here, I can personally connect to it to say that all year-round I will have free access to the ice and the land. Then I go on my terms, and I go out according to if the weather allows it. That's the freedom that I have. And so anytime that there is any sort of icebreaking, there is now a new schedule to follow according to when that icebreaker comes, when the ship comes, and when the ice freezes. Now there is this new introduced outside force dictating when I can and can't go out. I think this is something that hunters will speak to, but we need to ask them directly, as well as all the issues that were being discussed here today. Thank you.

David: Thank you. I'll just go down the row.

Jeremiah: Jeremiah Young with Fisheries and Oceans. I'm new to this, and this is very eye-opening to me to hear all the complexities of these issues. It really stresses the need for specific expertise in these fields. I've taken a lot of notes, and I will follow up with my DFO colleagues to get seal denning habitat information, the territorial maps and tides, and expertise on maybe walrus haul-outs. There is a Draft Integrated Fisheries Management Plan for walrus, and in that, it is highlighted to look at expanding the knowledge and research on the impacts of approach distances and pressure waves on these colonies. I can take that back, and I'm sure my colleagues on the phone will have more to say. Thank you.

Ken: I want to start off by thanking everybody for their work today and to acknowledge that I personally heard loud and clear some frustration, and I think we all feel some frustration around these issues for different reasons. But that's not surprising, because we're all sitting in different chairs. I'm going to throw a bit of thought experiment out for folks who are frustrated that solutions aren't appearing as quickly as they would like, as quickly as any of us would like.

First I will just make a general comments that sometimes we all agree there is a problem, but there is no solution, or we haven't found the solution yet. The existence of a problem doesn't guarantee that there is a solution. But even leaving that aside, let's be optimistic, and let's assume there are solutions for the majority of the things that are troubling us. Pick any problem that we've discussed today. If you were the rule maker, what rule would you pass? If you're confident, it would solve the problem. Why are you confident about that? Have you tested whether your preferred solution would have unintended negative consequences somewhere else? How have you tested that? Is there another effective approach, maybe less effective but still effective that would have fewer unintended negative consequences, or fewer consequences for others? Until you've gone through that process, you cannot be confident that you found a good solution, and I think that's where you see us going, is trying to understand the problem – yes – but then trying to measure solutions before leaping to them. So I think we all need to go through that process together.

Chester – what we heard about shipping is a great example. Nobody wants to land on a solution that increases the amount of sulfur on snow and ice. Nobody wants black particulate matter so that you accelerate melt. Nobody wants to land on a solution that raises the price of store bought foods. Nobody wants to land on a solution that has communities running out of fuel before fuel supplies can get in.

So we do need to understand the problems from multiple angles before we say we found a solution. And I think people know that, but I think people need to go through a rigorous process on every one of these problems to measure solutions before adopting them. So I think if we can discipline ourselves that way and understand that's a process, some of our frustration will go down, and our hopefulness will come back up. To realize that we're not in paralysis, we are in necessary analysis. So I thank you for listening to me on that point, and I hope we can all work together on not just asking for solutions but testing them. Thank you.

Dale: Thanks. It's Dale from TC. Ken, you've eloquently provided some great comments here. On behalf of Jaideep and myself, I just wanted to thank you for the opportunity to participate today. Moving ahead, Transport Canada for example, we will contribute to the Government of Canada's submission, and we intend to provide that within the noted deadlines. Again, we will do our best to work with our federal counterparts and all parties here as this plan continues its development. Thanks.

Spencer: Spencer Dewar, INAC. Thank you, NPC. I also want to thank the translators. I didn't have to use you today, but it was a comfort just knowing you were there. I hear the frustration, but I'm a little more optimistic today. I think we might have moved the milestones a little bit. I think we've identified the marine issues quite well. I think we've put out some ideas on some tools that exist, so I think there is some room for further discussion. It is about trying to get the right fit. We want to find something that is not overly restrictive, but still effective. From there we are moving forward. We're open for further discussion. So I'm a little bit more positive, but there is still work to be done.

Elizabeth: I just wanted to thank the Planning Commission and all the participants for allowing Industry and welcoming Industry at the table, and our perspectives on all of these issues. I think my colleagues here may get into a bit more detail, but I just wanted to say generally that I will take this information back to our membership at large and get maybe some specific suggestions or recommendations. We will compile those and put those together into our submission for May. Thank you.

Erik: Yeah, thanks. It's Erik Madsen with Baffinland. I think the intent today and throughout this, I know the NPC is looking for solutions all the time to put in the Plan and to probably have some concrete guidance in every area. In some cases, it might not work that way. There might be areas that – like you heard at the end of the table – people are afraid of talking because they don't know that area. So I think in some cases we just have to - NPC, this is just a suggestion – you just have to maybe rely on direction or guidance that you would put in a Plan.

Then we also heard today that there are numerous existing regulations and acts that Transport Canada, Coast Guard, you heard Jaideep list a bunch of things that have to be followed. Maybe people have to get more educated on that. But there won't be that solution to everything, and you might just have to have this direction or guidance and just do it that way.

Then there is the project-specific stuff. We have up there the Foxe Basin where there is that Protected Area. You heard from Michael and in our case, we heard from the communities. Through our work with the communities of Hall Beach and Igloodik, we heard about the walrus hauling site there, and they said, "Can you move that existing route over and shift it?" And that's what we did. We shifted it, because we heard that from the communities. We shifted the route, so that's an example of learning from the communities and changing your project based on that. So that's a project-specific example. We're never going to around this table know of every project that's going to come up in the next 20-25 years, so we have to be a little more generalized probably and put as much direction in the Plan as you can. But then leave it open to project-specific areas.

I guess the last thing, like I indicated, we will commit to submit, as David said, the checklist that we worked together on with QIA. I see Justin is at the end of the table there. As part of our IBA, before we have workshops in the North Baffin communities, we have to have agreement with the QIA on what is the intention of this workshop and what are we going to get out of it. These four or five workshops that we had on the use of sea ice and how the people in the area are using it – what is icebreaking, how caribou are in the area, mitigations to icebreaking – these are all workshops that we worked with QIA to get agreement on what would come out of those. Now we're using those. Then we got into the site trip to Nain, and we came up with these mitigations that now the area in Pond Inlet believes can possibly move forward. So those are those are the things that we put forward in our specific EIS for this next phase. As Michael indicates, we don't have approval yet to do that, but that's the approach we will be taking. We will submit those checklists to NPC as to how we did that and the workshops.

Michael:

Thank you. It's Michael Zurowski from Baffinland. I'm not hugely disappointed today. I think there have been some very good concerns and very good points raised. I believe that the Land Use Plan needs to be more principled rather than specific restrictions. I think it needs to establish concerns, principles, and issues that need to be addressed from the Baffinland point of view, and from general economic development. Shipping in open water and shipping in ice will be a key component to resource development and general economic development and has been performed in other countries, both in Russia and Scandinavia with virtually no impacts.

I'm reminded from a 1980 engineering text that we had. They were talking about cost. The cost to move a ton of material by air is \$1000.00; by road it's \$100.00; by rail it's \$10.00; and by ship it's \$1.00. There has been a lot of discussion in the press in the last six months about the high cost of living in the North. Having shipping on a regular basis coming into the communities with the proper restrictions and the proper issues to mitigate the impacts, will greatly reduce the cost of living in the North. In Greenland, it's virtually no different to Denmark in the cost of living there. Now they do have a lot more open water, but the same with Finland and Norway. I think the costs do not escalate with the icebreaking that they use.

Corridors – the establishment of transportation corridors in the North or linear infrastructure corridors, may be a bit premature, because development will necessitate the railways, the ports, the shipping routes to be established going into the future. Certain criteria – shelter, access, and egress looking from a deep water port for bulk commodities. The coastline of the world does not have a lot of deep water ports. I'm specifically looking at bulk water commodities, and generally

development has established around those ports. If you look at something like the community of Hong Kong, it's developed around a very specific port 150-odd years ago.

The NIRB process is rigorous. It is protected under the Nunavut Land Claims agreement and provides a high level of degree of protection against potential environmental and socioeconomic impacts. Baffinland believes the NIRB process has a high level of public confidence. The participants include the Elders, designated Regional Inuit Associations, the HTOs, community members, federal and territorial governments, the IPGs, as well as the project proponent. IQ and Traditional Knowledge is incorporated, as well as scientific data. The NIRB process requires proponents to undertake deep consultation. With Pond Inlet, prior to submitting our initial project proposal, we had more than 30 meetings with the community of Pond Inlet talking about our project, and not as many but a number of the northern communities, the North Baffin communities. The project proponents are required to present information on cumulative effects. Based on all those effects and the mitigation efforts only decides whether those projects should proceed.

The Nunavut Land Use Plan has to look at the 99% and not try to focus on the 1%. Then we would actually finish the Plan. If we constantly try to focus on that 1%, I don't think we'll ever get the solutions.

Mia: Mia Pelletier, Environment Canada. There are quite a few various jurisdictions and mandates at the table today, and I think one of the things that has been made clear is that there are key overlapping areas of interest and conservation concern. In terms of floe edges and polynyas, these are important areas to communities. They are also critically important to migratory birds. Environment Canada has ecosystemic and conservation concerns in regard to icebreaking through these polynyas. In terms of caribou ice crossings, as well as increasing shipping as it relates to disturbance to major migratory bird colonies and other wildlife.

To sort of reiterate my opening comments, Environment Canada is very interested in taking a coordinated approach in working with the various regulatory agencies and communities when it comes to marine spatial planning for conservation purposes, and also in providing input into any future work done in shipping corridors.

David: Thanks, Mia. Does anybody around the all interested in making any concluding remarks?

(Pause with no response)

I guess not. Alright, I'll just say a couple of things in response to a couple of comments I heard. One is Ken, and I guess he's heading off to catch a plane, and Dale is too. Part of the paralysis, frankly, is the lack of analysis. And I think we need to get past that. The Planning Commission was looking for some analysis and some clear guidance and direction, as Erik said. From an independent observer standpoint, I don't think that was delivered. It certainly didn't meet my expectations, my hopes for this meeting. It's disappointing, but having said that, hopefully that momentum that has been promised will materialize and there will be further discussions on these topics.

In response to some of Michael's comments, I would just reiterate a comment I made some time ago about the value of a Land Use Plan, not just to the residents of Nunavut, but to proponents of

development. It will make your jobs a lot easier, or it should. It really better if it's going to be effective. You mentioned you've made 30-odd visits to Pond Inlet. Well, if there had been a Land Use Plan in place, perhaps you would have had to spend much less time there... *(Inaudible interruption)*

Well yeah, there is. That may be a bad analogy.

(Laughter)

Nonetheless, my point is that the Land Use Plan should make life easier for everybody. I remember Willard Hagen who at that time was the Chair of the Gwich'in Land and Water Board who was not a proponent of land use planning at all. But he said at one meeting, once the Gwich'in Land Use Plan had approved, that he didn't necessarily like everything in the Land Use Plan, but it sure made his job a lot easier as a regulator. Some of those questions that you as individual proponents wrestle with, are dealt with beforehand. And if they are dealt with properly, it will make everyone's life easier and more predictable.

The final thing I'll say is that I've had some experience in Norway. I had some engagement on the development of the Barents Sea Lofoten Islands Marine Management System, and the level of effort that went into that – it's a relatively small area, but multiple uses – puts the level of effort that we've made with respect to Nunavut marine waters to shame. I've got to say that Norway is a good example of a country, in my experience, that recognizes the value of dealing with the environmental issues, and at the same time, promoting development that benefits the communities and benefits the nation. They can have their cake and eat it too. There is no reason why we can't do the same thing if we put the effort into it. Frankly today, we didn't put the effort into it. I hope we learn from this experience and make it better next time. Sharon, any concluding remarks?

Sharon: I'd just like to thank David for being so shy about how he feels.

(Laughter)

Thank you to our translators and Jon and Mark for our communications and coordination with our staff. It has been a long week. I wish everybody that's traveling a safe travel back to your families. Again, with my comments, I am very optimistic. I always keep the goal in sight. We are getting there. We have little hiccups as we all know, but we're moving forward. I wish everybody a good weekend, and I thank you. It doesn't stop here. It keeps going even when we leave the table. So thank you. Tommy, maybe can you do the closing prayer? Thank you.

Tommy: *(Closing Prayer)*

MEETING ADJOURNED