



2021 Draft Nunavut Land Use Plan Q&A

(March 2022)

Please note that the following is not meant to be an exhaustive list of questions participants may have on the 2021 DNLUP, but rather a clarification of some of the content of the plan considering the questions and comments received by the NPC.

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Area Calculations

1. How have the percentages of area covered by each type of land use designation changed between previous drafts of the land use plan?

Background

Each draft of the Nunavut land use plan has included three types of land use designations (or zones) to guide land use in the territory. The 2021 DNLUP land use designations are:

- *Mixed Use*: Areas within the jurisdiction¹ of the NPC where all potential uses are likely to be compatible with identified values. These areas therefore support a variety of land uses.
- *Conditional Use*: Areas within the jurisdiction of the NPC where most potential uses would be compatible with identified values under certain conditions. These areas are characterized by conformity requirements such as seasonal prohibitions or setback requirements.
- *Limited Use*: Areas within the jurisdiction of the NPC where some uses are incompatible with identified values. These areas are characterized by the year-round prohibition of one or more types of land use. They may also include additional requirements such as seasonal restrictions or setbacks.

General notes:

- I. Geospatial data for each of the land use designations of the previous drafts can be found on the NPC [public registry](#).
- II. All NPC area calculations use the Canada Albers Equal Conic projection.
- III. For a visual representation of the Land Use designations, you can download [Schedule A](#) for the 2014 DNLUP, [Schedule A](#) for the 2016 DNLUP, and MAP [A1](#), [A2](#), and [A3](#) for the 2021 DNLUP.
- IV. Land use designations in the DNLUP can overlap. For example, some Conditional Use areas can overlap with each other, or with Limited Use areas. This allows all plan requirements to apply in the appropriate areas without creating an overwhelming number of individual areas each with their own combination of requirements. When calculating net areas, it is important that these overlaps be removed to avoid double counting. Overall, there cannot be any overlap between any of the land use designations (Mixed Use, Conditional Use, Limited Use) when calculating areas.

¹ The NPC jurisdiction includes the Nunavut Settlement Area (NSA) and the Outer Land Fast Ice Zone (OLFIZ), including surface and subsurface lands, freshwater, marine areas, and the beds of these bodies of water. It does not include established national parks, national marine conservation areas, territorial parks, and national historic sites administered by Parks Canada.

[Table 1: Composition of the land use designations within the NSA and OLFIZ over the last three drafts]

Published Drafts Nunavut Land Use Plans (DNLUP)	Land Use Designations			Areas outside NPC's jurisdiction
	<i>Mixed Use</i>	<i>Conditional Use/ Special Management Area</i>	<i>Limited Use/ Protected Area</i>	<i>e.g., Established Parks</i>
2021 DNLUP	65.22%	9.36%	22.15%	3.27%
2016 DNLUP	77.93%	3.22%	15.58%	3.27%
2014 DNLUP	64.62%	17.05%	15.39%	2.95%

2. What percentage of land and water are covered by each type of land use designation in the 2021 DNLUP?

Background

The 2021 DNLUP considered a Nunavut-wide approach in the assessment of policy options (*land use designations*) for land uses. However, the NPC is aware that interests and values may vary across regional scales. In addition, these land use policy designations apply to both terrestrial and marine areas. The NPC is therefore providing Table 2 to better understand the impact these policy options may have at regional scales and across environments, marine and terrestrial.

General notes:

- I. See notes from Question 1 above.
- II. The marine and terrestrial boundaries are part of the CanVec Topographic Series for Nunavut, scale 1:250,000 (<https://open.canada.ca/data/en/dataset/8ba2aa2a-7bb9-4448-b4d7-f164409fe056>)
- III. Mineral rights include claims, leases, prospecting permits, coal exploration licenses, and IOL exploration agreements. Mineral Rights issued by the Government of Canada can be found in the [open government portal](#) and exploration agreements on Inuit Owned Lands (IOL) can be found at <https://ntilands.tunngavik.com/maps/>. However, please note that the mineral rights data considered in the 2021 DNLUP was from April 2021.
- IV. As noted in November 2021, there is some misalignment between the NPC and Parks Canada boundaries regarding national parks. The NPC reassures that this does not impact the percentages presented in this table in a significant way. The boundaries for national parks will be updated when the DNLUP is revised.

[Table 2: Regional distribution of land use designations and overlaps with Inuit Owned Lands and mineral rights]

Boundaries	Land Use Designations (MAP A)			Areas outside NPC's jurisdiction
	<i>Mixed Use</i>	<i>Conditional Use</i>	<i>Limited Use</i>	<i>e.g., National Parks</i>
<i>Nunavut wide</i>				
Designated Area ² (NSA* + OLFIZ**)	65.22%	9.36%	22.15%	3.27%
• Terrestrial	59.13%	9.46%	26.42%	4.98%
• Marine	74.78%	9.20%	15.43%	0.59%
<i>Regional distribution</i>				
Kitikmeot	51.54%	12.32%	36.12%	0.01%
• Terrestrial	49.59%	3.92%	46.49%	0.00%
• Marine	56.41%	33.25%	10.29%	0.06%
Kivalliq	69.65%	4.98%	22.11%	3.26%
• Terrestrial	60.91%	6.03%	29.26%	3.80%
• Marine	93.91%	2.06%	2.26%	1.78%
Qikiqtaaluk	69.32%	9.76%	16.08%	4.84%
• Terrestrial	64.05%	14.40%	13.02%	8.53%
• Marine	75.47%	4.36%	19.64%	0.53%
<i>Mineral Rights</i>				
Nunavut wide	58.73%	3.61%	37.66%	0
Qikiqtaaluk	58.28%	9.05%	32.68%	0
Kivalliq	45.67%	0.03%	54.30%	0
Kitikmeot	69.97%	1.45%	28.58%	0
<i>Inuit Owned Lands (IOL)</i>				
• Surface				
Nunavut wide	52.12%	16.39%	31.49%	0
Qikiqtaaluk	60.18%	27.29%	12.53%	0
Kivalliq	43.45%	10.85%	45.70%	0
Kitikmeot	47.46%	4.54%	48.00%	0
• Subsurface				
Nunavut wide	49.93%	7.13%	42.93%	0
Qikiqtaaluk	59.48%	15.12%	25.41%	0
Kivalliq	43.04%	0.20%	56.76%	0
Kitikmeot	47.02%	6.01%	46.98%	0

² Designated Area refers to the *(Nunavut Settlement Area) and the ** (Outer Land Fast Ice Zone).

3. Excluding Baker Lake and Kugluktuk watersheds, what is the total land area of IOLs that fall within the Limited Use designation for community drinking water supply watersheds outside municipal boundaries?
- The total area of IOL surface rights overlapping the community drinking water supply areas identified as LU is approximately 1,289 km².
 - The total area of IOL subsurface rights overlapping the community drinking water supply areas identified as LU is approximately 19.6 km².

4. Why do some marine areas also include terrestrial portions?

Because the polygons considered in the 2021 DNLUP come from a variety of different sources, there are small discrepancies in some boundaries including along shorelines where different coastal mapping was used for terrestrial/marine areas. The Commission is aware of this issue and some of these discrepancies have been resolved by using a consistent shoreline boundary to differentiate between marine and terrestrial areas, but more corrections need to be made to some datasets to remove these small inconsistencies. In addition, some community areas of interest that are largely marine, including Duke of York Bay, also include a 1 km terrestrial buffer in consideration of the importance of the shoreline as well.

Existing Rights

5. How were projects with existing rights in Appendix A selected?

Projects with existing rights in Appendix A were selected by:

- a) Downloading mineral rights data from the Government of Canada and NTI (data from spring 2021)
- b) Selecting only active projects
- c) Selecting rights that overlap with proposed Limited Use designations in the 2021 DNLUP that would prohibit mineral exploration and development
- d) Selecting projects that have been previously reviewed and approved by the Nunavut regulatory system by searching for related activities in NPC, NIRB, NWB public registries.

6. Will projects that stem from existing mineral rights and interests be subject to conformity determinations, and if so, how will non-conforming land uses be handled?

Yes, like any project occurring in the NSA, they will be subject to a conformity determination but will be exempted from the prohibition on mineral exploration and development. It is noted that seasonal restrictions and other conformity requirements may still apply.

7. Will projects with existing rights and interests be exempt from prohibitions (i.e., quarries or linear infrastructure associated with mineral exploration or development) within their footprint?

Yes, within their existing rights footprint, associated activities such as quarries, or all-weather roads needed for mineral exploration and development will be exempted from the prohibitions. Consideration will be given to clarifying this approach when re-drafting occurs.

8. What evidence will be required for a proponent of a project to demonstrate that “it is arising from and related to existing rights and interests identified as projects in Appendix A”?

The proponent needs to provide a complete description of the nature and purpose of those projects. If a proposal is a direct continuation of a previous proposal submitted by the same proponent it may be self evident that it is a related activity. If ownership of the project has changed, documentation confirming the sale, transfer or exchange may be needed. The onus is on the proponent to provide documentary evidence to substantiate that a project is related to existing rights and interests and consideration will be given to providing further guidance on what type of information may be required.

9. Will mineral rights acquired since the release of the 2021 DNLUP be reflected in a revised draft plan?

The decision on possible revisions to Appendix A will be made by Commissioners following the public hearings on the 2021 DNLUP.

Site Identification

10. Can the Commission provide the list of sites that the Contaminated Sites Limited Use Area Plan Requirement applies to?

[See below table]

<i>Contaminated Site - Name</i>	<i>Status</i>
THOR ISLAND / PANARCTIC OILS/H-28 WELL	Remedial action plan completed. Remediation / risk management underway.
REA POINT (1)/MELVILLE ISLAND	Remedial action plan completed. Remediation / risk management underway.
Lougheed Island (L1)	Remedial action plan completed. Remediation / risk management underway.
High Arctic - Dale Payne	Remedial action plan completed. Remediation / risk management underway.
CONTWOYTO LAKE/Contwoyto Island	Remediation / risk management completed. Confirmatory sampling underway.
Chantry Inlet Lodge	Remediation / risk management completed. Confirmatory sampling underway.
Bathurst Island - Bent Horn (Cameron Island)	Remedial action plan completed. Remediation / risk management underway.
ROMULUS - PANARCTIC C-42 WELL SITE	Remedial action plan completed. Remediation / risk management underway.
Bathurst Island - N-12 Allison R	Remedial action plan completed. Remediation / risk management underway.
CAM C - MATHESON POINT	Remediation / risk management completed. Confirmatory sampling underway.
PADLOPING ISLAND	Remediation / risk management completed. Confirmatory sampling underway.

FOX 1 - ROWLEY ISLAND	Initial testing completed. Detailed testing underway.
FOX A - BRAY ISLAND	Remedial action plan completed. Remediation / risk management underway.
FOX B - NADLUARDJUK LAKE	Initial testing completed. Detailed testing underway.
FOX D - KIVITOO	Remediation / risk management completed. Confirmatory sampling underway.
FOX E - DURBAN ISLAND	Remediation / risk management completed. Confirmatory sampling underway.
CAM B - HAT ISLAND	Detailed testing completed. Remedial action plan under development.
PIN C - BERNARD HARBOUR	Initial testing completed. Detailed testing underway.

11. Can the Commission provide the list of military sites that the Limited Use Areas Plan Requirement applies to?

[See below table]

Military Sites
BAF-5, NWS, SHORT RANGE RADAR SITE
BAF-4A, NWS, SRRS
BAF-2, NWS, SRRS
BAF-3, NWS, LONG RANGE RADAR SITE
Fox-4, NWS, SRRS
FOX-CA, NWS, Short Range Radar Site
Fox-2, NWS, SRRS
Fox-A, NWS - SRRS
Fox-1, NWS, SRRS
Canadian Forces Station Alert
CAM-FA, NWS, SRRS
CAM-5A, NWS, SRRS
CAM-4, NWS, SRRS
FOX-B, NWS, SHORT RANGE RADAR SITE
CAM-2, NWS, SRRS
CAM-B, NWS, SRRS
CAM-1A, NWS, SRRS
CAM-A3A Sturt Point North, NU - Reserve (Road
Seismic Cable
PIN-Eb, NWS, SRRS
PIN-DA, NWS, Short Range Radar Site
PIN-CB, NWS, SHORT RANGE RADAR SITE
PIN-2A, NWS, Short Range Radar Site
PIN-1BG, NWS, Short Range Radar Site

BAF-5 Resolution Island, NU - Reserve (Road "E")
CAM-2 Gladman Point, NU - Reserve (Fuel Line "E")
PIN-3 Lady Franklin Point, NU - Reserve (Land)
DYE-M Cape Dyer, NU - Reserve (Land)
BAF-3 Brevoort Island, NU (Road, Waterline, Fuel)
CAM-D, NWS, SHORT RANGE RADAR SITE
CAM-3 Shepherd Bay, NU - Reserve (Land)
Fox-1, NWS, SRRS
BAF-4A, NWS, SRRS
Fox-3, NWS, LRRS
Fox-2, NWS, SRRS
Yankee - HMS Site
Whiskey - HMS Site
Black Top Ridge - HMS Site
Grant - HMS Site
Tech Research Station- Wrangel Bay
Tech Research Station - Lincoln Bay
Nanisivik Naval Site

Linear Infrastructure

12. Is construction and infrastructure supporting the Kivalliq-Manitoba linear infrastructure permitted in a Limited Use Area? Does this include construction with respect to fibre optics?

The construction of the Kivalliq-Manitoba linear infrastructure, the fibre optics line and supporting infrastructure are permitted within the identified Limited Use Area site # 93, but not in other Limited Use Areas. It is noted that within the width of the Kivalliq-Manitoba linear infrastructure Limited Use designation, linear infrastructure is given priority over any other overlapping designation.

13. Is a plan amendment required for the Kivalliq-Manitoba linear infrastructure corridor?

No, not if constructed within the identified corridor of the Kivalliq-Manitoba Linear Infrastructure (site #93) in Map A2: Land Use Designations - Limited Use.

Implementation

14. How will information regarding VECs/VSECs be transferred throughout the regulatory regime?

Information on valued components is identified on Map A: Land Use Designations and Map B: Land Use Designations series and can be accessed in detail using our online interactive maps and downloaded as shapefiles from the NPC's Public Registry. Additional information on some values is compiled in Table 04: Community Priorities and Values for Water Management Areas, Table 05: Community Priorities and Values for Water Management Areas, and Table 06: Use and Occupancy by WMA, annexed to the Plan.

Note that Commission staff are currently considering how to implement this using the NPC's online land use plan implementation tool (LUPIT). The approach currently being explored is to have a summary of overlapping valued components communicated along with applicable conformity requirements through the Commission's conformity determinations. When a proponent includes a project geometry for a proposal, the system should be able to identify all the overlapping VCs that they will need to consider in their project, and this information could be summarized in a new system-generated tab within each project proposal for everyone's reference.

15. How would the proposed seasonal restrictions for caribou habitat potentially affect projects?

Seasonal restrictions proposed for caribou calving areas, post-calving areas, and key access corridors would apply to non-prohibited project proposals including activities like research and tourism not related to caribou conservation, military exercises, and projects with existing rights. These activities that are not prohibited would not be able to operate during the specific dates in Table 02: Caribou Seasonal Restrictions of the 2021 DNLUP.

Next Steps

16. When will the draft plan be revised?

The draft plan will be revised following the close of the record 40 days after the last hearing on the 2021 DNLUP. The Commission intends to submit a revised draft plan to the Government of Canada, the Government of Nunavut and NTI for consideration in 2023 (as per the NPC's current approved schedule) and the plan may then be further revised in consideration of any feedback that they provide.

Errors and Omissions

17. What errors and omissions have been noted?

The following errors and omissions are noted:

- In section 4.1.1, the bulleted list of Community Areas of Interest is missing the Hiukitak River in the Kitikmeot Region. Note that the area is designated LU under Plan Requirement 4.1.1-14
- In plan requirement 2.2.5-1, not all caribou sea ice crossings shown on Map A are identified with applicable dates.
- On Map A2 and A3, the list of plan requirements is incomplete for some areas. The following table includes all applicable plan requirements:

Name - (ID)	PLAN REQUIREMENTS
Key Migratory Bird Habitats - Class 1 (1-23)	2.1-1,2
Caribou Key Access (24)	2.2.3-1,2
Caribou Calving (25)	2.2.1-1,2
Caribou Post-Calving (26)	2.2.2-1,2
Caribou Freshwater Crossings (27)	2.2.4-1

Caribou Island Winter Ranges (28)	2.2.6-1
Caribou Peary (29)	2.2.7-1
Walrus Haulout (30)	2.4-1,2,3,4,5
Narwhal Calving (31)	2.5.1-4
Bowhead Calving (32)	2.5.1-4
Beluga Calving (33)	2.5.1-1,2,3
Future National Parks (34)	3.1.1-1
Future Territorial Parks (35-45)	3.1.1-1
Proposed Territorial Parks (46-49)	3.1.1-1
Proposed NMCA Talluruiup Imanga (50)	3.1.2-1
Thelon Wildlife Sanctuary (51)	3.2.1-1
Migratory Bird Sanctuaries (52-59)	3.2.2-1,2
National Wildlife Areas (60-64)	3.2.3-1,2
National Historic Sites of Canada (65-74)	3.2.5-1
Historical Sites (75-77)	3.2.6-1
Heritage Rivers (78-79)	3.2.7-1,2
Community Area of Interest - Sanirajak (80)	4.1.1-3
Community Area of Interest - Foxe Basin (81)	4.1.1-4
Community Area of Interest - Nettilling Lake (82)	4.1.1-5
Community Area of Interest - Duke of York Bay (84)	4.1.1-6
Community Area of Interest - Walrus Island (84)	4.1.1-7,8,9,10
Community Area of Interest - Essential Char Fishing River (85)	4.1.1-11
Community Area of Interest - Diana River (86)	4.1.1-12
Community Area of Interest - Boothia Peninsula (87)	4.1.1-13
Community Area of Interest - Hiukitak River (88)	4.1.1-14
Inuit Unincorporated Communities (89)	4.3-1

Community Water Source Watershed (90)	4.5.2-1
Priority Contaminated Sites (91)	4.6-1
Military Facilities and Infrastructure (92)	4.7-1
Kivalliq-Manitoba Linear Infrastructure (93)	5.3.1-1
Mary River-Milne Inlet Linear Infrastructure (94)	5.3.1-2
Cumberland Sound Turbot Management Area (95)	5.4-1
Key Migratory Bird Habitats - Class 2 (96-102)	2.1-3
Caribou Sea Ice Crossings (103)	2.2.5-1,2
North Water Polynya - Sarvarjuaq/Pikialaorsuaq (104)	2.8.2-1,2
On Ice Travel Routes (105)	4.1.1-1,2
Polar Bear Denning (106)	2.3-1,2,3,4,5