



Nunavut Planning Commission Final Hearing

Cambridge Bay, NU

September 2022



NIRB Mandate and Expertise

- The Nunavut Impact Review Board (NIRB) is established in Articles 10 and 12 of the Nunavut Agreement
- NIRB is part of integrated resource management process envisioned by the Nunavut Agreement
- NIRB's impact assessment process may only commence following the completion of the Nunavut Planning Commission's (the Commission) land use conformity process
- NIRB's mandate: conduct pre-development impact assessment, gauge project-specific ecosystem and socioeconomic impacts, and monitor the effects of approved projects



NIRB Mandate and Expertise /2


- NIRB supports development of a Nunavut-wide plan
 - Land use planning issues remain unaddressed in significant areas of Nunavut that do not have approved Land Use Plans in place, and
 - Where approved plans do exist, the plans are outdated, difficult to implement and leave broader land use planning issues unresolved
 - Deferral of broad land use planning issues to NIRB's project-specific impact assessment process does not provide an effective mechanism for addressing land use planning priorities and options



NIRB Mandate and Expertise /3

- Reflecting these limits, the NIRB flags for the Commission and other regulators where issues raised during the NIRB's project-specific assessment processes would be more appropriately addressed through regional land use planning.
- The feedback provided in this submission is developed from the NIRB's experience, including:
 - Issues identified through many project-specific impact assessments in areas with and without approved land use plans, and items related more directly to both July 2021 draft of the Nunavut Land Use Plan.





NIRB Support for the Commission's Development of a Nunavut-wide Plan

- In the absence of Nunavut-wide land use plans, the NIRB has encountered challenges with clearly defining project-specific impacts where:
 - The acceptability of the project type and land uses are unclear,
 - No authoritative definition of important land use areas, and
 - Unduly strains capacity of all agencies involved in impact assessment process to handle issues that should be determined prior to the initiation of impact assessment.
 - Even after project-specific impact assessments are completed, broader issues remain unclear, for example project-specific impact assessment did not address: acceptability of uranium, nuclear power, transportation corridors, oil and gas development, and development in caribou calving grounds and should be applied regional or territorial-wide.
- Therefore, the NIRB is supportive of the the Commission's efforts to establish a Nunavut-wide land use plan as well as to further revise such a plan following approval, to ensure it remains current and effective.





2016 Draft Nunavut Land Use Plan - Overall Balance of Issues

- Where developments that may limit the value or viability of another resource, positive conformity determinations should provide additional direction on operational restrictions or development limitations to ensure that the impact assessment is properly informed and focused.

(Reference issue NIRB's 2016 Final Written Submission 3.7 – *Heritage Rivers*, 3.8-*mineral potential*, 3.9-*strategic environmental assessment*, and 3.11–*paleontological resources*)

- [illegible]



2021 Draft Nunavut Land Use Plan

NIRB Comment Submission

- Transparency/clarity regarding the basis/rationale for the decision to defer setting limits/thresholds in the DNLUP in contrast to adoption of limits/thresholds notwithstanding uncertainty:
 - i.e. some parameters included in the Draft plan but remain unjustified, others are placed in the Options document due to uncertainty. Should be consistent.
- Gap in defining if proposals will be considered by the Commission between Park establishment and Park Management Plan being in place.

2021 Draft Nunavut Land Use Plan

NIRB Comment Submission /2

- Areas of Limited Use Areas and restriction to forms of research may be problematic for ongoing monitoring and research related to approved projects, and make research to collect baseline for projects currently being assessed by NIRB.
- Development restrictions around communities are highly detailed, which are usually handed through regional planning and may delay a community's ability to update its position on acceptable development.



NIRB Recommendations

2016 Draft Land Use Plan

- 20 recommendations linked to gaps and risks identified
- Many of the Board's Recommendations on this version of the Draft Land Use Plan still apply

2021 Draft Land Use Plan

- New recommendations
- Prepared to participate through the follow up comment period





NIRB Recommendations /2

- The Board's presentation is a high level summary of the topic areas explored in more detail in the Board's Written Comment Submissions:
 - The NIRB requests the Commission consider the specific recommendations provided in detail in the NIRB's final written submissions provided in both 2016 and 2021 when considering revisions to the 2021 DNLUP following the Commission's Public Hearings; and
 - The NIRB remains committed to supporting the Commission's development and future implementation of an approved plan.



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