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Nunavunmi Parnaiyiit  
Nunavut Planning Commission  
Commission d'Aménagement du Nunavut

# **Nunavut Planning Commission**

## **2021 Draft Nunavut Land Use Plan Public Hearing Transcript Thompson, Manitoba**



**September 26 & 27, 2022  
Royal Canadian Legion  
Thompson, Manitoba**

## Participants

Community Delegates & Thompson Hosts	
Andrew Proulx	City Council
Elder Joe Hyslop	Opening Prayer
Elder George St. Pierre:	Closing Prayer
Modeste Tessessage	Introduction to the Drum Ceremony
Chief Evan Yassie - <i>Regrets</i>	Tadoule Lake
Chief Negotiator Geoff Bussidor	Tadoule Lake
Susan Atkins	Tadoule Lake
Councillor Dylan Duck	Tadoule Lake
Stephanie Thorassie	Tadoule Lake
Chief Sion Denechezhe	Lac Brochet
Elder Joe Hyslop	Lac Brochet
Elder Simon Samuel	Lac Brochet
Chief Negotiator Benjamin Denechezhe	Lac Brochet
Councillor Modeste Tessessage	Lac Brochet
Councillor Joseph Danttouze	Lac Brochet
Councillor Tom Shaoullie	Lac Brochet
Chief Bart Tsannie	Hatchet Lake
Elder George St. Pierre	Hatchet Lake
Elder Louis Josie	Hatchet Lake
Councillor Peter Gazandcare	Hatchet Lake
Vincent Hogarth	Hatchet Lake
Paul Denechezhe	Hatchet Lake
Chief Coreen Sayazie	Black Lake
Elder John Echodh	Black Lake
Elder John Toutsaint	Black Lake
Chief Negotiator Ron Robillard	Black Lake
Councillor David Bigeye	Black Lake
Youth Ian Robillard	Black Lake
Chief Kevin Mercredi	Fond Du Lac
Elder Mervin Adam	Fond Du Lac
Elder Larent Noey	Fond Du Lac
Elder Alfred Naldzie	Fond Du Lac
Councillor Napoleon Pacquette	Fond Du Lac
Andrew Isadore	Fond Du Lake

## Nunavut Planning Commission

NPC: Nunavut Planning Commission – Commissioners & Staff	
Andrew Nakashuk	Chairperson, <i>Watching via Livestream</i>
Shawn Lester	Vice Chair, Acting Chair
Joshua Arreak	Commissioner
Patricia Enuapik	Commissioner
Dorothy Gibbons	Commissioner
Abraham Keenainak	Commissioner
Simeon Mikkungwak	Commissioner
Darrell Ohokannoak	Commissioner
Sharon Ehaloak	Executive Director
Nowdlak Kelly	Executive Assistant to Directors & Managers
Jonathan Ehaloak	Assistant Executive Director & Manager of IT
Brian Aglukark	Director of Community Engagement & Translations
Jonathan Savoy	Director of Policy & Planning
Goump Djalogue	Manager of Planning and Implementation
Solomon Amuno	Senior Planner
Adrian Gerhartz	Planner, GIS Technician
Annie Ollie	Interpreter-Translator & Regional Planner
Tommy Owljoot	Interpreter-Translator
Flora Natamogam	Interpreter-Translator
Daniel Alphonse	Interpreter-Translator
Jimmy Thorassie	Interpreter-Translator
Nancy Pacquette	Interpreter-Translator
Alan Blair	Legal Counsel
David Livingstone	External Advisor
Beth Gorham	Communications & Media Advisor
Willi Puerstl	Videographer, Director of Skyline Productions
Chris Hellig	Audio Technician

## Signatory Parties

Government of Canada	
Spencer Dewar	Director of Resource Management, CIRNAC
Jeff Hart	Manager of Land Use Planning
Kim Pawley	Manager of Environmental Assessment & Land Use Planning
Scott Kidd	Transport Canada
Simon Gruda-Dolbec	Department of Justice

Government of Nunavut	
Henry Coman	Assistant Deputy Minister for Dept. of Environment
Daniel Haney	Manager of Land Use & Environmental Assessment
Eamonn Carroll	Legal Counsel

Nunavut Tunngavik Incorporated	
James Eetoolook	First Vice President
Burt Dean	Department of Wildlife and Environment
David Ningeongan	Chief Operating Officer
Marie Belleau	Legal Counsel, Lands Department

## Public Presentations

Public Presenters	
Susan Atkins	Tadoule Lake
Jessie Thomas	Tadoule Lake

## Registered Participants

Denesūliné Legal Counsel, Consultants & Technical Team	
Kelly Olson	Legal Counsel
Chris Werner	Consultant, Werner Consulting
Wayne Wysocki	Consultant, Symbion Consulting
Katie Rasmussen	Technical Team

Beverly Qamanirjuaq Caribou Management Board	
Tina Giroux-Robillard	Executive Director

Seal River Watershed Alliance	
Stephanie Thorassie	Tadoule Lake

Nunavut Water Board	
Assol Kubeisinova	Technical Advisor
Jesse O'Brien	Consultant

Agnico Eagle	
Jamie Quesnel	Director of Permitting & Regulatory Affairs
Manon Turmel	Superintendent of Permitting & Regulatory Affairs
Greg Sharam	Consultant
Christine Kowbell	Legal Counsel

Representatives from Natural Resources & Northern Development	
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Kivalliq Inuit Association – Observer Status	
Hunter Tootoo	Executive Assistant
Jeff Tulugak	Lands Inspector

**\*Other attendees at the meeting are not included above, only those presenting or at the panel of presenters. A more fulsome list of all attendees can be obtained upon request.**

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## DAY 1: SEPTEMBER 26, 2022

### INTRODUCTIONS & OPENING REMARKS

Chairperson: *(Audio came in mid-sentence)*: Andrew Nakashuk, the Chair, was to be sitting here this morning, but unfortunately, he was ill and not able to make the plane ride. So, I am Shawn Lester, Vice Chair, Acting Chair, and we will get started.

For the headsets, Channel 4 is Inuktitut. Channel 5 is Dene. Channel 7 is English. If you don't have the knob on the top to pick the channel, you have to flip open the battery. There is a little button over here, and if you push it once, it takes you to the next channel. If it's not what you want to hear, you push it again. It takes you to the next channel. So, it is a bit to get set up, but once you get the right channel, you're fine.

Before we go any further, we would like to thank you for having us in Thompson, and we are honoured to be on Treaty 5 territory. We will start with an opening prayer, so we would like Joe Hyslop to please open a prayer. Yes Please.

Elder Hyslop: Thank you. *(Opening Prayer)*

Chairperson: Thank you. Please be seated. Next, we have the pleasure of a drum dance. Modeste Tessessage, and I believe others, will be joining. Please go ahead when you are ready.

Modeste: Good morning, everyone. My name is Modeste Tessessage, one of the Council of Northlands First Nation, and also one of the drum carriers. I would like to say a few words on our caribou drum, our hand drum, made out of caribou hide and birch tree. Our drums are used in many different occasions, for good blessings, for good luck, for a safe journey. This morning, we will sing a song, each First Nation from five First Nations. They all have drummers here. We are going to drum as one voice. As we drum, we drum our grandmother's heartbeat. As we sing, we sing to the Creator. As our drums are heard, the caribou they hear us. They say our old people, when you hear the drum, that is where the caribou herd is going, and the spirit of our caribou will be here today and will listen that everything will go good for each and every one of us. Mahsi'cho.

*(Drum Dance Ceremony was performed)*

*(Applause)*

Chairperson: Thank you very much. At the end, I just had to take a moment to absorb that. It is much appreciated on how to start our day. Thank you.

Next, we will have welcoming remarks from the City. It will be Councillor Andre Proulx. Please go ahead. Thanks.



Andre: Morning. Welcome all to Thompson. My name is Andre Proulx. I have been fortunate enough to be a City Councillor for about four years now. I am glad that you have chosen Thompson for your conference. I have only been to Rankin Inlet twice, but the hospitality from Rankin was amazing. I hope at least in Thompson if we could give half of what I got in Rankin, then I think we are doing a pretty good job. The work that is being done ensures a prosperous North, not only for the citizens, but also for visitors, so the work that is being done is very important here.

I hope you guys do have time to visit maybe Pisew Falls or Paint Lake or something like that while you are up here, or down here I guess for some of you. Again, welcome to Thompson. I hope you guys have a great day. Thank you.

Chairperson: Thank you. We will start now with some basic housekeeping stuff, the boring stuff that needs to be said. I will pass it over to Sharon for that. Thanks,

Sharon: Good morning, everyone, and thank you for the warm welcome to Thompson and to the drum dancers. That was very nice, and the opening prayer. I just want to review some of the housekeeping. We will be starting the meetings at 9:00 in the morning and finishing at 4:30. We will be having two breaks as close to 10:15, 10:30, and 2:15, 2:30 in the afternoon.

We are live streaming, so everyone knows that the proceedings are being recorded as well as transcribed. It is on Isuma TV on channels 240, 267. We are grateful for Isuma to be supporting us with all of our public hearings. We also are on YouTube as well as Facebook.

Very important: if you can please have your phones on silent throughout the sessions while you are in the hall, that would be very much appreciated. We are translating into four languages, and our translators are translating from Dene to English to Inuktitut to French. So, when you are speaking, please be respectful of our translators and those that require the translation services.

We will be breaking at 11:45 to 1:15 for lunch on both days. As you check in, each of you have a nametag with a scan code. We do need to keep track of everyone that is attending, so please as you check in in the morning and in the afternoon, and if we need an evening session, if you could just scan in, that would be very much appreciated. If you are a registered delegate and don't have a nametag, our staff at the back will get one made for you. Just let them know. I do understand there were a couple of names spelled wrong. We apologize for that. Hopefully, those are all corrected.

As you came in, I just want to review the emergency exits. There is the main one that you came in. There is one at the rear and one at the front. Should we have to exit the hall, if you could exit to the exit nearest you. The washrooms are in the lobby as you came in. Please help yourself to the snacks, coffee, tea, the water. It is over here.

Our system is very sensitive, so when you are speaking, you do have to be very close to the microphone for the translators to pick up the translations. We ask that every person speaking be recognized and go through the Chair, and that one person speak at a time. We also ask that as presenters are presenting to wait until they are finished and let the Chairman recognize the questions, so we are not interrupting the presenters.

We will be sticking to our agenda, and as much as possible to the timelines because we only do have two days here, and we want to make sure that everyone is heard.

We are providing facemasks, and those are optional. If you are comfortable and you want to wear a facemask, please do so. Please be respectful of those that are saying they would like to wear their mask on.

If any of the community delegates have any questions or issues, we do have our staff here that can answer your questions or provide support if needed. The structure of the proceedings: after we do the introductions, I will review the agenda so everyone has a clear expectation to how the next two days are going to unfold. With that, Mr. Chair, I will turn it back to you for Commissioner introductions. Thank you.

Chairperson: Thank you, Sharon. We will start with our Elder. Please go ahead. Go ahead, Joshua.

Abraham: *(Translated)*: Abraham Keenainak, NPC Commissioner.

Joshua: Joshua Arreak, Commissioner from Pond Inlet.

Patricia: Good morning. I am Patricia Enuapik, Commissioner for Nunavut Planning Commission.

Darrell: Good morning, everyone. I am Darrell Ohokannoak, Commissioner of the Nunavut Planning Commission from Cambridge Bay.

Simeon: Good morning. Simeon Mikkungwak, appointed Commissioner from Baker Lake, Nunavut. Thank you.

Shawn: And I am Shawn Lester, Vice Chair, Acting Chair. I live in Iqaluit. Sharon, please go ahead. Thanks.

Sharon: Thank you, Mr. Chair. As I have said before, I am Sharon Ehaloak, Executive Director for the Nunavut Planning Commission. I would like to go through and just recognize the staff, the support staff, our audio, and then recognize each of the communities that are here. First of all, for our staff, if you could please stand up so everyone knows who you are:

Brian Aglukark: Brian is our Director of Community Engagement and Translation Services. Brian is based in our Arviat office.

Jonathan Ehaloak: Jonathan is our Assistant Executive Director and Manager of Information Technology. He is based in our Iqaluit office.

Jonathan Savoy: Jonathan Savoy is our Director of Policy and Planning, and he is based in our Cambridge Bay office.

Goump Djalogue: Manager of Planning and Implementation, and Goump is based out of our Iqaluit office.

Solomon Amuno: Solomon is our Senior Planner out of Cambridge Bay.

Tommy Owlijoot: Tommy is our Interpreter-Translator, Mapper based out of our Arviat office.

Annie Ollie: Annie is also an Interpreter-Translator and Mapper based out of our Arviat office.

Our interpreters for the Athabasca Dene: Flora, if you could stand up, please, and Daniel. They are supporting us with that dialect. I hope I don't say this wrong. For the Ghotelnene K'odtineh Dene, we have Jimmy and Nancy.

I think each of you met Nowdlak at the back. She is our Executive Assistant to all our Directors and Managers and manages all three of our offices. If you have any issues or whatnot, Nowd is probably the key person to see.

Natalie is also our French translator at the back providing admin support.

Beth is our Communications, and she is at the back helping out back there.

Alan Blair: Alan is our legal counsel.

David Livingstone: David is our External Advisor.

Then we have Willie Puerstl on the camera and Chris Heillig.

I would like to recognize for each of the communities, and I will go in order, sorry. The Government of Canada representatives if you could please stand up and identify yourself.

I apologize, Adrian. I don't know how I missed you. Adrian is our Planner, GIS Technician that does all the maps that you see on the wall. Apologies.

- From the Ghotelnene K'odtineh Dene, I hope I did that right. Northlands Denesųłiné First Nation, if you could stand up, please. Good morning.
- The Sayisi Dene First Nations. Good morning.
- From Athabasca Dene from Fond Du Lac, Denesųłiné First Nation. Morning.
- Our delegates from Black Lake.
- Hatchet Lake. Morning.
- Seal Water Watershed Alliance. Good morning.
- The Government of Canada
- The Government of Nunavut team at the very back. Good morning.
- Nunavut Tunngavik Incorporated, and I would like to recognize the First Vice President, James Eetoolook and his team. Welcome.
- The Kivalliq Inuit Association, Hunter and Jeff. Welcome.
- The Nunavut Water Board. Morning.
- The Beverly Qamanirjuaq Caribou Management Board. Good morning.
- Agnico Eagle. Morning.
- Friends of Land Use Planning

Is there anyone that I missed, any other participants or members of the public? *(Pause)*

Alright, I am going to turn it back over to the Chair, and we will get started with our business at hand. Again, welcome everyone. Thank you.

Chairperson: Thank you very much, Sharon. It is a pleasure to be in Thompson. It is my first time, so we did a little checking out. We will hopefully do a little more. We will start today with a video. Is it queued?

*(NPC Video shown introducing the Draft Nunavut Land Use Plan)*

<https://youtu.be/8bFYz5g0bpY>

Before we get started on the real business of the hearing, I would like to make some opening remarks to set the context for the next few days. First, I want to touch on the larger context and the relevance of land use planning in Nunavut. Land use planning is about understanding the integrated environmental, economic, and social-cultural context within which a plan is to be developed, the possible alternatives for land uses, and the selection of the best option in the circumstances given the best information we have at the time.

Across the North and across Canada, land use planning processes have experienced many different challenges. Those challenges are often due to diverse interests and the range of their environmental, economic and social conditions. Our experience in Nunavut can be even more challenging than other planning processes because of the size of Nunavut, the varied interests, often from region to region, as well as within regions.

We often have different views on an overall vision for land use planning in Nunavut and the scope and the content of a first-generation plan, as well as disagreements over the necessary resources for planning and how hearings should be conducted.

We must also address the unprecedented size of our planning area which further increases the number and complexity of the issues. No other jurisdiction in the world has attempted this at such a scale.

Regardless of the challenges identified, land use planning is essential. It matters to Nunavummiut, to our communities, to governments, various organizations, and industry. It matters to the land and all those that rely on the land, all living things. It matters to all of us collectively as we seek to protect the environment and develop resources responsibly and sustainably in the short term and for future generations.

Article 11 of the *Nunavut Agreement* sets out the principles that guide land use planning in Nunavut, and I will quote some key sections:

- The primary purpose of land use planning in the Nunavut Settlement Area shall be to protect and promote the existing and future well-being of those persons ordinarily residents and communities of the Nunavut Settlement Area, taking into account the interests of all Canadian. Special attention shall be devoted to protecting and promoting the existing and future wellbeing of Inuit and Inuit Owned Lands.

- The planning process shall ensure land use plans reflect the priorities and values of the residents of the planning regions.
- The objective of the planning process shall be to prepare land use plans which guide and direct resource use and development in the Nunavut Settlement Area.

Land use planning is much more than drawing lines on a map. It is about setting and achieving goals, identifying and living within limits of acceptable economic, environmental and social change. We must ensure the future is more than the result of a series of decisions about individual projects and activities. This Plan – your Plan - provides an opportunity through an inclusive process to meaningfully address and have essential conversations about difficult things.

There are several reasons why a supported and approved Nunavut Land Use Plan matters:

- It will support decision making with respect to environmental stewardship, sustainable resource and economic opportunities, and social benefit.
- It will serve as a filter and an entry point into the Nunavut regulatory system, and by doing so avoid single project-by-project reviews in the absence of a regional context.
- It will provide a structure and process to identify what is important, and confirm why it's important, in a larger sense, not just on a single proposed project.
- It will set out a framework for public and private investment, resource and environmental management, and progress as Nunavummiut define it.

Planning needs to be understood as a continual process that has to be monitored and reconsidered over time as circumstances, needs, and opportunities change and when new information becomes available.

There is no magic formula for creating a land use plan. It is always a question of achieving an acceptable balance among differing views, values, and visions. Understanding and knowing comes in different forms. Both Inuit Qaujimajatuqangit and western science acknowledge the importance of experience, wise judgement, and intuition.

Compromise by all parties is essential. No one party will get everything it wants but all parties should achieve enough to be satisfied with the outcome. The planning process is both a challenge and an opportunity. We are challenged to see and understand the different views, values, and priorities from all perspectives.

This gives us the opportunity to see things through others' perspectives; build a bridge and reach a consensus; find some balance; and adapt and improve the plan over time as circumstances and new information become available.

The Nunavut Planning Commission's decision-making framework presented in the 2021 Draft Plan and the *Options and Recommendations* document, is disciplined and transparent. The process is

framed by considering options and trade-offs. Final decision-making relies on a combination of information, values, experience, and professional judgment.

The Nunavut Land Use Plan will be a living document. The 2021 Draft Plan incorporates ongoing monitoring and periodic reviews and amendments of the Plan, a continued commitment to achieve and maintain balance.

The Plan will be adapted to meet changing circumstances and events including:

- Community population changes,
- Wildlife population and habitat changes,
- Mineral and hydrocarbon demand and supply, and
- Impacts of climate change on the land and its use.

We Commissioners are committed to making all efforts to ensure that balanced decision-making remains at the core of our discussions. We will continue to rely on the best available information – Inuit Qaujimajatuqangit and western science - for the analysis of facts and consideration of values.

The last 15 years of Plan development have consumed resources and placed demands on communities, regional organizations, and other planning partners. Now is the time for our collective efforts to come together and complete the Nunavut Land Use Plan. It is time for us to see issues from each other's perspectives to understand and commit to the compromises necessary. Working together, we will finalize a plan for Nunavut that reflects the priorities, values, and vision of Nunavummiut and our communities. Thank you for your attention.

So, we will move to the next section, and it is a presentation. We will start, and then I believe we will go until about 10:30, Jonathan. Then we will have a break. We will start with the presentation of the 2021 Draft Nunavut Land Use Plan and Maps by the Commission staff. Once the presentation is all done, we will open up for questions and answers. Please go ahead, Jonathan.

## **Overview of the 2021 Draft Nunavut Land Use Plan & Maps**

### **Jonathan Savoy, NPC Director of Policy & Planning**

Jonathan S: Thank you very much, Mr. Chair. This is Jonathan Savoy with the Nunavut Planning Commission. Thank you to everyone for making it here to Thompson. We are very happy to be here and look forward to hearing all of your feedback on the Draft Plan.

To get things started, I am going to provide a high-level overview of the 2021 Draft Plan focusing on areas and issues that are most relevant to those of us gathered here today. Please note that the presentation that will be on the screen and included in the printed handouts is a translated version with Denesųliné syllabics. There are some slides in the deck... Sorry about that, just switching mics here. There are some slides in the deck that were relevant for our community orientation

presentations that happened through the summer, but we had some issues with syllabics. I will just be skipping over a number of slides in this presentation, just for reference.

First of all, the Nunavut Planning Commission is established under the *Nunavut Agreement* with the responsibilities to prepare land use plans that guide and direct resource use and development in the Nunavut Settlement Area. The Nunavut Planning Commission is the entry point into Nunavut's regulatory system and serves as the first point of contact between individuals or companies looking to come into Nunavut to conduct work on the land. We call these project proponents. Our land use plans are intended to set out a foundational framework for how land and resources would be used in the territory.

We currently have two approved regional land use plans, one of those being the Keewatin, of course now known as the Kivalliq Regional Land Use Plan. These plans were originally developed in the 1980s, approved in the early 1990s, and then largely went through administrative amendments after the creation of Nunavut to make them consistent with the *Nunavut Agreement*, and reapproved in the early 2000s. So, much of this planning work is now dated. Circumstances have changed, and this Draft Nunavut Land Use Plan that we will be discussing will replace these approved plans once it is approved.

The Nunavut Land Use Plan began its development in 2007, so just about 15 years ago. The Commission approved what is known as the *Broad Planning Policies, Objectives, and Goals* document that was developed in close collaboration with the Government of Canada, the Government of Nunavut, as well as Nunavut Tunngavik Incorporated. This document is a requirement of the *Nunavut Agreement* and sets the overall framework for land use planning in the territory. This document has directly informed the development of the Draft Land Use Plan, and we will be making reference to the different goals of that document throughout the day today.

Since 2007, the Commission has been working to identify priorities and concerns of all planning participants, and to identify options on how to address these issues and priorities through a land use plan. Previous drafts of the document were released publicly in 2012, 2014, 2016, and most recently of course, in July of 2021.

For each of these draft documents, the Commission has been consulting on the Draft hearing feedback, and revising the Plan on the basis of the information and feedback it has received. Likewise, moving forward with this Draft Plan, the Commission will not only be considering all of the written submissions that have been received to date on the 2021 Draft Plan, but also all of the oral comments the Commission has been collecting at these five regional public hearings of which this is the third, and in addition, any further written submission that may be received up until January 10, 2023.

Following the close of the record on January 10<sup>th</sup>, the Commissioners will be sitting down to reconsider all of the recommendations and options for the Draft Plan and will be preparing a recommended Nunavut Land Use Plan that will be submitted to the Government of Canada, the Government of Nunavut, and Nunavut Tunngavik Incorporated for consideration in 2023.

We will be going through the format and content of the Draft Plan, again at a high level. The first chapter in the Land Use Plan serves as an introduction to the document and sets out a number of key concepts and terminology that we would like to go over and highlight so we all have a common

understanding of the terms being used today. Chapter 1 includes an overview of the Nunavut Planning Commission's jurisdiction. I will first note that the Land Use Plan will not apply to community land use or activities that are conducted by community members, whether those are residents of the Nunavut Settlement Area or adjacent regions including Northern Manitoba and Saskatchewan.

None of your activities out on the land in terms of harvesting, camping, or traditional land use activities would be subject to any of the requirements that are being discussed today that are included in the Draft Land Use Plan. Any of the guidance in the Draft Land Use Plan is meant to apply to these project proponents we call them, that are coming into Nunavut looking to use the land. So, things like mineral exploration and production, tourism activities, scientific research, the construction of infrastructure: those types of uses would need to follow the requirements of the Nunavut Land Use Plan once it is approved.

In terms of geographic boundaries, we note that the Land Use Plan applies to the Nunavut Settlement Area generally, which is a little bit different than the territory of Nunavut. In the southern Kivalliq, this mostly means that it does not include the entire portion of Hudson Bay. Only the area shown on our maps highlighted is included in the jurisdiction of the Plan. We do note that the Plan applies to all types of land ownership, whether that is Crown land, Inuit Owned Land, municipal land, or any future land that may be owned by the Denesųliné as well in the future.

The Draft Plan mainly consists of six chapters. We will be going through each of those in turn, focusing on the areas most important to you. There is also a series of maps that form a major component of the Land Use Plan, and you can see copies of the different portions of Map A on the walls at the back, including maps for all of Nunavut as well as some closer-in views of just the Kivalliq region. If you are interested in seeing any of the areas that we will be talking about today at a better scale, I encourage you to take a look at the maps that are hung on the wall here in the room.

There is also a series of maps at the back of the Land Use Plan document itself identifying Valued Components that we will talk about shortly, as well as a number of tables and appendices that set out additional information on certain Plan requirements, as well as things like definitions of terms used in the Plan. We won't be going through those in great detail today, but if there are any questions on anything specific, we would be pleased to go into any further detail that is required.

We will also note that the Land Use Plan itself, the Draft Land Use Plan, is supported by a companion document known as the *Options and Recommendations Document*. There are a few copies floating around, and it is a much larger document running many hundreds of pages. We don't expect most community representatives in particular to have gone through all of that information in general, but we do note that it is a valuable resource that outlines the information that was considered by Commissioners when they were making their decisions for this Draft Plan, the different options that were considered, and how each decision was arrived at.

This document underwent a significant overhaul for the 2021 Draft Plan in response to concerns that were raised about the Commission's decision-making not being well understood or adequately transparent. This document does take a consistent, detailed, and transparent approach to demonstrating the Commission's thinking on any given issue. Again, we won't be spending any time going through that document today, but if there are specific questions, I do encourage participants



to take a look at that document or ask specific questions on where we may be able to help provide some context for the decisions in the Land Use Plan.

I will also note that this *Options and Recommendations Document* does not form a part of the Land Use Plan. It is not subject to approval but is really a supporting background document to frame the Land Use Plan itself, both for current participants and reviewers of the Land Use Plan, as well as in the future when considering further Plan revisions at a later date.

### Chapter 1 Overview:

We will note that that Land Use Plan itself relies on a system of what we call land use designations that are similar to the zonings that might be more familiar in a community context. The Land Use Plan relies on three different types of land use designations shown in three different colours on Map A shown here on the slide, as well as on the maps on the walls that I have already referenced.

As an overview, the three main types of land use designations start with what is known as a Limited Use designation. These areas are shown in red on Map A, and they represent the most restrictive type of land use designation in the Draft Plan. Within these areas, at least one type of use is prohibited or not allowed all year round. These are often industrial uses that the Commission has identified as being incompatible with the identified values of the area.

In addition, these Limited Use Areas can also have other specific Plan requirements identifying rules that project proponents would need to follow, for example, seasonal restrictions on certain uses or setbacks, or minimum distances that land users would need to stay away from important features. All of those tools can be included in a Limited Use designation, again shown in red on Map A.

The second type of land use designation is known as Conditional Use Areas. In these areas, there are no year-round restrictions on land use, but there may be other Plan requirements, such as seasonal restrictions or the setbacks or minimum distances that I just referred to. These are a more flexible land use designation than Limited Use, but it still has specific Plan requirements included in them.

The third designation is known as Mixed Use. It is shown as the lighter coloured tan areas on the map. These areas do not have any year-round prohibitions or restrictions, and also no other Plan requirements for land users. In these areas, all proposed uses would be supported by the Draft Plan, but all of these areas including Mixed Use can have what we call Valued Components identified within them.

Because the Commission has been consulting for 15 years on this Draft Plan, we have collected a great deal of information about lands, waters, and resources within the territory. Not all of that information has been included on Map A with specific land use requirements, but all of that information is still very important and useful to the Commission, project proponents, and other regulatory authorities.

The 2021 Draft Plan proposes to identify much of this additional information as Valued Components, and while these values and their identification do not come with detailed requirements on how the land is used, the Commission is proposing that through their identification at the beginning of the

regulatory proposes to project proponents when they first come to the NPC, this could be used by project proponents to assist in the design of their proposals.

In addition, the Commission is responsible for forwarding the project proposals that we receive that are supported by the Land Use Plan to other responsible regulatory authorities. The Commission believes that by passing along information on these Valued Components to other regulatory authorities, that will enable them to get a bit of a head start on their review of project proposals and potential impacts of those activities on values, and also prevent community members and other participants in the planning process from having to repeat themselves each time a new project is proposed and is being reviewed

Together, we have our three different types of land use designations with different types of Plan requirements. Over top of all those land use designations are all of these different Valued Components that are identified for consideration.

There is a high-level overview on this slide of different area calculations for the different types of land use designations. At a general level, the Mixed Use Areas, which again are areas where all uses would be supported by the Plan, represent 65% of the Nunavut Settlement Area. An additional 9% are included in the Conditional Use designation, so those are the yellow areas shown on Map A. In addition, there is 22% roughly included in the Limited Use or the most restrictive red areas on Map A. In addition to those three types of land use designations, there is an additional 3% included within established parks and areas where the Land Use Plan does not apply. In those areas, the community does not have jurisdiction. There are no land use designations assigned to these areas because the Commission does not have jurisdiction.

That concludes Chapter 1, and it is probably a good time to take a break, but I will turn it back over to the Chair. Thank you.

Chairperson: Thank you, Jonathan. We will take a 15-minute break, but I just want to let people know that if you are having trouble with your headsets, just raise your hand and somebody will come and help you. It is time for a 15-minute break. Thanks.

Break

Chairperson: Please.

Sharon: Thank you, Mr. Chair. Sharon Ehaloak, Executive Director for the Planning Commission. First of all, we introduced the drummers wrong. It is the Denesųliné First Nation Drummers. Apologies for that. We also would like to recognize the legal team over on the side: Wayne, Chris, and Kelly, if you can stand up for the Ghotelnene K'odtineh Denesųliné. As well, we also have reps joining us who came in after the introductions from the Government of Manitoba, Natural Resources and Northern Development. Ladies if you just want to stand up so people can see where you are. Thank you so much. With that, Mr. Chair, we will go back into the presentation. When Jonathan finishes, we will review the agenda as I said, for the next two days after the presentation. Thank you, Mr. Chair.

Chairperson: Thank you, Sharon. When you are ready, Jonathan, please go ahead.

## Chapter 2 Overview:

Jonathan: Thank you very much, Mr. Chair. Jonathan Savoy again with the Nunavut Planning Commission. We finished our overview of Chapter 1 talking about the different land use designations and Valued Component approach that the Land Use Plan takes generally. Chapters 2 through 5 each deal with a distinct goal of the Land Use Plan.

Chapter 2 is on the goal of Protecting and Sustaining the Environment. This chapter deals with a number of different types of wildlife habitat generally. I will go through this chapter, again as I have noted, highlighting areas of most importance to those of us gathered today and kind of quickly skipping over issues that may be more applicable to more distant areas.

### Key Migratory Bird Habitat Sites

The first subsection of Chapter 2 deals with key migratory bird habitat sites. The Draft Plan identifies three different classes of key migratory bird habitat sites. In general, lots of this information was provided by the Canadian Wildlife Service with Environment and Climate Change Canada.

For Class 1 sites, the Draft Plan identifies proposed prohibited uses in these locations as well as setback requirements from key locations within the broader area. So, these would be both land-based or terrestrial setbacks, as well as aerial or minimum altitudes that different types of aircraft would need to maintain, and also setback requirements for ship traffic in the marine areas.

Looking at the map, you can see that there are no Class 1 sites in the southern portion of the Kivalliq region, but on the right-hand side of this slide, there are Class 2 and Class 3 locations identified. Class 2 sites correspond to Conditional Use Areas that don't have year-round restrictions but do have those setback requirements. An example is the Middle Back River area near the Thelon Wildlife Sanctuary.

Finally, the Class 3 sites do not have any prohibited uses or setback requirements but are identified as Valued Components. You can see some in the southern Kivalliq along the Hudson Coast that are associated with the McConnell River Migratory Bird Sanctuary, which we will discuss in the next chapter.

### Caribou Habitat

The second subsection of Chapter 2 is on caribou. We understand this is one of the most significant issues in the Nunavut Land Use Plan for the Denesųliné, and we will take a little bit more time to review these sections. There are a large number of different types of caribou habitat identified in the Draft Plan. The first two shown on this slide are caribou calving as well as post-calving areas. These are both identified as Limited Use designations with year-round prohibitions or restrictions on a number of industrial activities including mineral exploration and production, oil and gas exploration and production, all-weather roads, hydroelectric power development, as well as large-

scale wind turbines to give some examples. Both of these habitats in the Draft Plan also include seasonal restrictions for other uses that are supported by the Land Use Plan.

Except things like scientific research and tourism activities related to caribou conservation, there are a number of uses not allowed at any time of the year. Other activities may be permitted in the areas but would have to follow seasonal restrictions. An example that we have been using is something like a military training exercise. Sometimes the Department of National Defence and rangers do things like cold weather survival training as an example. That would be able to occur in a calving ground in February but not during the calving season itself.

In terms of the information that was considered here were the boundary identifications. These areas were largely defined by the Government of Nunavut through their satellite collaring data for the different caribou herds. They use satellite tracking information in a statistical or computer analysis to turn those points into areas of most importance, most used by caribou during the different seasons.

The Commission did consult broadly with community members in particular, and there have been some modifications to those boundaries based on Traditional Knowledge, but the foundation for the mapping of these to habitat types was the Government of Nunavut's collaring data. We can see here in the southern Kivalliq, and as you can see in more detail on the maps on the wall, these two types of habitats make up a large percentage of the Limited Use designations included in the Land Use Plan in this area.

In addition to calving and post-calving areas, the Draft Plan also identifies caribou key access corridors as Limited Use Areas. That might sound like a funny or unfamiliar term. I will just note that the Commission's understanding is that caribou key access corridors are important portions of the caribou's migration routes that they use to access the calving grounds, and they are defined to include only portions of the post-calving habitat.

Again, when we talked to communities, they are not regularly identifying caribou key access corridors. They don't use that terminology, but based on the Government of Nunavut's analysis, these areas are identified as important habitats, and again included as Limited Use designations with year-round prohibitions on certain industrial activities and also seasonal restrictions for other uses.

On the right-hand side of this slide, we also see caribou freshwater crossings. This information came from a variety of sources including going back to the 1970s Federal Caribou Protection Measures as well as the identification of freshwater crossings directly from community members and Hunters and Trappers Organizations within the Kivalliq region. These areas are also included as Limited Use designations in the Draft Plan with proposed year-round restrictions with again, that similar list of industrial activities.

I will note that for the caribou freshwater crossings, the Commission did not have detailed dates or timing of when each crossing was used across the territory. Therefore, there were not additional seasonal restrictions put in place for the use of these caribou freshwater crossing areas.

Moving on, we have a number of additional caribou habitats identified. Shown on this slide, we see caribou summer and late summer ranges, as well as caribou rutting areas. The Commission heard a

great deal about the different types of caribou habitats and their importance. In the Draft Plan, these habitats were not recommended to have specific Land Use Plan requirements included but are identified as Valued Components, again as I noted, for consideration both by proponents at the beginning at the regulatory process, as well as for other regulatory authorities who would be reviewing these project proposals in more detail.

The Draft Plan also identifies caribou sea ice crossings as Conditional Use Areas with seasonal restrictions. I will note that there are none applicable to the southern portions of the Kivalliq region, so we won't go into that in detail. The Draft Plan also identifies Peary caribou areas in the high Arctic. Again, that is just for reference.

Overall, the Draft Plan does propose some very stringent requirements on a number of caribou habitats and also identifies different portions of their ranges as Valued Components. We do appreciate that this issue has been identified during previous consultations as being very important to the Denesųliné. So far through the consultations on this Draft Plan, this is an area where there are a number of differing perspectives on how the Land Use Plan should address this issue. We very much look forward to hearing from representatives gathered here today about this very important issue.

Just for participants' reference, some feedback on this Draft Plan is in support of the approach to caribou management in the Draft Plan as currently drafted. Other participants have expressed concern that the level of restrictions being proposed for caribou habitat will have negative impacts on Nunavut's economic development and are unnecessarily restrictive. Some participants suggest that these habitats could be managed, for example, with just the use of seasonal restrictions rather than year-round designations. That would be moving some of these Limited Use designations to Conditional Use designations, for example.

We have also heard suggestions from other participants that what are known as mobile caribou protection measures would be more appropriate for certain habitats, or in fact, all caribou habitat, where rather than protecting certain areas in the Land Use Plan, those protection measures should be attached to the caribou themselves as they move. Again, trying to briefly overview some of these issues, it was noted during previous hearings that mobile protection measures can provide management of exploration projects but may not be entirely suitable for operating mines as an example. Some concerns with mobile measures also noted in previous hearings included statements that they do not provide habitat protection itself, but rather protection for the caribou themselves.

Of course, that is not a comprehensive overview of the feedback that has been received, but I just note some aspects of the differing opinions on caribou to put some of that in context for the participants gathered here today that may not have been aware of some of the detailed feedback that has been received to date.

#### Polar Bear Denning Areas

I will now move on to the remainder of Chapter 2. The next subsection is on polar bear denning areas. You can see that there are some identified polar bear denning areas in the southern portions of the Kivalliq along the Hudson Bay coast. This is a fairly unique example of a Plan requirement in the 2021 Draft where for polar bear denning, the Draft Plan proposes a seasonal Plan requirement

where any project proponent looking to conduct activities that would disturb the ground or the snow that the bears may be denning in would first have to conduct a survey to identify potential polar bear dens by a polar bear monitor. If active or susceptible dens were located, a 1-kilometre setback would need to be implemented around those particular locations until the polar bear monitor has confirmed that the bears have left the area.

This would apply to larger-scale activities such as drilling or blasting, or the operation of heavy equipment to the identified polar bear denning area. During these seasons, for example, an aerial survey would not be subject to these seasonal requirements, but larger earth or snow-moving operations would have to follow this survey requirement.

I will note that the polar bear denning areas have come from a combination of government survey information for polar bear denning areas combined with input from communities and Hunters and Trappers Organizations, as well as information provided by the World Wildlife Fund.

#### Walrus Haul-Outs

On the right-hand side of this slide, we see walrus haul-outs. These are areas used by walrus during the open water season to haul-out onto the land and rest. There are no known active walrus haul-outs in the southern Kivalliq identified in the Draft Plan, but in general, the Draft Plan does identify these habitats and includes a Limited Use designation with year-round restrictions on certain activities, as well as very detailed setback requirements, again for both land-based activities, aircraft flying over them, as well as marine traffic for different sized-vessels.

#### Whale Calving Areas, Atlantic Cod Lakes, Polynyas & Other Marine Areas of Importance

The next three sections deal with different types of whale calving areas. The Draft Plan identifies calving areas for beluga, narwhal, and bowhead whales. I will just generally note that some of these locations for each species of whale are included as Limited Use designations. Those are generally small areas in isolated bays or inlets that are removed from major ship traffic areas. The remaining areas, which tend to be larger and overlap with existing shipping, are identified as Valued Components.

We also have on the right-hand side of this slide, Atlantic cod lakes. This is an issue only applicable to a small area in the Qikiqtaaluk region, so I will skip over that as well.

There are some additional marine areas on Slide 36. The left-hand slide shows what have been named Ecologically and Biologically Significant Areas by the Department of Fisheries and Oceans with the Government of Canada. That is a bit of a mouthful, but it basically identifies marine areas of Nunavut that are important for a variety of reasons.

You can see this includes much of the portions of Hudson Bay within the NPC's jurisdiction. These areas did not come with specific recommendations for detailed Plan requirements, and the Commission has recommended including these areas as Valued Components in the 2021 Draft Plan.

The right-hand side also shows identified polynyas, which are open areas of water that persist during the winter season. We will note that there are some identified polynyas in Hudson Bay in the southern Kivalliq, and these are also identified as Valued Components.

#### Transboundary Considerations

The next slide deals with transboundary considerations, or areas that cross borders. I want to first note that this section could easily have included a lot of areas of overlap with the Denesų́liné. However, that was chosen by the Commission to be located in Chapter 4, so we will get to that shortly. We will also note that in written submissions to this current Draft Plan, the Seal River Watershed has been identified as an additional transboundary area of interest. That will be given full consideration by Commissioners when revising this current Draft Plan.

I will just draw our attention to this being in Chapter 2. There is an example from the Kitikmeot region of Nunavut where the Great Bear Lake watershed, which flows into the Sahtu region of the Northwest Territories has been identified as a Valued Component, to make everyone aware of this portion of the watershed that is within Nunavut.

There is also the North Water Polynya in the Qikiqtaaluk region that is being considered for joint management with the Inuit of Nunavut and the Inuit of Greenland. Again, although this section currently does not have areas of overlap with Northern Manitoba and Saskatchewan, that will be reconsidered following the close of the record. Chapter 4 does include discussion about Denesų́liné areas more generally.

#### Climate Change

Chapter 3 of the Draft Land Use Plan covers the goal of Encouraging Conservation Planning. Before I jump into this chapter, I would just quickly note that the final subsection of Chapter 2, for which there is not a map and a slide, but it may be of interest to participants, was regarding the topic of climate change. Within the Commission's *Broad Planning Policies, Objectives, and Goals* is an understanding that climate change will be part of the considerations of the Draft Plan.

At this time, there are no specific areas included in the Draft Plan or specific Plan requirements for climate change. The Draft Plan does note how this issue was considered by Commissioners when developing the current Plan generally. Some examples include the proposed Plan requirements for different types of caribou habitat that were considered in light of a changing environment and a changing climate, making caribou perhaps more vulnerable to disturbance and impact.

Specifically in the record, it was noted that caribou are facing increasing forest fires in the southern portions of their range, which I am sure you gathered here today would be familiar with, as well as increasing insect harassment that caribou are encountering, as well as increased icing events. During the transition out of winter, having longer periods where ice is being deposited on the ground, makes it harder for caribou to dig through to access their forage. That was an example of the Commissioners considering that information when recommending the land use designations that are included in the Draft Plan. As well, another example is polar bear having a shortened season in which they are able to hunt from sea ice.



### Chapter 3 Overview:

With that being noted, I will now move on to Chapter 3, Encouraging Conservation Planning.

#### Parks Awaiting Full Establishment and Proposed Parks

I noted earlier today that the Nunavut Planning Commission does not have jurisdiction within established parks, but we do have jurisdiction within established conservation areas. It is a goal agreed to again, back in 2007 to support the management of these areas.

The left-hand side of this slide shows future national and territorial parks. Here in the southern Kivalliq, the only examples are small territorial parks generally associated with communities within Nunavut. These are often recognized as being territorial parks but are not yet fully established. Therefore, the Commission continues to have jurisdiction in these areas at this time. The Draft Plan includes them as Limited Use designations with year-round prohibitions.

#### National Wildlife Areas and Migratory Bird Sanctuaries

Slide 40 identifies both national wildlife areas as well as migratory bird sanctuaries. In the southern Kivalliq, there are no national wildlife areas, but there is at least one migratory bird sanctuary, the McConnell River Migratory Bird Sanctuary to the south of Arviat. This is included in the Draft Plan as a Limited Use designation with year-round prohibitions on activities as well as setback requirements for important locations within the sanctuary itself.

In this case, we note again there are some differences of opinion on whether this area, or these areas should be included in the Draft Plan. Some participants support their inclusion as Limited Use Areas, and others have noted that the existing conservation areas already have regulatory requirements or legislative requirements for their management, and the Land Use Plan should defer to those instruments to manage these existing conservation areas.

#### National Historic Sites & Historic Sites

The next slide identifies on the left-hand side national and territorial historic sites. We do recognize that throughout Nunavut, there are many locations of historic and cultural value. This map and the Draft Plan do not attempt to identify all of these different locations but only refers to those that are identified as national historic sites, as well as territorial ones. There is a larger national historic site within the Kivalliq region for the fall caribou crossing on the Kazan River. That is included in the Draft Plan as a Limited Use designation, again with year-round prohibitions on many industrial activities.



### Canadian Heritage Rivers

On the right-hand side, we see Canadian Heritage Rivers. I will first note that the Commission has reviewed the management plans for all of Nunavut's Canadian Heritage Rivers, including the Thelon and Kazan Heritage Rivers, which were originally developed and approved in the 1980s. For those two Canadian Heritage Rivers, the management plans identify a corridor extending 1-kilometre from either shore of the river as the area in which the management plan applies to.

The Draft Plan identifies that corridor along the river as a Valued Component for consideration. In addition to that, the management plans identify specific locations along the length of the Thelon and Kazan Rivers that are historically and culturally important, and identifies those particular locations as Limited Use designations, again with year-round prohibitions on activities.

Again, all of that information was taken from the management plans for these Canadian Heritage Rivers, which explicitly do not have authority to guide land use in any required way. They are more recommendations and guidance rather than requirements. The Draft Plan proposes to enhance some of those requirements through inclusion in the Nunavut Land Use Plan, and again, there is a mixture of feedback from participants. Some support the inclusion of these areas as Limited Use designations, and some say it goes beyond what was intended when the Heritage Rivers were established.

### Chapter 4 Overview

Moving on to Chapter 4, is the goal of Building Healthier Communities. Chapter 2 addressed the number of environmental concerns and wildlife habitat. Chapter 3 identified different types of conservation areas the Draft Plan attempts to support, and Chapter 4 gets into areas identified by communities for their wellbeing.

The first subsection of this chapter deals with Community Areas of Interest. Throughout Nunavut, different communities have identified different areas important to them for harvesting, camping, and other cultural activities. These are included throughout the territory. The first example applies territory-wide for community on-ice travel routes, which are included as Conditional Use designations with the concern being for potential impact of shipping through ice preventing community members from travelling in the winter on the sea ice.

The next few slides go through different Community Areas of Interest. There are none particularly close to the Kivalliq southern borders, so I will just pass through this quickly and note that there are a number of these areas throughout the territory, some included as Limited Use designations with year-round prohibitions, and some others included as Valued Components.

### Community-Identified Priority Areas

The next slide includes a few hard-to-interpret maps, and we do recognize that. The left-hand side of this slide identifies other community identified priority areas. This represents several thousand areas that the Commission individually recorded from communities identifying different values. Much of this information was recorded between 2012 and 2014 during community consultations.

I will note that the Commission visited the five communities gathered here today from Northern Manitoba and Saskatchewan. At that time in 2014, it was mutually agreed by community representatives at that time that you would not like to map detailed information about values within Nunavut with Commission staff. So, we do recognize that those consultations took place, but at that time, detailed mapping was not undertaken at the guidance of the community participants themselves.

All of that information, however, is included as a Valued Component including from Nunavut communities in the southern Kivalliq, and it is felt that identifying all of that information can assist project proponents with the design of their project, again as well as other Nunavut regulatory authorities when considering projects in these areas.

#### Use and Occupancy Mapping

The right-hand side of this slide shows use and occupancy mapping that was collected, both by the Commission and by Denesųliné like yourselves. Use and occupancy mapping is a general term used to describe one-on-one interviews with individual land users and harvesters.

Commission staff travelled to all Nunavut communities to collect that detailed information, and this map does include the information that the five Denesųliné communities collected and provided to the Commission. In this case, there has been detailed mapping of your use and occupancy within Nunavut. This was collected through your own processes provided to the Commission and included on this map.

I will note in the Draft Plan itself, there was an oversight that we very strongly apologize for, where the use and occupancy mapping provided by your communities was not included in the Draft Plan. The Commission acknowledges this oversight and has included it on this slide here today for presentation. That will be the map used going forward, but in the printed copy of the Draft Plan, there is that oversight on inclusion of that information that was provided. Again, all of that use and occupancy mapping is included as a Valued Component in the Draft Plan.

#### Transboundary Considerations

The next slide identifies three different areas that I am sure you are all very familiar with. The red and beige areas shown on this map represent the *Areas of Asserted Title Claim*, both from Northern Manitoba and Northern Saskatchewan Dene. These areas by request do not include any specific land use designations but are included in the Draft Plan as Valued Components for consideration.

We do note that the blue hatched areas shown on this map represent the areas currently withdrawn by the federal government pending the resolution of the Agreement that is currently being negotiated. It has been made very clear to the Commission over the years that the request is to have these blue withdrawn lands included as Mixed Use Areas in the Nunavut Land Use Plan.

There have been a few concerns identified through written submissions already that the Commission appreciates and acknowledges. These withdrawn lands, Commissioners made the

decision on the recommendation of Denesūliné participants to include them as Mixed Use land use designations. That approach has generally applied.

For example, there were some caribou freshwater crossings, portions of caribou freshwater crossings and post-calving areas that have been removed from the Draft Plan as Limited Use Areas that overlap with these withdrawn lands. There was an attempt to remove polar bear denning areas that overlapped from these areas, but we have been advised that it seems a slightly dated version of the withdrawn lands was used for that digital clipping procedure to remove those areas. In addition, Commission staff did not clip the proposed Kivalliq-to-Manitoba corridor, which we will be talking about in the next chapter from these withdrawn lands. Those three issues have been noted in written submissions and will be given full consideration by Commissioners when revising the 2021 Draft Land Use Plan early next year.

Again, just to recap, the two general *Areas of Asserted Title Claim* are included as Valued Components for information. The intention has been to identify the blue withdrawn lands as Mixed Use in the Draft Plan, the effect of that being they are included a Mixed Use within the Draft on the map, so you don't necessarily see the boundaries have been included. The Commission does appreciate the concerns that have been noted and will be relying on the most up-to-date version of those withdrawn lands to prepare the 2023 version of the Draft Plan.

#### Community Drinking Water Supplies

On Slide 52 on the left-hand side, the Commission has considered community drinking water supplies. A different approach has been taken for the different water supplies depending on their size and location. I will quickly note that the Thelon River is relied upon by the Community of Baker Lake in Nunavut for its drinking water. As you would understand, it is a very large river with a large watershed draining into this river. For this example, the Draft Plan identifies the Thelon River as a Valued Component recognizing that very large watershed is relied on by the Community of Baker Lake.

The other example I want to draw your attention to is the Community of Arviat, the most southern mainland Nunavut community. Their drinking water supply comes from a much smaller river, but it does extend beyond the community's municipal boundaries, so there is a portion in the southern Kivalliq of the Community of Arviat's drinking water supply that goes beyond the municipal boundaries that is included in the Draft Plan, again as Limited Use designation with proposed year-round restrictions on some industrial activities. Again, for the last several weeks and in written comments, the Commission has heard differing perspectives on whether that should be included as a Limited Use designation, but I just wanted to draw that area to your attention here this week.

#### Priority Contaminated Sites

The right-hand side the slide shows priority contaminated sites. Through the development of the Draft Land Use Plan, the Commission has considered different types of waste sites and contaminated sites. We do understand that there are many locations of abandoned fuel drums, different types of exploration camps, old weather stations, and things like that.

The Draft Plan itself in this slide only attempts to identify what we are calling Priority Contaminated Sites. These are the potentially most harmful to human health and is not meant to be comprehensive, but these priority locations are included as Limited Use designations with year-round restrictions on some activities to keep them away from these potentially dangerous sites.

### Alternative Energy Sources

I want to go to Slide 54, which shows on the left-hand side Alternative Energy Sources. Through our discussions and consultations on the Draft Plan, we note that the Qulliq Energy Corporation, or the power supplier within Nunavut, has conducted a study of the Kivalliq region to identify potential locations for hydroelectric power development. Previous versions of the Draft Plan included measures to protect these areas for future development.

However, through consultations on the 2016 Draft Plan, the Commission only really heard concerns about the potential development of these locations, and in fact, received no support for including them in the Draft Plan with any sort of specific Plan requirements. So, in the 2021 Draft Plan, the Commission has identified a handful of sites in the Kivalliq as Valued Components for their potential hydroelectric power generation.

I will note that the two locations, one on the Thelon and one on the Kazan, are not intended or identified as potential dams on the river. They were identified as what is known as run-of-river power generation where there is a drop in elevation where some of the water would be removed from the stream, sent through a turbine, and deposited back in the river after that drop in elevation. Regardless, they have just been identified as Valued Components in this Draft.

### Chapter 5 Overview

Chapter 5 deals with the goal of Encouraging Sustainable Economic Development. Within this chapter, there are four distinct topics.

#### Mineral Potential & Oil and Gas Potential

The first is mineral exploration and production. On this map, in the southern Kivalliq, we can see a lot of orange. The lighter orange areas represent information provided by the Government of Canada that identify areas with evidence for mineral potential. This does not distinguish between high, moderate, or low potential. It is just areas with evidence for mineral potential. That includes most of the southern Kivalliq.

Those lighter orange shaded area are identified in the Draft Plan as Valued Components. In addition to that, this map shows a darker orange shade in smaller squares and rectangles. Those are areas with existing rights throughout the territory.

I will note that all of this information has been considered throughout the development of the Plan, and there are subsections within the *Options and Recommendations Document* for each topic that considers non-renewable resource potential. It was these two datasets that were relied upon,

namely the areas with evidence for mineral potential included here as a Valued Component, and areas with existing rights. I just want to note that existing rights will be discussed at greater length in the next chapter, the Implementation Strategy.

There is also a brief section on oil and gas exploration and production, but these areas are only identified in the very high Arctic and not near our location here today.

#### Terrestrial Transportation and Communications

The next section of Chapter 5 deals with transportation and communications infrastructure. The Draft Plan takes a number of different approaches to different types of infrastructure, whether existing or proposed. I will note more generally that most of the existing and proposed infrastructure in the territory is identified as Valued Components. These are mostly existing roads and things like that associated with different mining projects including the Meadowbank Project, for example.

In the Kivalliq region on the right-hand side of this map, we can see the proposed Kivalliq-to-Manitoba linear infrastructure corridor. This has been identified for many years as a potential corridor for the inclusion of things like all-weather roads, transmission lines, communications, and facilities.

The 2021 Draft Plan proposes a new approach in this planning process and identifies the best-known corridor at the time we were drafting, which does date from many years ago. This current boundary, we do appreciate that there is ongoing work to more carefully define the potential routing for this infrastructure, but the Commission has included a version of the Kivalliq-to-Manitoba corridor as a Limited Use Area that attempts to protect this location for future development.

This is a new proposal that has already received a lot of feedback. The Commission recognizes that this corridor does pass through some important areas including portions of caribou post-calving areas primarily, as well as smaller portions of caribou calving habitat. However, the Commission has heard a great deal of support for the future development of this corridor to support the Kivalliq communities and their wellbeing and has made the recommendation in this Draft Plan to support future development of this corridor through a Limited Use designation that attempts to keep other activities out of the corridor to allow its future construction and operation.

We do appreciate that there are a lot of different perspectives on this corridor. There is support for including it in the Draft Plan, but still some concerns about the details of how it is included and concerns over potential linkages to the corridor. There is also concern from other participants that this corridor will have unacceptable impacts on things like wildlife within the area, and we do look forward to hearing additional views on this approach in the Draft Plan in the coming days.

Chairperson: It is a good place to stop for lunch. Jonathan will finish up Chapter 5 and Chapter 6. Then we will have questions and answers after lunch. We would like to get started at 1:15 please. Just to let you know, we noticed that it is a little bit chilly. We are trying to get somebody here to work on that problem for us. Thank you.

**Lunch Break**

Chairperson: I know we don't have quite a full house yet, but we would like to get going on finishing Jonathan's presentation. We are trying to fix the heat. I'm not really sure what the outcome is going to be, but it is not for lack of trying. Please go ahead, Jonathan.

Jonathan: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. I hope everyone had a good lunch and maybe enjoyed some hot soup or something to warm up over the break. When we ended off, we were most of the way through Chapter 5 on Encouraging Sustainable Economic Development.

### Marine Shipping

I will just continue from where we left off and note that on the screen, there are some shipping lanes identified. I will note that these are draft corridors representing work that is currently still underway through the *Northern Marine Transportation Corridors initiative*. These areas were provided to the Commission with the clear recommendation not to include them directly in the Land Use Plan itself.

So, they have not been, but we just want to indicate that these shipping corridors draft for discussion, have been considered throughout the development of the Plan, including those subsections in the *Options and Recommendations Document* on nonrenewable resources, transportation, and linear infrastructure potential.

This is just shown for information, and you can see those corridors in the southern Kivalliq, primarily just linking to communities along the Hudson Bay coast.

### Commercial Fishing Areas

The final subsection of Chapter 5 deals with commercial fishing areas. In the southern Kivalliq, the primary interest is shown on the left-side of this slide for arctic char. The gray-shaded areas represent Areas of Arctic Char Abundance. This does not directly relate to activity of past commercial fisheries but just indicates a high abundance of arctic char. They are identified as Valued Components in the Draft Plan.

In addition, this map shows a number of point sources shown in black dots. This information comes from the existing fishery regulations, which show waterbodies, both lakes and rivers, for which there have been identified potential fisheries quotas. Again, these locations do not indicate current active commercial fisheries per se, but they do indicate a good potential for commercial fisheries, and they are also identified as Valued Components for consideration.

### Chapter 6 Overview:

The final chapter of the Draft Land Use Plan deals with how that Plan will be implemented once it is approved. It is a requirement of the *Nunavut Agreement* that the Commission's land use plans have an implementation strategy, or a plan for how they will be used. There are a couple of key concepts in this chapter that we just wanted to highlight.

The first note is to again, reiterate that the Plan requirements that we are discussing today that are included in the Draft Plan are not meant to apply to traditional community land use, so subsistence harvesting, wildlife, camping, and regular activities on the land. Those uses, again, are not subject to any of these Plan requirements.

In addition, we want to note that while many Limited Use Areas in the Draft Plan prohibit the construction of what we call linear infrastructure, which includes things like all-weather roads, transmission lines, and pipelines, it specifically does not include seasonal or winter roads. So, throughout large portions of the Kivalliq mainland, you can see red Limited Use designations. Those would generally prohibit linear infrastructure, but again, the Commission would just like to emphasize that temporary or seasonal winter roads would be permitted in these areas.

### Existing Mineral Rights

Another important topic that I referred to earlier today is the subject of existing mineral rights. The Commission appreciates and understands that mineral exploration and development occurs in stages, unlike many other types of activities. When exploration companies go out on the land, they would not be in a position early in this process to propose something like a fully operating mine. There are a number of steps that need to occur and different types of investigations in order to advance a mineral project up to actual mine, mining, and or extraction.

A challenge occurs because when a project undergoes what is called a significant modification or a major change to its activities, a new review is required by the Nunavut Planning Commission and the Nunavut regulatory system. So, the Commission very much appreciates that a significant investment has been made in many areas of the territory before this Plan has been put in place in order to prospect and identify potential mineral resources.

When the Nunavut Land Use Plan is approved, many of these active and ongoing mineral exploration projects may be in areas proposed as Limited Use designations that would prohibit mineral exploration and production. In recognition of this potential issue and of the value of mineral exploration and mining to the territory, the 2021 Draft Plan proposes a new approach to addressing existing mineral rights.

That approach is that when projects with existing mineral rights undergo a change that would require a new review by the Nunavut Planning Commission, and they are in a Limited Use designation that would prohibit mineral exploration and production, the Draft Plan proposes special exemptions from those prohibitions on the activity.



So, if a project has already begun, and the Nunavut Land Use Plan is approved that would prohibit further mineral exploration and production at the time these projects reenter the system with an increased scope of activities, Commission staff would review the project, identify its linkage to a previously existing project, and exempt those new activities from any prohibitions on mineral exploration and development.

All of these projects with existing mineral rights within Limited Use Areas are identified in Appendix A at the back of the Draft Plan. It is also important to note that other Plan requirements would continue to apply to these projects. So, if there are setbacks for example, included in the Draft Plan in an area, they would continue to apply even if the prohibitions or the restrictions on mineral exploration and development are not applicable.

Here is a very small snapshot of Appendix A. It lists the company name as currently identified in the databases, recognizing that they can and do change hands fairly regularly. There is the specific project name and a map of the extent, physical extent of those rights, so the footprint we sometimes say of the existing mineral right.

A couple of notes on this approach: We first recognize that this new proposal has generated a great deal of interest and comment so far through the consultations on this Draft Plan and want to highlight a few key aspects of how this list came to be.

The first thing to note is that the information that was used to create Appendix A came from the spring of 2021 as the Commission was in the final stages of drafting this current version of the Plan. We relied on both the publicly available mineral exploration data from the Government of Canada, as well as from Nunavut Tunngavik Incorporated for Inuit Owned Lands subsurface parcels.

From those lists, the Commission chose to only include listed active projects. So, any rights that were at the time suspended or inactive were removed from the list. This also, again explicitly only includes those existing rights that overlap with a proposed Limited Use designation that would prohibit mineral exploration and production.

The list was further narrowed by only including projects that had been submitted to the Nunavut regulatory system. So, if a claim had been staked, but the owner of that claim had not yet begun physical work in the form of a project proposal submitted to the regulatory system, those rights were removed from this list. In addition, any project proposals that had been reviewed by the Nunavut regulatory system and were not approved or not recommended to go forward, were removed from the list as well.

So, there were a number of choices that the Commission made to create this Appendix A list. We have heard a great deal of feedback on this list, including questions about how it was created and why some activities are not included. We hope that this overview of the selection criteria helps address some of those concerns.

We do note that it will again be up to Commissioners to consider how to update this list if it is determined that it will remain part of the Plan, including whether activities that are currently being established, would be included in any revised Appendix A.



### Minor Variances, Plan Amendments & Periodic Review of the Land Use Plan

We also want to note a few different ways that the Plan can be changed or modified following its approval. The Commission has often described the Nunavut Land Use Plan as a living document. In fact, that is true of land use plans in general. They are not meant to be set in stone or static. They are meant to change over time and respond to evolving circumstances, priorities, and available information.

There are three main ways in which the Plan can be modified. The first is through what is known as a Minor Variance, which is another funny term perhaps, but it is meant to refer to a small change to a requirement of the Land Use Plan. This would be applicable to things like setbacks or seasonal restrictions. So, if a proponent wanted to conduct an activity but was not able to follow the exact requirement of such as a setback, they would be able to apply to slightly change or vary that specific requirement.

Under the *Nunavut Planning and Project Assessment Act*, there is a fairly brief public review requirement that could be implemented by the Commission without the approval of the signatories to the Land Use Plan. This is, again, meant for small changes to specific Plan requirements and would not be appropriate, for example, to allow a prohibited use within one of the Limited Use designations.

For that type of proposal or for any more significant or major change to the content of a Land Use Plan, the Commission would need to publicly review a proposed Plan Amendment through again, a public process that would be much more detailed and extensive than the public process for a minor variance.

This could work for a project proponent looking to conduct an activity that was not supported by the Plan as approved, but it can also be used to change fundamental requirements on the basis of new information; so, if something additional becomes available, and I think an excellent example would be here with the Denesūliné areas that we are going to be talking a lot about this week. Once your Agreements are finalized, it is anticipated that the Commission, for example, would receive alternate Commissioners appointed by the Denesūliné to represent your interests and priorities.

Once that Agreement is finalized and the Commission gains these alternate members, new priorities and interests may come to light, and those could be addressed through a formal Plan Amendment process that would involve publicly considering all the available information. It could include things like public hearings like this to evaluate the appropriateness of any amendments, and they would also need to be submitted to the Government of Canada, the Government of Nunavut, and Nunavut Tunngavik Incorporated for approval.

In addition to regular minor variance considerations as well as any proposed Plan amendments, the *Nunavut Agreement* also requires that the Land Use Plan be periodically or from time-to-time reviewed in its entirety. There is no set timeline in the *Nunavut Agreement* for the legislation for this process, but in the 2021 Draft Plan, the Commission has proposed that a complete review of the entire Land Use Plan, including those 2007 *Broad Planning Policies, Objectives, and Goals*, would be initiated within 7 years of the approval of the Land Use Plan and completed within 10 years of its approval.

This proposal was in response to concerns raised by participants in previous submissions regarding certainty as to when the Plan would be subject to a complete review. Again, that would be a public process with community consultation and engagement. We work with all of our planning partners to determine whether the Nunavut Land Use Plan continues to be supported, continues to be appropriate, and continues to be the best path forward for the territory.

That concludes our brief overview of the Nunavut Land Use Plan, commenting on some of the areas that we feel are most relevant to our discussions here this week. We have attempted to incorporate some of the previously raised questions and comments into this brief overview, but if there are any additional questions or points of clarification on the content of the Draft Plan, we would be happy to respond to those at this time. I will turn it back over to our Chair to facilitate. Thank you so much.

Chairperson: Thank you, Jonathan. For these questions and answers back and forth, we follow a process. So, when you are doing your presentations, the first set of questions would come from the Nunavut Planning Commission staff. Then it would be the community delegates or participants. Then it would be the registered participants, and then if there was a public participant after that.

Seeing that it was the Nunavut Planning Commission that did the presentation, we will be starting with community participants. If you have a question, please raise your hand, and Beth will bring you a mic, and we will go from there. Just because it is the first day and it is after lunch, if you have not used this to make a nice little ding on the computer over there when you came back from lunch, please go ahead so we know about attendance. I think I saw most people, but there might have been a couple that did not. That is just a reminder. Okay. Are there any questions?

*(Pause)*

No questions from community members? Oh, there we go. Please state your name and the community or organization that you represent. Then go ahead and ask your question. Thanks.

CN Ron: Thank you. My name is Ron Robillard. I am working with the Athabasca, the three Athabaskan Denesųliné First Nations, and a band member of Black Lake First Nation. The question that I have is related to...the first question is I noticed throughout your presentation, we keep getting grouped in with GKD. I don't know how I can explain to the NPC, to make them understand that we are distinct groups, the Athabasca Dene.

So, Fond Du Lac and Black Lake are signatories to Treaty 8, and Hatchet Lake Treaty 10. Then there is GKD on Manitoba side, Northlands Dene and Sayisi Dene. We are separate groups, and we are negotiating a separate claim with Canada. Throughout your presentation, I noticed that you keep referring us to GKD in some of your presentations. It has not been corrected in the past with a written submission we have provided that to you. Also, we are doing it here again orally to help you understand that.

I hope that gets corrected. That was one question. Then the other question that I had is dealing with existing rights. I noticed that the transmission line, linear transmission line that you are talking about, maybe an all-weather road, there is going to be a buffer that is going to be put from Northern Manitoba all the way into the Nunavut territory at some time down the road. There are some existing rights in that area. How are you going to deal with that?

In our experience in Saskatchewan, Manitoba when we dealt with all the existing claims that are out there, it turns into a development eventually down the road in the future. But in the area, the calving grounds for the Qamanirjuaq, it shows as Limited Use, no developments all-year-round. That is my understanding. Yet, there are existing claims that are in there. How does the Nunavut Planning Commission plan to deal with that down the road when there is going to be a development?

Chairperson: Thank you for your questions. Jonathan will answer that question, but to help us out with the camera, when you ask, could you please stand? We lose you when you are seated with everybody else. We just figured that one out. Thanks, Willi for pointing that out. Jonathan, please go ahead.

Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. First of all, my thanks to Ron for comments, and my sincere apologies on distinguishing the two groups. We do understand and appreciate that. It has been corrected in the public hearing presentations in response to the feedback that you previously provided.

Unfortunately, we ran into some difficulties with the Dene syllabics for this presentation. The version you are viewing is the translation of the previous community information session version that you previously commented on, and we were not able to get the updated version done. So, many apologies. It is very much appreciated. The distinction and the versions we are presenting in English and Inuktitut syllabics do reflect that distinction. So, my sincere apologies for the lack of that update on this particular version.

In regard to the existing rights within the Qamanirjuaq calving ground associated with existing mineral rights and also the proposed linear infrastructure corridor, I am not sure I 100% got the question, but in general, the Draft Plan is taking the approach of identifying existing mineral rights and providing for their future continued development in the Draft Plan. So, projects that have already begun on the calving grounds or in other Limited Use Areas would be supported by this Plan if they were to undergo further changes that required a new review.

For the corridor itself, the Commission has identified that as a Limited Use Area. An attempt has been made to ensure that it could be used for roads and transmission lines in the future. Where existing mineral rights overlap with that corridor, they have also been included in Appendix A and will be allowed to continue their development as the modifications are proposed under the Land Use Plan.

Again, it is important to recognize that all of those projects would still need to proceed through the remainder of the regulatory system and be given full consideration by other regulatory authorities. Maybe I will stop there. I hope that answers your question, but please provide any further detail if it has not. Thank you.

Chairperson: Thank you, Jonathan. Sharon has a comment.

Sharon: Thank you, Mr. Chair. Sharon Ehloak, Executive Director, Nunavut Planning Commission. Ron, thank you for your comments. One further note that the Commission makes is that this is a Draft Land Use Plan. Any areas that you agree with or have suggestions on how they could be managed differently, we are open. That is the point of the public hearing to hear the feedback and how individuals, organizations feel about how the Draft Plan is proposing uses and to hear alternate

solutions or alternate options that may be proposed, and also to hear what you like and what you don't like.

So, it is a Draft. If you have concerns about those existing rights, this is the forum. Up until the time the record closes on January 10<sup>th</sup>, you can provide your submissions both orally and in writing to the Commission for consideration by Commissioners once the record closes. Thank you, Mr. Chair, and thank you, Ron for your comments.

Chairperson: Thank you, Sharon. Are there any further questions? *(Pause)*

I don't see any hands or anyone standing up. Is there any registered participant at the back wanting to ask a question? *(Pause)*

Quiet bunch. Is there any public member. I just want to go through the whole process. *(Pause)*.

Okay, thank you very much for the presentation, Jonathan. Now that we have had that presentation and questions and answers, Sharon will go through the agenda, timelines, and things like that. Thanks.

Sharon: Thank you, Mr. Chair. Sharon Ehloak, Executive Director, Nunavut Planning Commission. For the duration of our hearing, I would like to note that we do have a heavy agenda. For this evening, we probably will be having an evening session starting at 6:00 and going until 9:00. For the participant's information on the agenda, we do have time allotments for presentations and questions.

So, the Ghotelnene K'odtineh Denesųliné, the Athabasca Dene, the Government of Canada, the Government of Nunavut, and Nunavut Tunngavik Incorporated have a limit of 40 minutes for their presentations with a 20-minute question-and-answer following. For all other participants, you have 30 minutes for your presentations and 20 minutes for the questions to follow. As I said, we do have a heavy agenda, so we will be adhering to those timelines. In saying that, we are hoping that we do allow adequate time, so everyone does have their voice heard. With that, Mr. Chair, the first presenter this afternoon will be the Ghotelnene K'odtineh Denesųliné. Thank you.

Chairperson: Thank you, Sharon. Would the group please come to the presentation table? Just for your information, we have the two mics that kind of slide around on these two tables pretty well, but we have a mobile mic for those on the end table there. May I ask who will begin so I can get the nod?

Just a couple of points: say your name, organization, or community, and stay close to the mic. Please go ahead when you are ready.

## Presentation by the Ghotelnene K'odtineh Denesų́líné

**Simon Denechezhe – Chief Northlands Denesų́líné First Nation**  
**Benjamin Denechezhe – Chief Negotiator Denesų́líné First Nation**  
**Geoff Bussidor – Chief Negotiator Denesų́líné First Nation**  
**Elder Simon Samuel, Northlands First Nation**  
**Elder Joe Hyslop, Northlands First Nation**  
**Modeste Tessessage, Councillor Northlands First Nation**  
**Tom Shaoullie, Councillor Northlands First Nation**  
**Joe Dattouze, Councillor Northlands First Nation**  
**Dylan Duck, Councillor Sayisi First Nation**  
**Susan Atkins, Sayisi First Nation**  
**Stephanie Thorassie, Sayisi First Nation**

Chief Denechezhe: I want to say a few words in my language before I begin the proper introduction.

Chairperson: Please go ahead.

Chief Denechezhe: *(Not translated)*

*(English):* Good afternoon, everyone. It is a beautiful day again that we are all blessed with. I would also like to thank our Elder for the opening prayer this morning and for our Denesų́líné drummers. The Dene drummers represent each of our communities. They are from each community. We all have our own Dene group that does drumming, but it is good to see them all drum together. It is always good to hear the heartbeat of our Nations when you hear the drum. That is what you call it.

My name is Simon Denechezhe, Chief of Northlands Denesų́líné First Nations, Treaty 10 territory, Lac Brochet, Manitoba. I am also honoured to be on Treaty 5 territory, Nisichawayasihk Cree Nation, Nelson House Manitoba. I am also grateful for giving us the opportunity to participate today.

I would like to thank the Nunavut Planning Commission for travelling to Thompson and holding this public hearing. I would also like to thank the other parties in attendance, including Nunavut Tunngavik Incorporated, the Government of Canada, the Government of Nunavut, the Athabasca Denesų́líné, the Seal River Watershed Alliance, and the Beverly Qamanirjuaq Caribou Management Board. We are looking forward to talking with all of you about the Draft Land Use Plan and hearing your presentations and questions.

The Northlands Denesų́líné, they use and live off the lands throughout the area that is now in Nunavut, Manitoba, the Northwest Territories, and Saskatchewan. These lands and the caribou that migrate through them are extremely important to us. These sustain our economies, our culture, our wellbeing. We acknowledge that these lands are shared and have been shared with Inuit, the other Athabasca Denesų́líné groups for thousands of years. We look forward to hearing from them about the Draft Plan.

Our people have inherent rights throughout our territory. These rights were denied and ignored for many years. Northlands Denesų́liné, Sayisi Dene First Nation have been working for many years to have rights in Nunavut, formerly recognized through negotiations. We want to make sure that the Nunavut Land Use Plan acknowledges our rights and have those negotiations.

We thank the Nunavut Planning Commission for the efforts that they have put into developing this Plan. Clearly the Draft in front of us today is the result of a great deal of time and work. It is important that all parties involved work collaboratively to build a Plan that works. Mahsi'cho. Thank you.

Chairperson: Thank you. Please go ahead when you are ready. Say your name. Thanks.

Dylan: My name is Dylan Duck. Unfortunately, Chief Evan Yassie was unable to be here today, and I am a Councillor for Sayisi Dene First Nation. For many years, no one would listen when our peoples talked about our lands and our rights North of 60. We were ignored. To have the Nunavut Planning Commission travel to Thompson to meet with us and hear our concerns and questions about the proposed Land Use Plan in Nunavut shows that we are in the right path. It is a sign of progress and is a sign of our people being recognized within our territory.

My people, the Sayisi Dene use and live off the lands throughout the area that is now Nunavut, the Northwest Territories, and Manitoba. Despite the political boundaries that have been drawn over our traditional territory that have policed our own community in Manitoba, we would just like the Northlands Denesų́liné First Nations also indigenous people of Nunavut and holders of aboriginal rights throughout our homeland.

The caribou are central to the customs, traditions, and the way of our people. Harm to the caribou is harm to our people and our rights. We know that development can have negative impacts on the caribou, particularly in sensitive caribou areas. Ensuring a healthy and strong caribou herd is of critical importance to us.

The Nunavut Land Use Plan is important to our people now and will be important for future generations. We want to make sure it recognizes and respects the Denesų́liné people, our rights, and interests. We want to make sure it helps with our land claims negotiations. I welcome the Nunavut Planning Commission and the other parties to Thompson. We appreciate you travelling here and look forward to speaking with the participants, including NTI, the Government of Canada, the Seal River Watershed Alliance, the Beverly Qamanirjuaq Caribou Management Board, and the Government of Nunavut over the next couple of days, both inside and outside of the public hearing. Mahsi'cho.

Chairperson: Thank you very much. Is there any other to present? Please go ahead. Please press the green light. Yeah, thanks.

CN Benjamin: Good afternoon. My name is Benjamin Denechezhe. I am a member of Northlands Denesų́liné First Nation and the Chief Negotiator for First Nation Northlands Denesų́liné land claims. Geoff Bussidor, Chief Negotiator for Sayisi First Nation and I will be providing a joint presentation today. For Sayisi First Nation and Northland Denesų́liné First Nation. Together, our First Nations are referred to as Ghotelnene K'odtineh Dene, the Barren Lands People.

Joining me today for Northlands First Nations are Chief Simon Denechezhe, Councillor Modeste Tessessage, Councillor Tom Shaoullie, Councillor Joe Danttouze, Elder Simon Samuel, and Elder Joe Hyslop. From Sayisi Dene First Nation, I am joined by Councillor Dylan Duck and Susan Atkins and Stephanie Thorassie.

I would also like to acknowledge our translators, Jimmy Thorassie and Nancy Pacquette. Ghotelnene K'odtineh Dene have technical support from Wayne Wysocki, Symbion consultant and Chris Werner of Werner Consulting. Our legal advisor, Kelly Olson of Myers LLP is also in attendance. Members of the Ghotelnene K'odtineh team will be available to answer any questions from the Commission or other parties.

I would like to thank the Nunavut Planning Commission for travelling to Thompson and providing us an opportunity to meet with you today. I would also like to thank other participants in attendance and the interpreters for their essential work in helping us all communicate with each other. Next slide please.

In this presentation, we will start by providing information to the background of Ghotelnene K'odtineh Dene. Then we will share our specific comments on the Draft Plan. We have comments on polar bear denning areas, terrestrial linear infrastructure, Denesųliné areas, and Crown consultation. Next slide, please.

Since time immemorial, Ghotelnene K'odtineh Dene have and continue to use and live on the land and water that are all mostly within the range of the Beverly and Qamanirjuaq caribou herd. Our traditional territory includes portions of what is now Nunavut, Manitoba, Saskatchewan, and Northwest Territories. Ghotelnene K'odtineh Dene have a deep connection to our traditional territory, which is the basis of our inherent rights in what is now Nunavut.

Our rights are Section 35 rights under the Constitution and come from thousands of years of use and occupancy of these lands. My colleague, Geoff Bussidor's late mother, was born in Edehon Lake when it was still considered to be part of the Northwest Territories. Boundary changes made without any consultation or discussion with our people have made it challenging for Ghotelnene K'odtineh Dene to have our rights properly recognized in what is now Nunavut and Northwest Territories.

Since the 1970s, we have been talking to the federal and territorial governments about our rights North of 60, but they have not always listened. In 1993, Sayisi Dene and Northlands Denesųliné filed a lawsuit asking the courts to recognize our rights North of 60 parallel. We call this the *Samuel/Thorassie* litigation. The lawsuit was brought by then Chief Simon Samuel and the late Chief Steven Thorassie under council. We spent nearly seven years in court with the Government of Canada.

Since 1999, the First Nations have been negotiating land claims agreement with Canada to resolve *Samuel/Thorassie* litigation. Ghotelnene K'odtineh Dene have been working with the Commission since at least 2009 to make sure that these land use plans will help us finish the land claims negotiation in meeting the interests of our people.

We were pleased to see that our last comments for the Commission were worked in the 2021 Draft Plan. That is for the land withdrawal by the federal Order-in-Council to be designated as Mixed Use. We have additional comments and recommendations for the Commission to consider relating to



polar bear denning areas, terrestrial linear infrastructure, Denesųłiné areas, and the Crown's duty to consult. Next slide, please.

Our first comment related to polar bear denning areas as Section 2.3-1 of the Draft Plan. Ghotelnene K'odtineh Dene have requested that all lands withdrawn by the federal Order-in-Council are designated as Mixed Use. This will help us conclude the land claims agreement and resolve the *Samuel/Thorassie* litigation. As mentioned earlier, we were pleased that almost all land withdrawal by the federal Order-in-Council has, as we requested previously, being designated as Mixed Use.

There are some small areas where the Conditional Use designation for polar bear denning areas overlap with the land withdrawal by the federal Order-in-Council. These are highlighted on the map included on the slide. It looks like this may have occurred, because the data used to show the land withdrawal by the federal Order-in-Council are from 2013 Order-in-Council instead of the 2019 Order-in-Council. Chris Werner, our mapping specialist, can provide more detail explaining of the possible source of error if you would like.

Also, the Commission should be aware that the boundaries of the land withdrawal by the federal Order-in-Council may undergo minor adjustments. So, it is uncertain whether there will be an overlap between the final boundaries of the Conditional Use Area boundaries for the polar bear denning areas. Next slide, please. Therefore, we have two recommendations for the Commission.

- One: the land subject to 2019 Order-in-Council should be excluded from the Conditional Use designation, including those lands that overlap with the polar bear denning area.
- Two: When the *Samuel/Thorassie* litigation is resolved, boundaries of any Conditional Use or Limited Use Area should be adjusted so that all lands subject to the resolution of *Samuel/Thorassie* litigation are designated as Mixed Use. Next slide, please.

Our next comment is related to terrestrial linear infrastructure. As Section 5.3.1-1 of the Draft Plan, portions of the land withdrawal by the federal Order-in-Council overlap with areas in the Kivalliq-Manitoba infrastructure corridor. The lands in the Kivalliq-Manitoba infrastructure corridor are designated as Limited Use.

The map on this slide shows that the portion of the land withdrawal by the federal Order-in-Council are in the corridor. If these lands are designated as Limited Use, it will not facilitate and will further complicate the conclusion of the land claims negotiation. We should also point out that the Government of Canada has made a similar comment.

Ghotelnene K'odtineh Dene have requested that all land withdrawal by the federal Order-in-Council is designated as Mixed Use to help with the conclusion of the *Samuel/Thorassie* litigation. Next slide, please.

We recommend that the land withdrawal by the federal Order-in-Council be excluded from the Limited Use designation for the Kivalliq-Manitoba infrastructure corridor. A similar recommendation has also been made by the Government of Canada. Next slide, please.

Ghotelnene K'odtineh Dene continue to use and live on lands we share with the Beverly Qamanirjuaq herd. We share caribou with the Inuit and other Indigenous people. We have for



thousands of years. The Beverly Qamanirjuaq herd is decreasing for more than 20 years. Any development that may affect the caribou or their habitat is concerning to us.

Ghotelnene K'odtineh Dene are concerned about developments in 1: calving areas; 2: post-calving areas; 3: key access corridors; and 4: freshwater crossings. Development in these areas could reduce the ability of the herd to recover. This may limit the ability of our members to maintain their culture and way of life and may adversely affect our Section 35 rights to harvest caribou.

The part of the Draft Land Use Plan dealing with the Kivalliq-Manitoba linear infrastructure corridor is a significant change from the 2000 Draft Plan. The Kivalliq-Manitoba corridor is identified as a Limited Use Area. Throughout that corridor permits linear infrastructure development including within areas of a critical caribou habitat. The result is that if a project proposal for the linear infrastructure within the corridor were submitted to the Commission and the 2021 Draft Plan would not identify issues related to caribou, that should be addressed by the proponent or the regulatory authorities.

Ghotelnene K'odtineh Dene have the following recommendation regarding the Kivalliq-Manitoba linear infrastructure corridor:

- One: The Commission must ensure that the Plan addresses important caribou-related interests with portions of the corridor that include areas of a sensitive caribou habitat.
- Two: Further consideration should be given to alternative routes that avoid key caribou interests, such as calving areas and post-calving areas.

Now I am going to pass it over to Geoff Bussidor, Chief Negotiator for Sayisi Dene.

CN Geoff:

Good afternoon. My name is Geoff Bussidor. I am the Chief Negotiator for Sayisi Dene First Nation. The next four slides talk about Denesų́liné areas. We want to advise the Commission on how a geographic area that reflects the rights and interests of Ghotelnene K'odtineh Dene should be identified and how these rights should be described in a 2021 Land Use Plan.

Ghotelnene K'odtineh Dene reviewed the inclusion of the Denesų́liné areas as a Valued Socioeconomic Component as a positive feature in the Draft Plan. The recognition of Dene rights and interests at the first point of entry into the integrated regulatory system is essential to the effect of an efficient operation of the regime.

Our understanding is that the identification of the Denesų́liné areas as a Valued Socioeconomic Component triggers two important requirements. One: Proponents are required to identify anticipated impacts to the Denesų́liné areas in project proposals submitted to the Commission. Two: Proponents are required to report annually to the Commission on actual impacts to the Denesų́liné areas.

These requirements will raise awareness among the project proponents of Denesų́liné rights and interests and contribute to a greater inclusion of Denesų́liné in project planning and development. As a Valued Socioeconomic Component, the Draft Plan also encourages regulatory authorities to consider Denesų́liné areas when reviewing projects within their mandates. This may contribute to

better working relationships between Ghotelnene K'odtineh Dene and the regulatory authorities. Next slide, please.

Although the identification of Denesų́liné areas as a Valued Socioeconomic Component is generally positive, we have a few concerns:

- One: It does not provide proponents, the Commission, or regulatory authorities with enough information about which Denesų́liné group they should be engaging with.
- Two: The description of the Denesų́liné areas including the map does not include sufficient information to describe the full nature and extent of the Ghotelnene K'odtineh Dene asserted rights and interests.
- Three: By only encouraging regulatory authorities to consider Denesų́liné areas, this does not appropriately reflect the nature of the interests identified in the Denesų́liné areas. Next slide, please.

Ghotelnene K'odtineh Dene's inherent rights in Nunavut are based on thousands of years of use and occupancy. Our ancestors have lived and used this area for at least the last 2,600 years. Our rights are supported by archeological records, historical records, our oral history, and land use and occupancy studies. These are rights under Section 35 of the Constitution Act.

Our inherent rights include title in traditional lands and waters; the right to decision-making on traditional lands and waters; right to self-determination; right to practice in our own culture and customs; right to ownership and management of our heritage resources; and the right to use, develop, and control resources and activities in our territory.

A map of the geographic extent of our rights is included on this slide and labeled as Ghotelnene K'odtineh Dene area. As we said earlier, Ghotelnene K'odtineh Dene and the Crown have been negotiating a land claim agreement to resolve the *Samuel/Thorassie* litigation since 1999. Until these negotiations are concluded, Ghotelnene K'odtineh Dene rights as I have described should be used for the purpose of land use planning and implementation of the Plan. Next slide, please. To address these concerns about the Denesų́liné areas, we recommend the following:

- One: The Plan should include a Ghotelnene K'odtineh Dene area as shown on the map in a previous slide as a Valued Sociocomic Component.
- Two: The Plan should describe the nature and extent of the Ghotelnene K'odtineh Dene rights and interests as we have outlined. When the *Samuel/Thorassie* litigation is resolved, the Plan should incorporate the description of the Ghotelnene K'odtineh Dene rights and interests set out in the Final Agreement.
- Three: Regulatory authorities should be required to consider the Ghotelnene K'odtineh Dene area as a Valued Socioeconomic Component when reviewing proposed projects. Consideration of Ghotelnene K'odtineh Dene rights cannot be left to the discretion of the regulatory authorities. Next slide, please.

We have two additional recommendations related to the Denesųłiné Areas section:

- One: Around 2013, we stopped describing ourselves by the term “Manitoba Denesųłiné” and began using “Ghotelnene K'odtineh Dene.” All references to Manitoba Denesųłiné in the Plan should be replaced by Ghotelnene K'odtineh Dene.
- Two: The Denesųłiné Area section uses language that suggest that the lands withdrawn by the federal Order-in-Council are surveyed. These lands are not surveyed. We have proposed new wording in our written submissions to fix that issue. Next slide, please.

The Crown is required to consult that Ghotelnene K'odtineh Dene on any decision that could adversely affect our Section 35 rights. Land use planning decisions have the potential to adversely affect our rights in Nunavut. This includes Plan preparation, Plan approval, and Plan implementation. It is our understanding that the Crown, in right of Canada relies, at least partially on the Commission's process to discharge its duty to consult with Aboriginal peoples. We still don't know how Canada might rely on the Commission's process for Plan approval and implementation.

We are looking for clarity on how the Crown's duty to consult and the Commission's processes come together. This clarity is necessary if one: consultation is going to be meaningful; and two: admissions processes are going to be effective and efficient. At this point, we do not know if the Commission is considering our recommendations and comments in the lens of Section 35 consultation and accommodation or some other way.

The Ghotelnene K'odtineh Dene and the Commission need to have a clear picture of how the duty to consult is fulfilled once the Draft Plan goes out for approval. How will the approval process recognize our inherent rights to decision-making over our lands and waters? How will the Crown address its commitments to Indigenous people? How will it implement the *United Nations Declaration on the Rights of Indigenous People*, and the principle of *Free, Prior, and Informed Consent*?

Deep and meaningful consultation is critical at this stage. After the Plan is approved, there is no opportunity for Ghotelnene K'odtineh Dene to be consulted or accommodated at the conformity stage on a proposed use that conforms with the Plan that may adversely affect our rights.

On August 19, 2022, we received a letter from the Government of Canada and the Government of Nunavut that shed some light on how these two governments plan to consult once the Draft Plan goes out for approval. I would like to read into the record what we were told in that part of the letter. Now I quote:

“Once the Draft Plan is submitted to the approving parties for a decision, the Governments of Canada and Nunavut will assess the adequacy of consultation and a need to conduct additional Crown consultations according to the following proposed Plan. The Government of Canada and the Government of Nunavut will consider any comments submitted to the Commission during the public review period including the written record and any written or oral evidence presented at the public hearings, as well as any revisions to the Draft Plan that the Commission has made to address the issues raised by Indigenous governments or organizations considering potential adverse impacts the Plan may have on asserted and established Aboriginal or treaty rights.

After the Draft Plan is submitted to the parties by the Commission, and prior to considering whether to accept or reject the Draft Plan, the Government of Canada, Government of Nunavut plan to jointly consult with Indigenous governments or organizations on any matters that have been identified during the Commission's review process as issues resulting from the Draft Plan that may have potential to adversely impact asserted or established Aboriginal or treaty rights. Designated representatives of the Indigenous governments and organizations whose rights may be adversely impacted by the Draft Plan will be contacted to discuss how the consultation process might continue.

Any issues related to the adverse impacts to asserted or established Aboriginal or treaty rights that are submitted to the Commission during the public review process or received by the Government of Canada or the Government of Nunavut after the Draft Plan is submitted to the approving parties for a decision, will be given full and thorough consideration prior to any decision being made by the Government of Canada and the Government of Nunavut, whether to accept or reject the Draft Plan. This includes any information that will help the Government of Canada, the Government of Nunavut to understand those impacts as well as information on how to avoid, eliminate or mitigate any potential adverse impacts to asserted or established Aboriginal or treaty rights."

I will now stop reading from the letter. The letter did not say anything about implementing the *United Nations Declaration on the Rights of Indigenous Peoples* and the *Right of Free, Prior, and Informed Consent*. We would still like to hear back from Canada on that. It is also unclear how the Ghotelnene K'odtineh Dene will be consulted when the Plan is being implemented. This includes Plan variances, ministerial exemptions, Plan amendments. The Draft Plan is silent on this.

Ghotelnene K'odtineh Dene has had preliminary discussions with Canada regarding some of the issues and comments raised above. More discussions between the Crown and the Commission and Section 35 rightsholders are needed. The outcome of these discussions should be included in the Plan to make consultation and land use planning more transparent, efficient, and effective. This will advance reconciliation.

We recommend that the Commission, the Crown, and Section 35 rightsholders engage in discussions about how, about if and how, the duty to consult and the Commission's processes merge. We also recommend the outcome of these discussions be included in the Plan. Next slide, please. Thank you for the opportunity to present to you today. Mahsi'cho. Are there any questions?

Chairperson: Thank you very much. Do you have a question, Jonathan? Okay, please go ahead.

Jonathan: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Thank you to all the members of the panel here today for your very detailed presentation and recommendations. They are much appreciated and generally very clear, so I do not have too many questions.

One area of further clarification would be around the way the Plan proposes to manage caribou habitat. In your presentation, you noted concerns regarding impacts on caribou and their habitat and identified four types of habitats, in particular where you were most concerned. I was wondering

if you have any specific feedback on the proposal in the Draft Plan for Limited Use designations with year-round prohibitions and seasonal restrictions to manage these types of habitats. Thank you.

Chairperson: Thank you, Jonathan. We also understand that sometimes the questions can't be answered right away. Sometimes the appropriate answer is, "Thank you for the question. We will get back to you later in writing." Please go ahead. State your name. Thanks.

Wayne: Good afternoon. Wayne Wysocki, Technical Advisor to Ghotelnene K'odtineh Dene. This time, the appropriate answer is not, "We will get back to you with a written submission." The Ghotelnene K'odtineh Dene are supportive of the Limited Use designations that are in the Draft Plan as well as the seasonal restrictions associated with caribou protection.

Chairperson: Thank you for the answer. Do you have a follow-up, Jonathan? Okay, please go ahead.

Jonathan: Thank you, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Thank you very much, Wayne, again for the clear response. That is greatly appreciated. One fairly minor question just in regard to GIS spatial information: I am just wondering if we can formally confirm if you will be supporting the revised Ghotelnene K'odtineh Dene area as a shape file to the Commission, and also whether the most recent withdrawn areas could be submitted by you or if we could get that from someone else. Thanks so much.

Chairperson: Thank you, Jonathan. Please go ahead.

Chris: Thank you, Chair. I'm Chris Werner, Technical Advisor to the Ghotelnene K'odtineh Dene. We do the mapping for the group. The Order-in-Council from 2019 I believe is the appropriate information that should be used for that. It is a federal Order-in-Council. While I do have the GIS information and could provide it, it is probably best to get it directly from the federal government since it is their Order-in-Council. But yeah, that is the most recent withdrawal areas and Order-in-Council for those lands. Thank you.

Chairperson: Thank you. Jonathan?

Jonathan: Thank you very much, Chris. That is understood, and the other, the revised area of interest that goes up to like Baker Lake, for example. I don't believe we have that shape file. Would you be able to submit that formally to the Commission as well? Thank you.

Chairperson: Thank you, Jonathan. Please go ahead.

Chris: Thank you, Chair. Yes, we can provide that shape file to you directly. Thank you.

Chairperson: Okay, are there any questions from community participants? *(Pause)*

I am not seeing anyone standing up. Are there any questions from registered participants? *(Pause)*

I am not seeing any movement. A public member? *(Pause)*

No movement. Thank you very much for your presentation. It is much appreciated.

*(Applause)*

We will take a 15-minute break, and the Athabasca Denesų́liné are up after the break.

### **Break**

Chairperson: Would the participants that are presenting for the Athabasca Denesų́liné please make their way to the presentation table? Thank you. Please go ahead when you are ready. Name, organization or community, and start presentation. Thank you very much.

### **Presentation by the Athabasca Denesų́liné**

**Chief Negotiator Ron Robillard**  
**Chief Bart Tsannie, Hatchet Lake**  
**Chief Kevin Mercredi, Fond Du Lac**  
**Chief Coreen Sayazie, Black Lake**  
**Elder Louis Josie, Hatchet Lake**  
**Elder Alfred Naldzie, Fond Du Lac**  
**Elder John Echodh, Black Lake**  
**Elder George St. Pierre, Hatchet Lake**  
**Elder Laurent Noey, Fond Du Lac**  
**Elder Alfred Isadore, Fond Du Lac**  
**Elder Mervin Adam, Fond Du Lac**  
**Elder John Toutsaint, Black Lake**  
**Councillor Napoleon Pacquette, Fond Du Lac**  
**Councillor David Bigeye, Black Lake**  
**Councillor Peter Gazandlare, Hatchet Lake**  
**Youth Ian Robillard, Black Lake**

CN Ron: Thank you, Mr. Chair. My name is Ron Robillard. I am working with the Athabasca Denesų́liné as a Chief Negotiator. For the past 22 years, we have been on this file, so it has been a long time. Hoping to see a Final Agreement pretty soon.

We come here as three communities. I represent three communities that I work with: Hatchet Lake, Fond Du Lake, and Black Lake. So, there are three communities that are here. I understand from yesterday's sessions that we have about 30 minutes each. I don't know if we will be using all that time, but that is my understanding from yesterday's briefing.

There is going to be a wave of the presentations that we are going to be doing this afternoon. We are going to be starting off with the opening remarks by the Chiefs. Then there are four presenters. There are four of us that are going to be going through the slides for you. Then at that time, we are going to give an opportunity to some Elders who are going to be saying some words and their connection with the land and the caribou, how it is important to them. So, we are going to give a few minutes for them to say their part too, as well.

At that time, once the Elders are done, I also want to give an opportunity for the youth to say a few words too as well. Then towards closing, I know there was an opening this morning with a drum song. One of the councillors that we have here from Black Lake is going to be doing a little explaining about the drum, the significance of the drum, and how it is related to the land and the caribou. If you could give us that opportunity, I would appreciate that. With that, I am going to hand it over to Chief Tsannie from Hatchett Lake, and then we are going to go to the next Chief, and so forth.

Chairperson: Thank you. Please go ahead when you are ready.

Chief Tsannie: Good afternoon to the people attending here. First of all, I want to thank the Elder for the prayer this morning. Also, I want to thank our Dene drummers that did a spectacular job this morning. Also, I want to thank our Creator to give us another day and the days to come. I want to thank the people that attended here from Nunavut delegates, the Nunavut government, the Government of Canada, and the Nunavut Planning Commission. Also, I want to thank Manitoba Dene and our colleagues here from Saskatchewan.

It is an honour, and I am very humbled to be here in front of you as leaders representing my nation about how important caribou is that we live on. We are here to discuss our issues regarding caribou habitat. It is very, very important that we need to listen and understand both sides of the party, very important. It's not just for today but for the generations to come.

The Athabasca Denesųliné has a relationship with caribou over thousands and thousands of years. This relationship must be priority for the Nunavut Planning Commission. We cannot lose this relationship. The NPC has a big responsibility. We have taken care of our land, the water, and the caribou for thousands and thousands of years. We must listen to the word today and learn from us.

Our territory extended into Nunavut before the boundaries were established by the government. We have stories there. We have places where we hunt and gather and come together as a community. We even teach our youth there, and we have relatives that have been buried in that area. I want to thank you for listening to us, to our community and for protecting the calving grounds, the water crossings, and other important caribou habitats that they utilize. Please do not remove this protection. We are happy to see this has happened by the Nunavut Land Use Planning Committee.

The Athabasca Denesųliné do not bother the caribou where the calving grounds are and after they have the calves. We respect them. The mines and the industry should also respect them and not bother them. This is a really sacred place to us. This place must remain protected as proposed in the Draft of the Land Use Plan.

The community voice is there should be no disturbance in the calving and the post-calving grounds. Why is the NPC making exceptions for this project? Having a line up to the cross and not only a critical migration route but into the heart of the calving and post-calving grounds would have more major impact on the caribou. This will impact the caribou herds that continue to come down and feed our communities. You must remove and have a special destination to let project adjust in areas that are off limits. The Inuit can still get their internet and power by letting an expert find the solution so that they are not blocking or impacting our caribou.



The health of the community depends on caribou. In the past, if it was not for caribou, maybe some of us won't be here today. That is how important caribou is to us. Again, I am asking for the support to protect our caribou habitat.

Also, when we had the powerline in our area in Saskatchewan, you know we were promised that our rates will be down, but it did not happen, and it tripled up. They committed our jobs, but it was just a temporary job. As of today, our First Nations are hardly working. That could be looked closely too. With that, I am very, very happy that you listened to us today. I want to hand the mic over to my colleague, Chief Mercredi of Fond Du Lac First Nation. With that, thank you for listening to me. Mahsi'cho, Salutina. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Ch. Mercredi: Good afternoon, everybody. I would like to thank you, Nunavut Planning Commission and all the parties here for having us, as well as the drummers, the organizers, and the translators, and the Community of Thompson here. My name is Kevin Mercredi. I am Chief of Fond Du Lac, Dene First Nation.

Firstly, I wanted to acknowledge my late mother's maiden name Cangai (*spelled phonetically*), which means white caribou. Caribou has always been an important to my community and also to my family. My community members at Fond Du Lac had often been referred to as the Etthén Heldeli: caribou eaters. Sometimes lightheartedly, I have been referred to as caribou meat. I guess you are what you eat.

In all seriousness, we may have been indoctrinated into western practices, but the intrinsic mental, spiritual, physical, and cultural relationship we have with the caribou and its habitat has remained in our minds, hearts, and in our blood. We all have a responsibility to protect what has given us life for years: the caribou and the important habitats like the calving grounds that sustain the caribou and our livelihood.

The caribou have very acute sensory abilities, and the effects of industrial development in how it impacts the caribou is not fully understood by western science. We can't begin to have the understanding that our Elders have. They have knowledge passed on to them from over thousands of years. They have a knowledge and an understanding beyond the written word of the land we call home. It is our responsibility now to protect the land and caribou.

We have to understand the true consequences of our actions because the caribou have sustained us for millennia, and now we must make the right decisions to protect them from the threat of extinction and harm. If caribou don't exist, we won't exist. It would be a systemic decimation of a people, livelihood, and culture, similar to what happen to the bison and the Indigenous groups that depended on them.

Yes, we are progressive in developing, but we also have a responsibility to protect the important caribou habitats. All the developments in the North have already impacted us on our territory, migration of caribou, and caused declines in their populations. We owe it to our children and future generations to make responsible decisions. In my time, I would not want to be responsible for the irresponsibility of man in destroying what sustains us and its habitat.



We have become desensitized too much of the harm that developments have on all living things and their habitat. All of us here must respect and protect living beings within the land, irrespective of boundaries because of our identities as distinct cultures can and will be adversely impacted. Ongoing consultation and involvement in this Land Use Plan must continue past this hearing. Anything that is relevant to us, we need to be kept informed and updated.

Sorry about that. I wish we gave them a copy. Do I need to do this again? I guess we need to be kept informed and updated to make sure our interests and rights are protected.

I am going to end with a quote from my late Elder from Fond Du Lac, and this is in Dene: (*Spoke in Dene and in English*): The same blood that spills in the calving grounds during calving is the same blood that fills my veins. In order for our people to survive, we must protect the caribou and where the caribou calve." Thank you. That would be it.

Chairperson: Thank you very much. Who is next.

Ch. Mercredi: I want to introduce Coreen Sayazie, Black Lake.

Chairperson: Please go ahead when you are ready.

Ch. Sayazie: Thank you, Mr. Chair. My name is Coreen Sayazie, Chief of Black Lake Denesųłin  First Nation. We are thankful to be here today to provide our comments on the Draft Land Use Plan for Nunavut. I want to thank the Elder for our Dene prayer this morning, and to the drummers for opening today's gathering in a good way. Thank you to the organizers, the Commissioners, and to other speakers and community representatives here including our relatives, Ghotelnene K'odtineh Denesųłin .

When we look at the Draft Nunavut Land Use Plan, one of the most important aspects to us is the caribou and the lands that sustain them. The barren ground herds that have their calves in Nunavut and travel into our territories for the fall and winter, through these migrations of the caribou, we are connected to lands and the people across Nunavut.

Our families, our homes, and communities are all built on a foundation of our relationship with the caribou. Our bodies, minds, and spirit are fed by the caribou. We are the caribou.

So, having the opportunity to speak today is very important to me and our people. We are all fortunate to be here today to plan for the future, a future where we want to see large, healthy herds of caribou following their ancient migration routes and shaping the lands with their movement; a future where our great-grandchildren continue to follow our cultural traditions in relationship with the caribou; a future where the caribou may once again be flourishing enough to come into our communities as in the old days.

This is a unique opportunity to decide what kind of future we want before the land is covered with developments and before the caribou population starts to truly crash. Right now, here together, we can stand up and say that we want a future with caribou. Now is our opportunity to make that happen. I am happy to see that this Plan has protected the most important habitat like calving and post-calving grounds.

It is much better to decide now to protect caribou and plan to make it happen rather than to try to fix a broken landscape after populations have begun crashing as we have seen in other places. That is a situation that is a sad reality with wildlife all across Turtle Island, but here we can protect our caribou, their ancient migration, and so protect our culture and way of life.

In our community, teaching our children our traditional ways is very important to us. I as a residential school survivor, had lost my cultural upbringing, so learning my culture and cutting up the caribou and making dry meat, all those traditions that I learn now are fulfilling for me and my fellow survivors.

We have our caribou camps where Elders teach youth about the caribou, how to harvest, and how to properly respect caribou and use every part of them. We teach them our ceremonies, which are a very important part of our relationship with caribou, and the drum and the important way we show respect to the caribou. We are thinking of these children and hold them with us here today as we make our comments on the Plan. Every child matters. They are our future. Mahsi'cho.

Chairperson: Thank you. Please go ahead.

Ron: At this time, we are going to be getting into the slides, the Power Point presentation. We are going to start off with David Bigeye. I will get him to introduce himself.

Chairperson: Please go ahead when you are ready.

David B: *(Much inaudible; speaker was much louder than translator. The following is an approximation):* Issues that concern.... I would like to thank each and every one that is participating here today. First, it is an honour and a pleasure to be part of this such event. My heart burdens when we talk about the caribou. We are the caribou people. We come from the caribou. Before we conduct our presentation, I want to tell you a story. It is the grandmother's story, Setsuné.

*(Audio corrected):* Back in the old days of the 17<sup>th</sup> century, our ancestors roamed around in the Northwest Territories. Back then, there were no boundaries or Nunavut. Somewhere in the Baker Lake area, our Denesųliné caribou people were there roaming. But this one elderly, a wisdom-wise old lady living alone had no child or no kids or no family. One particular evening, there were lots of caribou around that time. One particular evening, there was a child crying out on the lake in that tribe of Denesųliné, and nobody replied. They started wondering because the child is crying. Every time the people go out on the lake to look for the crying child, there was nobody there.

They did that several times, but this one old lady, Setsuné or grandmother, walked up to the group and asked what is going on out there? One of them replied and said, "Setsuné" means grandma – we hear a child crying out on the lake. We don't know whose child. So, the elderly monitored and watched the group of young people and middle-aged going out on the lake again because there was crying going on. They came back, nothing. Again, a child cries. So, the elderly Setsuné went out on the lake alone with a cane made out of a tamarack tree, walking toward to where the child is crying. She followed the sound of a child crying.

When she made it to a caribou dropping, she moved that dropping with a cane and found a little tiny child, a thumb-sized child in the caribou dropping. She picked it up, raised him, it was a boy. He only grew up to 3 feet tall, and he was connected to caribou. He was a Dene. He formed himself

back into a caribou and wanders around with caribou. Then he will come back. He will bring the caribou back to feed us. He lived amongst us for so many years. One day, he left back to the caribou.

That story was brought up to us generation over generation, and our Elders always told us we are Dene, caribou people. So, our heart remains with our caribou. Our blood flows with caribou. We have passion for caribou as much as the Inuit have passion with their land. I am sure they have stories like that too, which really exist and happened. We have to protect those.

Caribou will not speak for themselves. We have got to stand up for them and believe and speak for them. This is our time and opportunity to address the issues, the importance of the caribou in our lives in Denesų́liné and all Nation.

Good day, everyone. We are Denesų́liné made out of three: Black Lake, Hatchett Lake, Fond Du Lac::Denesų́liné First Nation. Our communities...we can't get the slide going. Sorry about that. We could not get the slide going. Our communities are located in Northern Saskatchewan, and our territories extend into what are now Nunavut and Northwest Territories. The story that I just told you, *Nuh nene*, our land, our heart, in our Denesų́liné language, is a name we use for our territories.

This map shows you our traditional use in the Nunavut section of our territories. This includes travel routes, overnight spots, locations with important stories and trapping routes. We continue to use the land of our cultural activities for hunting, fishing, trapping, and gathering to this day. Here, you can see our communities in the bottom left side of this map along with the ranges of Qamanirjuaq and Beverly herds.

As you can see, we are all connected across the land by the caribou, between Dene and Inuit. We have a responsibility to work together with unity so that caribou can continue to move freely through very important habitats and migration paths. The decisions in the Nunavut Land Use Plan will have a large impact on our people. It will play a key role in the future of the caribou who are central to our way of life and culture.

For thousands of years, the Denesų́liné have relied on barren ground caribou such as the Qamanirjuaq and Beverly herds. Those ranges overlap with our territories. We are caribou people. Caribou are essential for the life, health, and culture of our people. It is not too much to say that. Without caribou, there will be no Denesų́liné today. It is important for us.

Ensuring protection of this herd across its entire range and migration route is a top priority for the Athabasca Denesų́liné. It is critical that the Nunavut Land Use Plan provide strong and meaningful protection to caribou habitat. This means that we cannot allow activities that negatively affect caribou to take place on important caribou habitat such as calving and post-calving grounds, and long migration routes.

We know that caribou are sensitive animals and vulnerable to human changes on the landscape. They are so vulnerable. We know that. We live with them. We travel with them, and they are our bloodline. Our harvesters and communities are already feeling the pain of the caribou no longer coming as far south in their range as they used to. For so many years, they have not been coming down to where we used to hunt.

We have witnessed a sharp decline in caribou herds and felt the impact of our people and way of life. It is declining tremendously. We need to focus on that. Why is it happening? Are we going to disturb them still, or are we going to protect them? The question relies on the decision we do here and in the future. There is no short-term economic gain that can outweigh the importance of long-term protection of caribou for the future generations, for our future kids. Our kids matter.

We welcome the increased protection for barren ground caribou in the 2021 Draft Nunavut Land Use Plan. At a minimum, protecting the calving and post-calving grounds year-round is required for the long-term health of the caribou. Protection of caribou cannot be accomplished without protection of the habitat. The current Limited Use and Conditional Use Areas should not be reduced, and in fact, we believe that more of the migration pathways could be protected. At this time, I would like to hand it over to our next presenter, my colleague.

Chairperson: Thank you. Please go ahead when you are ready.

Peter: Thank you. My name is Peter Gazandlare. I am with the Hatchet lake Denesųliné First Nation. As I continue with this, we strongly agree with the protection of important caribou habitats such as calving, post-calving grounds, key access corridors, and freshwater crossings using the Limited Use designations. Protecting caribou habitat year-round is essential. It is not enough to use mitigation.

That said, we do have questions and concerns about the number of projects that will be exempted within Limited Use Areas that may weaken the protection they give. We want to ensure that the Nunavut Land Use Plan remains proactive in updating the Plan and caribou protections if caribou numbers continue to decline.

Preventing disturbance to their important habitat must be a top priority to ensure the long-term survival of the caribou and for the protection of the rights and cultural values of our future generations. Sorry, I will slow down. Continuing: The maps in the current versions of the Draft Land Use Plan did not show the Athabasca Denesųliné land use, but...sorry, but it did. I was aware of that.

Since the Nunavut portion of the *Nuh nene* is currently designated as Mixed Use and therefore not protected by Conditional or Limited Use designations, it is especially important that the Land Use Plan accurately identify our rights and interests including land use and occupancy as Valued Components.

This is the map we provided to the Planning Committee in 2009 showing Athabasca Denesųliné values within our territories in Nunavut. We believe that it is important that these values are included within the Land Use Plan maps to ensure that Denesųliné values are visible.

As we have said, we strongly support the protection of important caribou habitat through Limited Use designations that provide year-round prohibitions on certain uses. We are concerned that the exempt projects allowed to move forward within critical caribou habitats may significantly weaken the protection of the land designations and lead to more declines in caribou populations.

We are also concerned that the list of projects exempted on the Appendix A may grow since the 2021 Draft Plan was released. Given how serious the impacts to critical caribou habitat may be, we strongly recommend that no projects are added to the list of exemptions in Appendix A and that the Nunavut Planning Commission minimizes as much as possible projects that are exempted from

the designation. We must do everything possible to limit activities that negatively impact caribou within critical caribou habitat. With that, I will give it to one of my colleagues here.

Ian: I am Ian Robillard here. I am with the Black Lake Band, Denesųłiné First Nation and the next presenter.

Chairperson: Please stay close to the mic. Thanks.

Ian: We are deeply troubled to see the Limited Use designation created that will put a transmission corridor through critical caribou calving and post-calving habitat. Our communities have seen what happens when roads and transmission lines come into a caribou habitat. The caribou leave. We know that caribou are sensitive to and impacted by these developments.

More work needs to be done to understand this project impacting the caribou and the caribou habitat. We believe it is too soon to include this project in the Plan at this time until more is understood about its impacts and the potential for alternative routes.

The Athabasca Denesųłiné and Ghotelnene K'odtineh Dene are both Denesųłiné people with important rights and interests in Nunavut. We have had many challenges throughout this process with not being recognized as distinct and unique groups. With unique governance histories and practices on the land, our distinct identities need to be acknowledged and respected. We ask that this map be changed to reflect two distinct groups and territories and request the Nunavut Planning Commission recognizes the Athabasca Denesųłiné and Ghotelnene K'odtineh Dene as unique and independent peoples. Thank you. I will pass it on to my next presenter.

Chairperson: Thank you.

CN Ron: Good afternoon. I will finish off the remaining of the slides, the presentation. I am going to get into something that is a little bit more boring, but I think it is really important to be heard. As you have heard, GKD had already spoke a little bit about that in their presentation.

Chairperson: Sorry for a sec. We just need your name for the transcript, please. Thanks.

CN Ron: Ron Robillard. I am with the Athabasca Denesųłiné and a band member of Black Nation First Nation Treaty 8. The duty to consult is something that is very important to us, as you have heard in the presentation that was made by GKD earlier. That is something that has to be taken seriously by the government, the Crown.

Where there is an impact on our communities, our way of life, and exercising our rights, the government has to be very careful in how they approach that. This is a very good example. Being here today, we are talking about a Land Use Plan that is going to cover a large area in Nunavut, and that is where the caribou are. All the caribou are within the calving grounds within the Nunavut territory. So, we are very concerned about that.

The Land Use Plan triggers a duty to consult on the part of the Crown. Although the Nunavut Planning Commission is leading public discussions, the final Plan must be approved by the Minister of Northern Affairs, the Minister of Environment for Nunavut, and Designated Inuit Organizations. The plan for consultation for the final Plan is not clear us. It is not enough for NPC to hold these

public hearings. The Crown must engage directly with the Athabasca Denesų́liné prior to a Plan finalization and approval.

Another consultation issue is the lack of adequate funding to support our team and our delegation to be here. While I am thankful that NPC has covered the expenses to bring some of our delegation here, we represent the Athabasca Denesų́liné, represent close to 6,000 people in the Athabasca region. There are only a few numbers that are here because of the funding issues. While we are hopeful that these hearings would take place in our community, that is not the case. Yet, we are here.

Without capacity, you cannot have informed and meaningful dialogue as you have heard, as required by the duty to consult. Consultation without capacity raises serious challenges, something which has been acknowledged by the Courts, and we are all familiar with that. The Draft Land Use Plan is not an easy document to understand. It is very complicated. It is very technical. You require human resources and manpower to be able to review all the detailed documents so our people can fully understand and be engaged.

The capacity funding in this process has not been sufficient for the Athabasca Denesų́liné to bring our technical advisors or legal counsel, fully explore issues raised by the Draft Nunavut Land Use Plan, provide the detailed responses needed to fully explain the Athabasca Denesų́liné concerns. So, that is one of the issues that we had raised coming here is our technical team, is our legal team covered by these expenses, and we were denied that. That is something that is coming out of our pocket as we sit here. Any technical team that you see here with us are covered by our own expenses.

When we talk about the duty to consult, that becomes very concerning for me. Consultation without adequate resources cannot be reasonable. To have ensured meaningful and informed dialogue, this process requires additional capacity funding with which to research and better understand the issues raised in the public hearings; an opportunity to submit further submissions and respond to those issues; and additional funding to support consultations on Plan finalization and implementation.

This planning process is an opportunity to make a strong stand to protect the caribou as you have heard by the leadership that has spoken today, and some of the presenters that spoke, the youth. You're going to hear it some more from the Elders too, as well. We are here to protect the caribou for future generations, to ensure that caribou in future generations will be able to continue our way of life and culture.

We are encouraged by strong protections provided by the Limited Use Areas and have concerns about how existing rights and proposed projects within those limits may weaken those protections. We urge the Planning Commission and decision-makers to ensure that caribou protections remain strong. I would like to thank you for the opportunity to speak here today. Thank you, the Commission, for allowing us the time to do that.

Now, in concluding our presentation, I would like to give an opportunity for the Elders to speak and say a few words what it means to them, about their relationship with the land, with the caribou, and what gives them identity of who we are as Denesų́liné people. I will hand it over to Elder Louis Josie.

Chairperson: Please go ahead when you are ready.

Elder Josie: My name is Louis Josie from the Hatchet Lake Band. I will speak in my language, Dene.

*(Translated):* Right now, when I came in from our communities from all the areas in Saskatchewan, today when we got here, I would like to thank all the Elders and the drummers that opened the ceremony that happened today. I want to speak in my language and everything.

Today, we are here talking about the importance of the caribou. The caribou, us many years ago up to today, are a generation in the past that are here today that follow the migration route of the caribou and to the land. The caribou is our blood. If we hear about the caribou, even though far away from us, we still feel it in our hearts.

We used to see a lot of herds of caribou in our days in our territory. The last time we have seen that kind of herd was in 2003. That is the last time we have seen a herd of caribou in Wollaston Lake. The reason why the caribou is very important to us, the Land Use Plan right now that is in front of us, it relates to that. How can we make this decision strong in regard to the caribou habitat, the caribou protected area, and everything like that? How can we make a really positive protection for the caribou for the future generation?

This is for the future generation. We have to prepare for them. We are a big lot of us, a big tribe. We have to protect the caribou for the future generation. If we don't, they are going to have a hard time and see nothing. In a development in a calving area, all that development is happening. There has to be protection. They have to be very careful and respect the sacredness of the land of the calving ground, the habitat area and caribou territory.

We the Denesųliné across the province, we rely on the caribou. If we do not have caribou, we feel lost. When can we see the caribou, we think when the fall time comes, all our relatives, our generations in the past of our grandfathers and our grandmothers rely and live on the caribou. That is the same thing we are doing right now today. Even the calving ground right now of all of the mineral development, how can we make things work better for the caribou protection, for the protection of the caribou? With that right now, that is all I have to share for you today. All the Elders I am sure are going to address concerns to us. Thank you very much for giving me time.

Chairperson: Thank you. Please go ahead when you are ready.

Elder Naldzie: Hello. My name is Alfred Naldzie, Fond Du Lac, Saskatchewan. I am glad the Chief got me over here to *(inaudible)*. I am a trapper and hunter too before. Anyway, we hear a lot of stories of how to help each other on both sides. While I mention the name, the interpreter said it for me over there, so I will say it in Dene.

*(Translated):* When I was young kid, we used to live in Fond Du Lac, and there used to be a lot of caribou. Every fall time, there was a caribou herd that would come near us. A lot of people would travel out and hunt, and that is how we lived. We are a caribou people. While David had mentioned before, he is correct in how people travelled for the caribou, and we are caribou people.



Now when I think of it, when you think of caribou, when Uranium City town began, the power they used to have, the powerline, the powerline used to go up to 135 miles. That was how Uranium City and the Eldorado Mine worked. After that in the 1980s, they set up the powerline, and that is where caribou used to migrate to. There used to be a lot of caribou, and I remember where in Fond Du Lac when I used to be in school in 1952.

In the fall time, the caribou migrated. In November, there used to be a lot of caribou. When you just look over the hill, you just look for two miles. For two miles there used to be a lot of them. It was even close to the town. From there in the 1980s, after the powerline was set up, in the spring and the fall time, that was last time the caribou migrated to our area. It never migrated south from that because it does not like the powerline. It is not just there. Now if you look at it today, north in the mine of Diavik Mine, that is the same thing that happened. Caribou used to come from there, and we used to live off the caribou. Now the road has set up and the powerline, and the caribou stopped going in that area. I have family that work in that area, and they know this.

A couple of years ago and over the years, there used to be caribou that migrated through the area, into that construction line, but then it has not happened since again. As I think of it now where the mines are, we have good jobs, a lot of jobs. Where we used to live, where the caribou used to migrate, we used to have jobs too. We had commercial fishing, trapping. There used to be a lot of things going on for us. Now, the government has stopped that all. How can we trap, and young people learn how to trap? How will they live now?

The mines are a good thing. I know it is a positive thing, how to make a living, but it does not last long. Whatever the minerals they are mining, once it is over, it is over. We have a good land, and then our land is damaged. Then it will grow back again. I have seen a lot of that happening.

Now the powerline that is planned out to set up in the Nunavut land where the caribou grounds are where they are breeding and breeding grounds, if there is a powerline going through that, what would happen to the caribou? They would not stay in the same spot because of the powerline. It is a very negative thing for the caribou, and then they will decline in numbers again because life will be difficult for them.

If it wasn't that for the people and the people talking against the powerline and where it is now, it will be there forever. If there is a boundary around it, maybe it would have been a positive thing. We have got to think that way too. It won't only be good for them. It will be good for us. There are a lot of jobs everywhere. They share a lot and communicate good. If they work together, they will come up with a good solution. If any people that come together like that share words and share what they have seen and how it is, that is how they communicate. That is how I mean it will be a good communication with a good outcome.

I am not talking against it. It is a really positive thing, and the roads are good, but for the wildlife, how they live, and how the caribou and us as caribou people, if the caribou decline on us then for the future generation, they will decline on them. It will be difficult for them to live, and it won't be a positive thing for their future generation if that happens. That is why I am saying I am happy I am sitting with you guys sharing my words. It is not very much, but I hope in the future that we continue to help each other. Merci. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.



Elder Echodh: My name is John Echodh, Black Lake Elder. (*Translated*): I am happy to be here talking about the caribou topic. We live off the caribou. As Elders sitting here, this is my first time sitting here with the group as an Elder and talking about caribou. Now that we think of caribou and where the grounds of caribou herds where, they lay their calves and the topic of where the powerline will be going through is what I am thinking of.

If they rerouted the powerline, it would have been good. We have to put a good strong word into it. We have to help each other. I am not going to say much about it, but this is all I am going to say. Thank you.

Chairperson: Thank you. Please go ahead.

Elder St. Pierre (*Translated*): Thank you, my relatives. I am happy to be here to this gathering. Thank you for the opening prayers and the opening drummers. George St. Pierre. The drummers that did the opening, they did a really good job, and appears it is very useful. The drumming is very useful. You use it for the future, and our ancestors used it before us, and it is very important.

They call the caribou using the drums, because they say the caribou hears the drum. I have heard many stories of that. Our ancestors used to know a lot about this. Regarding the caribou topic where the caribou migrate, if there is something happening where the caribou migrate, it is very important the caribou will not go there again. So, it would be very important to keep the caribou migration as safe as possible and nothing interfering through the migration route.

If it does happen, the caribou would stop. In our area, we are lacking caribou. There is a lot of mining in route of the caribou herd where they migrate to, and that makes it difficult for us, because we live off caribou. They say that caribou was once human, and the caribou whatever they heard that the herd comes towards us, they used to sit in front of us. You could hear the caribou talk. It was a calf that was talking and would say, "Hurry up! Hurry up! Our relatives are hungry. They need us. Let's go to them." That is what they used to say.

We love the caribou, and the caribou loves us too, because we live off them. They were put on land for us. That's what the Elders used to say. Our Lord has set the caribou on the ground for us to eat and for us to thrive, and they will not disappear from us. That is what the Elders used to tell us. The Elders were wise, and our Elders have passed away and gone. Now the Elders, there is not many Elders there now over age of 80.

As we were going through that time where we have to talk to our youth how to hunt and how to respect caribou, we always have to tell them. It would be a very good thing where we teach them how to hunt and respect the caribou without alcohol, but they still take it anyway. Even though we try to stop them, I believe the caribou does not like those kinds of things. The animals that were brought on earth for us, and us we have to respect our culture and respect our caribou. If there is a caribou that is stopped, run away, and it is us that we have to go to them to survive.

We have to respect the caribou. Let's respect the caribou wherever we go up north and whatever is happening in the North where the caribou migration is. I hope the caribou path is respected. Anything that is being done, they have to know the information that is regarding the caribou. Maybe

the caribou will come back to us. So, it is up to you. I will share my words with you and say thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Elder Noey: My name is Laurent Noey from Lake Athabasca, Dene Nation.

*(Translated):* I thank you that we gathered here for you and share information. It will be a good outcome in the end. Where the caribou migrate, a lot of people how the good solution would be regarding the caribou. There will be a good job. I know you do a good job for the people. We come as you say, we come from the caribou people. How the caribou lived with us, we know the stories amongst us shared, once a caribou had gone back to caribou. After a while there was no caribou in our area. This is an old story that was passed down. Once the caribou stopped migrating to us, a lot of people go up north.

One person that went up north for the caribou, there was this one person that had this rope around his neck. That is where they say the caribou was down the line. Then once they released the rope, now they say the caribou have gone back to the people. There are a lot of stories in regard. It is not just this that know this. It is an oral story that was shared among the generations. Us as Dene people, it is not just us. There are a lot of people that live around in the area where they grew up with hardship. It is not just us; Manitoba people and everywhere Dene.

Everywhere the people, they had grown up with hardships. I know we can't speak for long. It is not regarding a paper, but without paper we could...If you don't school you don't know any paper to write but how the caribou migrate, and if you guys come up with a solution and if the people from Nunavut will help us, it would be a good thing. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Elder Isadore: My name is Andrew Isadore from Fond du Lac. Thank you very much for speaking on behalf of Denesųliné. Mahsi-cho.

*(Translated):* I would like to thank you for coming here and gathering us. We are talking about an important topic right now, and I would like to thank the openings for the drummers. It is very important, and it is really important to me.

We live off caribou, and if there is no caribou, it just seems like we would have nothing. The caribou meat is very important to us. It is a necessity to life. When we travel up to the north, anywhere in the north where the caribou is, it is very important. If we live off the white man's meat, that is not our food. It is for caribou that we live off. That is our necessary life.

One thing is I would like to share a story with you. In the 70s, that is where the caribou used to migrate in our area. In the 1980s and in 1992 with the last time the caribou migrated four miles from our area, that was in the community of Fond Du Lac. Since then, the caribou was the last time they came in. Every time, they go farther and farther north from us.

In 2007, it declined a lot in numbers. I don't understand why there is a caribou declination, and I think why does it happen? I always think of that. Since November, December, the Beverly caribou

used to migrate to us. In December, November, that is where they used to migrate to us, but now I am thinking why has it declined in numbers?

In 2015, I was still thinking of it, since the computers, laptop, technology came up. It tells us what the information we need to know. It is from the Diavik Mine in 1992 when they set up the mine. Since then, the road has come. That is where the caribou decline in our areas from 2015. After the road was paved and the mine was in place, the caribou went up farther north away, far away from us.

We are caribou people, and it is very important to us. We see caribou from way up in the northwest area, and now they are farther away from us. There was a radio back in the day, and now they don't have that now. Now we have phone and how we know about caribou. That is where we get our information from using our cellphones. From 200 miles, 300 miles, we would still know where the caribou is. It is just like right beside us because the information is in our hand.

From the past stories, the old stories that were shared down, it was very respected. We have to respect the caribou, and it is being respected. I don't want to talk much, but this is my first time talking in public, in a public meeting like this. At first, I used to be hesitant. I used to be scared going to public meetings like this.

Now when I think of it, it is not just for me that I am talking about. I am talking for my grandson. When my wife cooks and will bring me a plate of food that is caribou, he would eat it. He would eat lots of caribou meat, and he would decline the white man's food. He would ask for more caribou meat and ask for meat. That is what he loves to eat because he would not eat the white man's people [sic]. For that reason, I am not hesitant to talk in public, and for the future generations. That is how we have to set our words into place right now for them. I would like to thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Elder Adam: My name is Mervin Adam from Fond Du Lac. I am also in a first time at a meeting for territory Denesųliné. First time. I never speak to that many people before. I will start with Dene now. Merci.

(Translated): I am happy to be here to gather with this crowd. I would like to thank the Elder that came up with the opening prayer this morning and the opening drums. I would like to thank them all. We are all one people. We are white people, Dene people, and all the people in the world. We are one people.

The topic we are talking about is the caribou. I remember for a long time with the caribou, people used to live in (*inaudible*) City in 1955 to 56. Beaver Lodge is a big building and every fall time, the caribou used to migrate, and the lake is good for the caribou and used to fill it up. Since a kid until this day, I had never seen that much caribou and that was the last time. The many times I have travelled, I have never seen that much caribou since then. There was (*inaudible*) I used to travel with them, and they had taught me lots. They really benefitted me when I travelled with them.

Where the calving grounds are, they were talking about it and the powerline. The powerline is at fault too with the decrease in numbers of caribou. Back in 1970s in Fond Du Lac, where my son's house is, that is where I used to kill caribou. It was just not even a mile away. Since then, that was the last time the caribou had migrated to the community. And for the powerline that started, every

year the caribou went further up north. It was last year and the year before, and in 2018 was the last time I went hunting.

It is very far up to Mary Lake, that was where I went hunting with other people. Last year, it kind of went closer to us but not so much. We cannot live without caribou meat. Here sitting, we cannot live without caribou. The only way is the caribou that is far. Everybody knows where they are. As a little kid, they would tell you where the caribou is. Even the kids are going to benefit from this. They would say this is the biggest year for us. We know we will be fed, and from this the caribou is an important topic. We have to (*inaudible*). This is the first time that I gather with people here and with people that come from far to gather for information to come up with a solution. This is a very important topic. I would not say much with regards to this, but I would like to thank everyone in this room Thank you very much.

Chairperson: Thank you. Please go ahead when you are ready.

Napoleon: I would like to say thank you to the people who participated since this morning until now: Inuit and all the government, the Denesų́liné three First Nations and two from the Manitoba First Nation. We all with each other, we have a good....I would like to say thank you for the opening prayer this morning for the Elders, and I will speak in my language. Mahsi'cho.

(*Translated*): The topic regarding the caribou to us as Denesų́liné people, we only have one (*inaudible*), and we are the caribou people. We heard a lot of stories since this morning and the negotiators and how they shared the stories and the land they travelled on. The land use planning people, this list is sharing stories we could benefit for the future. It is for the future. It is not just for us. It is for our future generations, for 100 years we will still. We know we had a lot of jobs and a lot to do with this land, but we all live in the same area. Caribou is very important to us, and we live off that. If there is no caribou, there is real hardship. A lot of people had shared stories with caribou, and it has been a long time since they migrated to our area, to us in our area. This is the reasons why they have stopped.

They started back in the 70s until 2000 (*mostly inaudible but there was reference to forest fires*). Caribou had stopped migrating to us for a long time. Now the land is growing back. As mentioned earlier, you can travel far even though it is a long distance. When it comes the time for the harvesting area for caribou to prepare for the summer, a lot of people travel really far distances for the herd, to get to the herd.

In the Northwest Territories, it is a long distance. I have lived in the territories for trapping and harvesting for my rights. I have travelled long roads for the Nunavut area, and for its border I have travelled close to there, but I have never been on their land. It is a really beautiful land. It is a very beautiful land, and it is a really good land. I have not seen it during the summer, but I have seen lots of it during the winter. It is a beautiful land. It has lots of its positions. So, for the future, if we help each other, we have to be strong and we have to put strong words into it. For our kids, for our grandchildren, for our relatives who will benefit from it in the future, we have to put a good strong word into it.

A lot of Elders are sitting here, and there are a lot of Inuit people here. There are Elders, and if we share our stories, the good stories, and if we work together, we will come up with a good outcome. It will be very positive. It is just like we are relatives because we just live close to each other. We

are considered as relatives. We know each other. We know our land. We know what is our land, and we respect it. We survive off of it. We harvest it. We live off caribou. We went trapping and respected the caribou. Even the furs were expensive. At that time, there were a lot of people that went through that. There are a lot of stories that our Elders shared, and that is how they shared the stories travelling on the land for the traveller and now it is the same story. Now the fur prices have declined. When people go trapping, the price of the fur has declined. The stuff is expensive. The gas is expensive. One litre costs \$4 dollars in our community. So, when the future comes and the fall time is still a long time, if you take two 45 gallons, it will take a roundtrip to the north to bring food back to our home.

There is a mine that went out that was close to us, but it was not close, and nobody benefitted. The people that left off, good off, and with the money and say you'll benefit from it, but now we gathered here for gathering. We have to think positive often of all the information that was gathered. We have to put it together and come up with a solution, come up with a good paper for the future, for the future generations. We are not here to talk against any plans. We were taught to work together so it will benefit the future. We can recognize each other and how we have to work together. We have to respect each other and listen to each other. That is the way we will work together in the future for a good relationship.

There is a big land. There is Nunavut land. There is Northwest Territories land. The border that was put in the 1950s when they set up the border, that gives us hardship for the Saskatchewan residents and the Manitoba residents. Because of the border, that has brought us hardship, but we still got recognized. God sees us that we will work together. He sees us come together and to work together. If we listen together and put in good words to it and for the future generation, and we have learned the wildlife we have to respect it. If it is goes out the wildlife, we would have no future that would benefit us. For the future, we live off it, so we have to respect it and watch and protect it.

So, the people that live off seal, all the marine life, we respect that. That is how we live off that too. The words that we put down, we have to listen to each other and come up with a good thing. This is not like the old days that the people did not go to school. They were not taught English. They were not taught to write, and they only speak their language. That is where a lot of people were disrespected back then. Now today, there is knowledge is there. Everybody is going to school. We are all going to school. We will all work together. A lot of people were taught well. Now they go to universities, and they all have together. There will be no hardship in the future. We will share that information together. I would like to thank all of you and a safe trip back home, back to your families and your kids. That is how I want to go. Thank you. Merci.

Chairperson: Thank you. Could I just get you to state your name again? I missed it up front.

Napoleon: I'm sorry. Councillor Napoleon Pacquette. I'm from First Nation, and I am one of the Band Council. Thank you.

Chairperson: Thank you very much. Please go ahead when you are ready.

Ian: I will state my name. My name is Ian Robillard. I am from Black Lake. Today, on behalf of the Athabasca Denesųliné people, I am here as a youth representative. There are a few things, important things that I experienced and stuff like that that I want to talk. As a young man to be here,

it is an honour to be here and to see the Inuit people and the Ghotelnene K'odtineh Dene and Athabasca, and everyone else that is in here.

I would like to say thank you to the Elder that did the opening prayers and the drummers. I will just do this in English, and maybe here and there a few Dene. As a young man to be here, the knowledge that is getting passed on from the Elders is a really important aspect for us, and the caribou stories and all that stuff that has been said here today.

The Elders taught us, that is the knowledge I want to take. As they say, we are speaking on behalf of the caribou and our people. That is the knowledge that I want to pass on to the young generations. But without caribou, we won't be able to have that knowledge and won't be able to pass it on.

The first time I went on a caribou hunt, I was 6 years old. My father made me taste that caribou kidney, that fresh caribou kidney. It was so rich that it made me happy. It made me who I am today. I am pretty sure that all the Dene people that have caribou...money doesn't matter when you have caribou. That makes you richer. It doesn't make you feel poor. It makes you feel richer. There is one code that I always kept from the Elders. As long as there is caribou, there is always going to be Dene people. As long as the caribou live, that is how long the Dene people will live.

From the past that I want to talk about, the industries, the transmission lines and all that kind of stuff. I see what it has done to the caribou. In our community in North Saskatchewan, south of us there are mine sites and transmission lines. Over the years, the caribou has been going far and far. There are some lessons from that. When I look at this Land Use Plan from Nunavut talking about that transmission line, I think once there is a transmission line, for us it is like they are going to block off the caribou from the calving grounds and the travel routes. Yeah, now I will pass it on to the next speaker. Thank you.

Chairperson: Thank you very much. Please go ahead when you are ready.

Elder Toutsaint: My name is John Toutsaint. I am from Black Lake First Nation, Band Councillor. First of all, I would like to thank every each one of you that made it to this assembly, meeting, planning, hearing. It is very important to respect each other. It is very important to respect the animals. It is true. I speak from my heart. I don't write it down.

I hear my Elders speaking when I was a child. My father died 65 years old, heart attack, 1985, September 25. He was a Chief too, speaks for the people with a caring heart and respect. Now I speak on behalf of my people. This opportunity that I got, I want to be straightforward and open. With my relatives I call you, Inuit people, because they were there when we were there.

I remember the stories when the Inuit people met the Dene for the first time. They were friendly, shared. They meet only once a year in the winter in 40-below out there somewhere around Baker Lake area. Therefore, I will speak with my language right now, because I am proud of you, Inuit people, that you speak our language too, and we are proud to speak our language too. I respect the people, the black people, the yellow people, all around the world the human beings.

In order for us to make it better for the future generation, we have to hear each and respect each other, respect the animals, and also environment. Some people don't really care about these things

when it comes to tsq̃ba, cash, money. They forget about their history while the ancestors survived, our great grandfathers.

This drum was passed on to me when I was 18 years old by the Elders from my community, Black Lake First Nation. Till then, I am still carrying it. When I drum, I respect the drum. We all have different songs, us Dene people. The song that I will sing for you in closing is a prayer song. It is a hope song. It is a faith song and healing. It is all combined and celebrate too.

*(Translated):* I would like to say thank you for talking about caribou. We have to protect the caribou for the future generations. Us who live here, we are here for a short time, sharing stories giving each other stories for the Inuit people, the white people. We have to help each other to come with a positive outcome.

I do not disrespect you. I respect the work that you are doing. I don't know. It may have happened, or it is happening. We don't know yet but passing the drum on what my friend had mentioned earlier this morning that when you drum, the caribou would migrate towards it.

All those years, from the 1990s, that was when the caribou had declined. It is true. Even though we drum, there is still no caribou. We are not giving up. We are still drumming because we have hope. We still have hope. I just want to say thank you. I don't want to talk furthermore. I would like to thank you. I would like to appreciate the time that you have given me.

I was going to say something in the other language there, Inuit. Say thank you, great day, Merci, but I think I forgot about it. I will try. Ulluqattsiarit. It's hard. Your language is very hard. Ulluqattsiarit, Llaanaq. Something like that. It means thank you. Have a good day my friend, something like that. In closing, I will sing my song. I lost my drumstick. Okay, here it is. Sorry about that. I will give it back to Ron.

*(Elder John Toutsaint performed a drum song)*

*(Applause)*

Chairperson: Thank you very much. I guess my question is, do we ask a few questions and then break, or do we have supper and then have questions after? We are back at 6:00. I think that was a very fitting end for this session. Thank you very much. We will take a break and be back for 6:00, and we will have our question period at 6:00. Come back right where you are right now. It might be for a few minutes. It could be for a couple of hours. We don't know right now. Something to look forward to. See you all at 6:00. Thank you very much.

*(Applause)*

### **Supper Break**

Chairperson: The presenters are good to go. Do you have any questions, Jonathan? Okay, please go ahead, Jonathan.



Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. I don't have any specific questions for the Athabasca Denesų́liné. I would, however, just appreciate the opportunity to note that the clear presentations and recommendations are greatly appreciated and understood by the Commission. When revising the Draft Plan, there are certainly some corrections that will be implemented to the upcoming Draft Plan to clarify things, as you have recommended. Your other input and feedback will be given full consideration when the Commission is revising the Draft Plan. Thank you, and an acknowledgement for the detailed comments that have been provided today. Thank you, Mr. Chair.

Chairperson: Thank you, Jonathan. Are there any questions from the community participants? *(Pause)*

I don't see anybody standing. Are there any questions from registered participants? *(Pause)*

I don't see. Are there any from public members? We have one from the table.

Ron R?: Excuse me. Other than the ones I pointed out in one of the bullets there about being kept updated as to pertaining to the Athabasca Dene that we be notified and be kept abreast. That is it.

Chairperson: Thank you. I would like to say thank you very much for your presentation, and we will move on to the next one. Thanks for coming back.

*(Applause)*

Our next presenter is the Beverly Qamanirjuaq Caribou Management Board. I have got to work at getting my names right. While we are waiting though, I know our chairperson would very much want to make this very clear. Oral presentations are very important and carry just as much weight as a written presentation. Everybody's voice matters. So, all those that made the comment about the first time presenting, your voice matters just as much as anybody else's.

Please go ahead when you are ready. Say your name and organization.

### **Presentation by the Beverly Qamanirjuaq Caribou Management Board** **Tina Giroux-Robillard, Executive Director**

Tina: Thank you. I feel so alone up here after the Athabasca Dene group. Thank you. I just wanted to start by thanking the Elder this morning who did the opening prayer and the Athabasca Northlands and Sayisi drummers. That was beautiful; a good way to start off the meeting. Thank you, Commissioners for giving us the time on the agenda to speak on this matter, the leadership, and especially the youth that were up here talking. I think that is really important that we have the youth voice reflected in the Land Use Plan.

My name is Tina Giroux-Robillard. I am really glad to be here today on behalf of the Beverly Qamanirjuaq Caribou Management Board. I am a member of the Meté Nation, and I live just north of Prince Albert, Saskatchewan. I am the new Executive Director for the Beverly Qamanirjuaq



Caribou Management Board. I started my position in April this year. Prior to that, I worked as a wildlife biologist for almost 15 years for the Athabasca Denesųliné who were just presenting.

I am here today because the Caribou Management Board members are very concerned about the future of the caribou herds and the cultures and livelihoods of Indigenous caribou peoples across the North, because the herds on which they depend are declining in size and are not often as available to them.

Our presentation has four different parts. I will talk a little bit about the background on why we are here and why we are participating in this land use planning process. I will provide comments on the proposal, the Draft Land Use Plan proposal that would support protection of caribou, including the Beverly and Qamanirjuaq herds; raise outstanding concerns that we have about the Land Use Plan where we feel it would not help protect healthy caribou herds; and also provide some direct recommendations.

First, I am going to provide some background on the two herds that the Beverly and Qamanirjuaq Management Board was created to help manage. This map shows the total area that is used by both the Beverly and Qamanirjuaq caribou herds over the last 7 years. This map is based on information from caribou surveys, locations of collared caribou, and of course based on Indigenous Knowledge that we collect.

The caribou range, as you can see, encompasses a large range of multiple jurisdictions. We have two territories, two provinces, and the herds are shared by many people, including the Inuit, the Dene, the Metis of the Northwest Territories, Northern Saskatchewan, and Northern Manitoba. The two orange areas that you see are the traditional calving grounds that have been used by the Beverly herd, and the purple area is the traditional Qamanirjuaq calving grounds.

This map shows the spring migration corridor used by the Qamanirjuaq caribou herd, and it is based on information from tracking locations of collared caribou, so it does not include all of the caribou. In the spring, the caribou migrate from the southern winter range up into the calving ground. Then they move south and west into their wintering grounds. So, the Qamanirjuaq is particularly important, as it has almost exclusively supported the communities that are present here today.

So, this picture is a picture of a post-calving that is near Rankin Inlet. This is one of the areas that we are talking about today, and you can see how important these areas are and how used these areas are outside of the calving ground.

The Caribou Management Board is an advisory board that provides information and recommendations about caribou herds and about human activities that could affect the herds and their habitat. We provide a voice for caribou, for caribou habitat, and communities who depend on caribou. The Board's vision for the future of Beverly and Qamanirjuaq caribou are that they remain key food security and continue to be fundamental to culture, spirituality, and identity, and also that everyone shares in the responsibility for taking care of these caribou.

The Caribou Management Board was established 40 years ago, and it was established to help people from communities and governments to work together on issues that affect the Beverly and Qamanirjuaq herds and their habitat. There are up to 15 regional board members that are appointed to represent more than 20 Indigenous communities from across the caribou range and

five public governments. Board members include Dene, Inuit, Cree, and Metis caribou harvesters, government biologists, wildlife managers, and land managers. Essentially, we have a crew of experts on caribou.

So, why are sitting here presenting multiple times at the Nunavut Land Use Planning Commission hearing? The Land Use Plan will play an important role, if not a key role or the only role in the future of the Beverly and Qamanirjuaq caribou herds. Harm to caribou or caribou habitat can result from some land use activities occurring in key places, so land use must be managed carefully. This is also a critical time for barren ground caribou with most herds declining.

Beverly, for example, had a population of 286,000 in 1994, and it is down now to 104,000 last time it was surveyed in 2018. The Qamanirjuaq herd has gone from 500,000 animals in the mid-1990s. Last time it was surveyed in 2017, it was surveyed at 288,000. There has been a recent survey this spring, but we don't have that number yet, but there is a consistent decline in these herds. So, having fewer caribou available to Indigenous communities has a major impact on these communities for social, cultural, food security, and financial hardships.

The Caribou Management Board, we want to be clear that we are not against mining in Nunavut. The Board understands the need for economic development in Nunavut and realizes developments will occur, but we have strong concerns about harm that some activities in some places could have on key caribou habitats and caribou herds without good land use planning. We have made compromises for land use management that both conserve caribou herds and allow economic development in Nunavut. So, we have been flexible, and we now ask that governments and industry also make their own compromises to help ensure that there will be caribou in the future.

Many of the most important areas for the Beverly and Qamanirjuaq caribou herds are in Nunavut. The Nunavut Land Use Plan could be a valuable tool providing ways to avoid harm to important caribou habitats, protect the land in critical areas, minimize risks that may result in harm to caribou over time, and also allow changes in the future when we see that it is needed.

The Nunavut Planning Commission has proposed using land restrictions and prohibitions of certain activities to protect caribou habitats. We agree that some intensive land uses should be prohibited from some areas so that people will not harm the land or disturb the animals there. We support the Nunavut Planning Commission's proposal to designate Limited Use areas for caribou with year-round prohibitions on certain land uses for caribou calving areas, post-calving areas, key access corridors, and key freshwater crossings.

We support that the Commission proposes to apply additional seasonal restrictions to further limit activities allowed during specific time periods for calving and post-calving grounds and key access corridors, and to designate Limited Use Areas with year-round prohibitions on certain land uses for conservation areas on the Beverly and Qamanirjuaq range. We have made some suggestions for additions or some modifications to some of these proposals in our written submission to the NPC.

The NPC's proposal to create Limited Use Areas for caribou is consistent. We have heard it, and we have seen the submissions from multiple groups across the range, including the Kivalliq Hunters and Trappers Organizations, the Nunavut Wildlife Management Board, the Kivalliq Wildlife Board, but they are also supported as we have heard today loud and clear, from our friends, the Athabasca Dene, the Northlands Dene, the Sayisi Dene, as well as neighbors in Łutselk'e who are Akaitcho

Dene, the Meté Nation in Northwest Territories, and the Wek'èezhì Renewable Resources Board in the Northwest Territories. It is consistent and found throughout the entire range of the Beverly and Qamanirjuaq. Everybody wants to see these areas protected.

So, we commend you for including protection and hope you will not be removing these designations in the final Draft. Right now, I am showing a map of the Qamanirjuaq range, just as an example. On this slide, the total year-round Qamanirjuaq range is shown in pink mapped by the Government of Nunavut, and this includes the range that comes into Northern Saskatchewan, Manitoba, and NWT. The green area is the total proposed in the Draft Plan for protecting caribou habitat. If these designations are approved as is in the final Plan, some specific intensive land uses would not be allowed in these areas.

These purples and pinks show different important caribou habitats like calving grounds, post-calving grounds, corridors, and freshwater crossings. Just to reiterate and make super clear, this is where we support these designations for all of these areas that caribou use at various times.

But we do have some concerns with the Plan. The Caribou Management Board does not support the following two proposals that are found within the Land Use Plan because they would result in less protection for important caribou habitats:

- One: We don't support providing special status for infrastructure developments in a Kivalliq-to-Manitoba corridor.
- Two: We don't support allowing projects with existing mineral rights to proceed through all stages of mineral development.

These proposals would give development projects higher priority than caribou protection in Limited Use Areas for caribou where they overlap. Therefore, important caribou habitats in these areas, including calving and post-calving grounds, would not be provided with protection by the Land Use Plan.

The yellow line on this map, which we have seen today a few times, shows the Kivalliq-Manitoba corridor proposed in the Draft Land Use Plan for roads, hydro lines, and other related infrastructure. This is not acceptable to the Caribou Management Board for several reasons:

- One is the location. The corridor runs right through the Qamanirjuaq caribou spring migration route north to the calving grounds. It crosses calving and post-calving areas and important water crossings for caribou, which are in the green areas.
- Two: This proposed corridor gives development a higher priority than protection for caribou in these key habitats in the calving and post-calving grounds. The Caribou Board recommends that KIA be required to apply for an amendment and that the NPC should evaluate alternate routes and cumulative impacts and conduct a public review for this project proposal. A better Plan is essential for the future of the Qamanirjuaq herd.

On this map, we have added orange areas that show where existing mineral rights were mapped by the NPC on Qamanirjuaq calving areas and other key caribou habitats. The NPC proposes that no protection would be provided by the Land Use Plan for caribou habitat where existing rights exist,

and that any mineral right would automatically override the value of an area to caribou. The Caribou Management Board does not support this proposal, because it would remove habitat protection from the Land Use Plan for key areas like caribou calving grounds.

So, when you add the development corridor and the existing rights, you start to see that not much land is protected as we originally hoped for. As a result of these proposals by the NPC, a large portion of the Qamanirjuaq calving and post-calving habitat would no longer be protected. Therefore, these proposals are not supported by the Caribou Board, which recommends that areas used for calving and taking care of young calves are given higher value in the Land Use Plan than their possible value for mining, roads, or other infrastructure. This is another picture of the post-calving grounds near Rankin Inlet.

The Caribou Management Board also has concerns with some recommendations made by other participants made in their submissions to NPC, because they would not support habitat protection for caribou in the Land Use Plan. We do not support the following recommendations made by other parties:

- Using mobile caribou protection measures or seasonal restrictions as the only ways to protect caribou in the Land Use Plan.
- Relying completely on the Environmental Assessment process and mitigation measures to protect caribou.

Both of these recommendations are not adequate, as they do not provide necessary protection for habitat in key seasonal ranges such as calving areas, post-calving areas, and key access corridors.

Finally, the Caribou Management Board has recommended six general recommendations. I can go through the six, or I can refer back to our written comments if you like, depending on time. Okay. Like I said, more details are provided in our written submission, but I will go through them generally:

1. Guidance is needed from the Land Use Plan for protection of caribou habitat to maintain these key habitats and keep options open so caribou can continue to follow their seasonal migrations to and from calving grounds and post-calving areas.
2. The role of land use planning is to set out clear rules for all parties to follow when using the land. For Nunavut, this should include establishing rules for land use to protect important caribou habitats.
3. The Nunavut Land Use Plan will be reviewed regularly and can be changed in the future if new information indicates that new methods have been developed, tested, and proven to work. But we need to what we can now to ensure the future of caribou using established methods and tools for land use planning, not relying on unproven methods.
4. Seasonal protection measures and mitigation of negative effects from developments cannot be avoided provide some limited protection to caribou. However, they do not provide long-term habitat protection. Prohibiting activities that can harm the land are needed to protect habitat in key areas, which should be provided through the Land Use Plan.

5. Planning mitigations for the effects of mineral exploration and development on caribou should not occur in the Land Use Plan. Nunavut has an established and well-supported environmental assessment process, which is operated by the Nunavut Impact Review Board.
6. This will be the first territory-wide Land Use Plan, and it may be changed in the future, but if we don't protect habitat for the future, there will be fewer options later. We need to take a cautious approach now, and we may not be able to fix our mistakes. This is not a time to gamble with the future of caribou.

In closing, I would like again to thank NPC for paying close attention to what the community people are saying, what they have been saying today and last week. The 2021 Draft Plan shows that NPC has used the input they received from caribou people to propose protection for caribou and caribou habitat through their land use designations.

However, there are some things that need to be changed or improved to ensure that necessary habitat protection is actually provided. We urge the NPC Commissioners and the three Plan signatories to make sure that the final approved Land Use Plan for Nunavut contains meaningful protection for caribou and habitat and does not provide development with higher priority than caribou in key caribou habitats. Please remember that your decisions will affect many caribou people across the entire range. Thank you for this opportunity to present today on behalf of the Beverly Qamanirjuaq Caribou Management Board. Merci.

Chairperson: Thank you very much. No questions? Okay, do we have any questions from community participants? *(Pause)*

I don't see any. Do we have questions from registered participants? I missed a hand. Sorry about that. Please go ahead. State your name and where you are from. Thanks.

Jonathan P: Hello. Bonjour. Can you hear me? I just got invited a little while ago. I had to rush over here. I didn't want to miss any of it, none of it.

Anyway, I know people need the Kivalliq line up there. I realize that, but there are consequences I think that we will be facing if that were to happen. It's not only the caribou. There are geese. We all like to hunt geese. Then a couple of years back, our highway was improved. We thought after protesting so many times against Manitoba to fix our road because our people were bouncing around when they needed to come to the hospital in Thompson, but it wasn't so.

They made us think that we needed the road fixed. They made it look nice, but as I look around, I realized that they made this road for themselves for tourism purposes to access what they cannot access freely right now where Nunavut is. The businesspeople, progress as we call it, and the Aboriginal understanding of the land, how come the needs of the people of the land are not as important as the business aspect of it?

I was born literally in my community. My dad had to hook up his dog team to take me to the nursing station back in '61. I then went to school for a bit. Then my dad took me out to the land when I was Grade 7. Then I started working for the land. See, I introduced myself back on May 4. I am here from Mother Earth, I had said.

Many of us have a hard time waking up when all this encroachment is happening, this bombardment of all these proposals that need resources. My heart cries when I think about that. My land on the north side where I come from, the Churchill River, the land is slowly sinking. In 20 years where that TV is, the cabins are now in the water. Then just north of Churchill River there, there are caribou, thousands of caribou tracks. I live about 700 metres from about 9 caribou that always come back to that same spot. One time they were up by my blind, and I was waiting for a goose. I went for a coffee. I came back. There were caribou tracks right close to my blind.

If we feel like we say we feel for caribou, a few years back maybe about 15 years ago, caribou came from up north. They came from up North like they were rushing. They were probably hungry. I'm not sure, but when I looked at the hide and the fur of the caribou, it was like somebody took those scissors – remember those scissors they used to cut our hair with? It made them all nice and square. Then I look at the caribou my partner had got and not one ounce of fat on it. It was just skin. Then you know, that's what I mean. We don't know what the caribou are trying to tell us.

A few years back again, I will use the Department of National Resources estimation, 50,000 caribou came to (*inaudible*). That's about 136 kilometres from here. They came there and then they went home. The following year, 150,000. They came there, the first group came there to come and tell us that a big group was coming. So, they came there, and I saw this one caribou. My trail was this side, going straight to go home. I was on my way home and I seen a caribou approaching the trail. Then it stopped before my trail. I was going to watch him cross, so I moved my skidoo. I went by him. He was standing there. Then I looked back, and he crossed my skidoo trail.

See? The difference is the western science don't feel or understand what the people of the land understand. We feel them. Like the lady said, I forgot your name, sorry. You see, I met Tina a few years back. Right away, you are good friends I would say. Then I met some more people there, but you know, this electricity isn't all that is cracked up to be. It will take away the need to survive, to go and get wood or whatever you have to heat your house.

My home, we have thousands and thousands of wood, you know? After all, the hydro has given us the convenience of turning on the heater like that. We were talking out there outside, our Elders used to have a strong, strong handshake. Nowadays, it is soft.

I wanted to share that. I wanted you to feel what I feel. The caribou have to remain free. There is a Pen Island herd that comes from the east side of us. They come there. Then I was listening to my brothers from the other reservation. They said people are coming into our territory and then they are disrespecting it. We don't want that, they said. I knew when he said that that he was going to paint himself into a corner. When you don't allow a person to come hunting in your reservation or territory, the animals know that.

When we flew over the Pen Island herd, it was like the picture she showed us there with thousands of caribou.

Chairperson: Excuse me. I'm sorry. Two things: One, for the record, we need your name. Two, we are trying to have questions on the Land Use Plan and the presentation.

Jonathan P: But you are the one that said if you don't have a presentation, bring something here from and that's what I am doing.

Chairperson: But we also have to respect everybody's time.

Jonathan P: Isn't my voice...

Chairperson: Your voice is important.

Jonathan P: You know, the animal knows what we are thinking. It came straight to that community, and it turned south. We cannot own the animals. They are one of us. We are part of the land. Oh, Jonathan (*last name inaudible*), Cree Nation. (*Spoke several statements in his language, not translated*). I am humbled standing in front. I was kind of hesitant, but had to, because I have so much respect for the people. I am humbled to be standing in front of you, and I hope that we can achieve what we need to achieve. Hau, hau.

Chairperson: Thank you. Are there any other questions? (*Pause*)

Thank you very much for your presentation.

Tina: Thank you.

(*Applause*)

Chairperson: We will move on to Seal River Watershed Alliance. Thank you. Please go ahead when you are ready. Say your name and organization please. Thanks.

### **Presentation by Seal River Watershed Alliance Stephanie Thorassie, Tadoule Lake**

Stephanie: Hello? Perfect. Hello, my name is Stephanie Thorassie. I am from Tadoule Lake, Manitoba. I am here on behalf of the Seal River Watershed Alliance.

I am happy to be here. First of all, I would like to say Mahsi'cho and Ma'tna to our Elders here today, the ones who presented. Mahsi'cho for the prayer and for the drummers, and for the presenters, for your youth. I wanted to say thank you to you all, to the Government of Nunavut, the Government of Canada, and the Commission for having us here. (*Pronounced a few words in Inuktitut, untranslated*). I hope I said that right.

Hello again. How are you all today? As I mentioned earlier, I am from Tadoule Lake. I am Executive Director of the Seal River Watershed Alliance. The majority of the work that I do and I have been doing over two years has been in Northern Manitoba. I am sure some people here are wondering why I am presenting today on topics to pertain to North of the 60<sup>th</sup> parallel. As I sit here today, I think about our Elders and community members who are no longer here today. We have been waiting for a chance to speak our truth as Denesųłiné people on these lands for a very long.



I think about my family who worked tirelessly for these opportunities being offered here today: my late uncle Steven, my uncle Peter, or Grannie Betsy who witnessed the signing of the Treaty, and most recently Uncle Frederick who just passed away. He has guided our work along with countless other people, too many to name today. I am happy to be here today to help to speak our truth as a Denesųliné person.

As you can see the map here, this is the area of land that I am working with our communities to try to protect. Our goal is to permanently protect the Seal River Watershed as an Indigenous Protected and Conserved Area, or an IPCA. It follows the Indigenous laws, inherent rights, and traditions of our Indigenous peoples who have occupied these lands since time immemorial and who still use these lands today. The Sayisi Dene First Nation, we are leading this initiative to protect the entirety of the Seal River Watershed for our future generations, in partnership with our Cree and our Dene neighbors.

We call ourselves The Alliance because we are a group of four different nations in the province that work together who have unified to do this work. We understand how important it is for our future to be ourselves, to be Denesųliné, to be Cree people on this land. We have to have a safe place to be ourselves, Indigenous people.

We have partnered with Northlands Denesųliné First Nation, Barren Lands First Nation, and O-Pipon-Na-Piwin Cree Nation to advance the protection of the Seal River Watershed. As you can see, it is a big size on the map, not as big as Nunavut, but still a decent size in comparison. It is 50,000 square kilometers of untouched, pristine, perfect land. We even had scientists measure the land for us, and it is 99.97% pristine. There are no roads. There is no industry. There is no pollution. Every aspect of it is the same as it was since my great-great-great-grandparents walked on the eskers and followed the caribou. There are not a lot of places like that in the world that exist today.

We envision a pristine watershed where people, animals, and fish are healthy; our unique language and cultures are thriving; and there is hope and abundance for all future generations. The watershed has been home to our peoples for centuries where we have been stewards and caretakers of these lands. We have lived the experience of what happens to our people and our nation when we lose connection to the land and the caribou. The relocation of my people is evidence of that.

The Canadian government and Indian Affairs wrongfully accused us of the overconsumption of caribou. They forcefully relocated us, and one-third of our Nation died. More than half of the names on that death list were infants and children. We were starving to death, and we were dying of a broken heart. We needed to get back to the land. As you can hear today from our Elders, every aspect of our culture, our spirituality, and our identities are rooted in the relationship with the caribou. The lands which sustain the caribou, it also sustains us. It is because of the wisdom and the guidance of our Elders and leaders that we were able to return to the land.

We have so many stories showing us the ways we are connected to each other. My great grannie, the one in the picture there, she was born in Reindeer Lake, but she lived in Duck Lake. She had childhood memories of an Inuit family who came to live with her at their camp due to the caribou being too far away that winter. They came to live with my grannie's family, and they shared with them their caribou. She knew how to speak Inuktitut fluently, and her face would light up every



time she saw an Inuit person, because she could speak Inuktitut again, and she was happy. She had lots of friends.

This project is the voice of our youth, our Elders, and our community members. The overwhelming support for the work makes me emotional sometimes when I think about the energy and the positivity that propels us and moves us. The work that has been happening to help us progress has highlighted the Indigenous knowledge that we have collected. We have interviewed over 305 members about the Indigenous knowledge that we carry about the land in that map, and it spills outside the map as you guys must know.

We have also been doing other work to support moving forward. We have also been gathering western science to support the work that we are doing and support the reasons why. We have many partners with lots of different universities and conservation organizations that help us. As you can see in the picture, the Seal River Watershed Alliance holds eight years' worth of greenhouse gas emissions in Canada. What that shows is that the Seal River Watershed holds 1.7 billion tonnes of carbon. It is in the soil and the sand and the moss and the eskers. That is the same as 70 years' worth of pollution from a car sitting in the ground, and it is slowly turning back into oxygen because the earth is like a set of lungs. It is going to take that carbon dioxide and turn it into oxygen, which we all need to breathe. So, the watershed serves as a shield in the fight against climate change.

As you can see, our goal is to protect this area so that its outstanding ecological and cultural values can be maintained and managed under joint Indigenous leadership. We are also working to encourage sustainable economic development that is consistent with the overall protection of the watershed and the promotion of Indigenous ways of life.

We note that none of the protection or management measures we envision would affect the exercise of Section 35 rights or community economic activities that are consistent with the overall protection of the watershed and the promotion of Indigenous ways of life. Hunting, trapping, gathering, ecological and cultural tourism, or other activities necessary for the wellbeing of local communities would be permitted and promoted within the IPCA.

We note that our goals align well with the goals of the NPC's *Broad Land Use Planning Policies, Objectives, and Goals*. However, we note that there is no expressed recognition of proposed Indigenous protection and conserved areas within the Draft Nunavut Land Use Plan. While IPCAs maybe established as a part joint Protected Area designation with federal, provincial, or territorial authority, they may also be established as an Indigenous designation using our own inherent authorities to manage traditional lands. The identification and management of an IPCA can advance effective protection and management of important ecological, cultural, and economic values for Indigenous peoples.

The Seal River Watershed is the wintering grounds of the Beverly and Qamanirjuaq caribou herd and home to at least 22 species at risk. It is also a territory of great cultural importance as we know, for the Inuit, for the Cree, for the Denesūliné people with community priorities and values of water management areas in the 2021 Draft Nunavut Land Use Plan.

The Plan does not identify any of the values of the watershed outside of Nunavut as transboundary considerations or contemplate further actions under Chapter 2: Protecting and Sustaining the Environment, or Chapter 3: Encouraging Conservation Planning. So, it is a recommendation the Seal

River Watershed Alliance submits that the Commission should identify the Seal River Watershed as a transboundary consideration under 2.8 of the Draft Nunavut Land Use Plan. The portion of the Seal River Watershed within the Nunavut Settlement should be identified as a Valued Ecosystem Component.

The photo that you see up on the screen, I was able to take this summer. We went and we spent seven days canoeing towards the mouth of the Seal River, and this is a seal in fresh water. This was not far from Tadoule Lake. There were a lot of them there. It was really neat to see.

The Seal River Watershed Alliance and the participating Indigenous governments have not yet determined whether the Seal River IPCA would be a jointly designated Protected Area or established under exclusively Indigenous authority. We continue to explore the potential for a jointly designated Protected Area in Manitoba with the Governments of Manitoba and Canada.

At this time, we have not made any specific proposals for legislative protection in Nunavut. However, we do consider the portion of the Seal River Watershed in Nunavut, including the Wolverine River through Baralzon Lake and Little Duck Lake to be a Community Area of Interest for the Ghotelnene K'odtineh Dene.

In the absence of any proposed legislative designation, we would note that the Commission supports the identification and management of Community Areas of Interest through land use planning. The Seal River Watershed Alliance submits that the Commission should identify the Seal River Watershed within Nunavut as a Community Area of Interest and include it within Map A of the Draft Nunavut Land Use Plan under a Limited Use Designation that prohibits incompatible uses with the exception of lands currently withdrawn from disposition under a 2019 Order-in-Council. All lands subject to the OIC should be designated Mixed Use to facilitate the conclusion of the *Samuel/Thorassie* litigation.

The Seal River Watershed Alliance congratulates the Commission in reaching this important milestone in your work. The Draft Nunavut Land Use Plan reflects a great deal of work on the part of the Commission. We wish to assist the Commission in one final area of the Draft Nunavut Land Use Plan and make the following submission for consideration:

The Kivalliq-Manitoba linear infrastructure corridor is currently proposed as Limited Use for transportation and communication. As we have heard today, the corridor is an important caribou habitat as a calving and post-calving area. The proposed Limited Use designation does not prioritize caribou protection. Before designating the corridor for transportation and communication, we recommend that the Commission identify key caribou-related interests in the corridor, consider alternative routes to the corridor, and consult with the affected communities.

As I said earlier, this summer I was blessed to spend a week out on the waters of Shethanei Lake, which feeds into the larger main Seal River. It was an incredible feeling to be able to share that experience with project staff, Elders, and youth. Before we left on the trip, we were given praise, well wishes, and prayers for good weather. I think the whole community must have been praying for good weather, because it did not rain on us once out on the land for seven days. Towards the end of August, to have +30 weather for seven days was a blessing.

Before I left, my grannie she said to me that it was good that we are encouraging the young people to keep connections with the land, because if you do not have that, she said no matter what you do in life, your soul will be poor. As a Denesųliné person, it is our duty to be guardians of these lands and to help share the voice of the lands, the water, the animals, and the caribou who are relying on us to speak for them.

It is with the biggest thanks that I can offer, I say Mahsi'cho. Ma'tna. I am open for questions.

Chairperson: Thank you very much.

*(Applause)*

There are no questions from Nunavut Planning Commission staff. Are there any questions from community participants? *(Pause)*

I don't see any hands or people standing. Are there any questions from registered participants? *(Pause)*

None. Any public member? *(Pause)*

None. Well, thank you very much.

*(Applause)*

So, we are here, and we are going along pretty good tonight. We would like to squeak in one more presentation before we go home. Could we have the Nunavut Water Board come forward please? Please go ahead when you are ready. Thanks.

**Presentation by the Nunavut Water Board**  
**Assol Kubeisinova – Technical Advisor**  
**Jesse O'Brien – Consultant**

Assol: Thank you, Mr. Chair. My name is Assol Kubeisinova, and I am a Technical Advisor with the Nunavut Water Board. To my right is Jesse O'Brien, Consultant to the Board. The Nunavut Water Board would like to present its comments and recommendations in regards to the review of the 2021 Draft Nunavut Land Use Plan.

I will start with an overview of the Nunavut Water Board's mandate; explain why the Board is participating in the Commission's public hearings; give a summary of the Board's review of the 2021 Draft Nunavut Land Use Plan; explain how to contact the Board staff; and then Jesse and I will be able to take your comments, recommendations, and answer your questions.

The Nunavut Water Board is an Institution of Public Government established under Article 13 under the *Nunavut Agreement*. The Board has responsibilities and powers over the regulatory

authorization, use, and management of fresh water in the Nunavut Settlement Area. The objects of the Board are to provide for the conservation and utilization of waters in Nunavut except in a national park, in a manner that will provide optimum benefit for those waters for Nunavut's residents in particular, and Canadians in general.

The *Nunavut Waters and Nunavut's Surface Rights Tribunal Act* states in Section 11.1: Subject to Subsection 2, no person shall use or permit the use of waters in Nunavut except in accordance with the conditions of a license. Section 11.2 lists the exceptions, which are uses unlicensed by regulations, domestic uses, uses in cases of emergency, and uses in a national park.

So, why is the Nunavut Water Board participating in this process? The answer to that is that the *Nunavut Agreement* directs the Board to do so. In Article 13, Section 13.4.1 of the *Nunavut Agreement*, it states: The Nunavut Water Board shall contribute fully to the development of land use plans as they relate to water in the Nunavut Settlement Area by providing its recommendations to the Nunavut Planning Commission.

In support of our obligations under the *Nunavut Agreement*, the Board is working jointly with the steering committee, which includes that the Nunavut Planning Commission, Nunavut Tunngavik Incorporated, Regional Inuit Associations, the Government of Nunavut, and Crown Indigenous Relations and Northern Affairs to develop a Nunavut Management Strategy. The Strategy will create a unified vision for water management in Nunavut, ensure that policies and regulatory activities support sustainable water management and consider cumulative effects; uphold the principles of Inuit Qaujimajatuqangit or Inuit Traditional Knowledge; play a role in transboundary watershed agreements; and consider a devolution process.

During these public hearings, the Board will be listening to the discussions of water management issues and priorities to help inform the further development of the Strategy. Here, I would like to discuss the review that the Board conducted for the 2021 Draft Nunavut Land Use Plan. The Board requested clarification from the Commission about whether a 10-kilometer buffer around freshwater crossings that limit activities designated as incompatible uses would operate to limit activities for 10-kilometres along a water course where there is a crossing. The Commission has provided clarifications, and that comment is now considered resolved.

The Board asked how freshwater caribou crossings currently identified in the 2021 Draft Nunavut Land Use Plan would be updated by the Commission. The Board also identified that if during water licensing, the Nunavut Water Board receives information regarding changes to the existing crossings, the Board will continue to consider this information in its licensing process in its licensing decisions.

Next, the Board identified that the Draft Plan limits uses of water in territorial parks to a term of 5 years or less. This limit may be inconsistent with the discretion of the Nunavut Water Board, which authorizes the board to authorize the use of water for a term of up to 25 years, or the duration of the undertaking using the water. The Board requested clarification from the Commission as to how the 5-year limit on water use would be applied.

The Nunavut Water Board noted that there may be some confusion about terminology in the Draft Nunavut Land Use Plan and used by the Nunavut Water Board and recommended that the description or definition of the term "community water supply watershed" be added to the 2021

Draft Nunavut Land Use Plan to clearly define these areas and to clarify that the term “community water supply watershed” is not intended to overlap or replace “water management areas” as identified in the Nunavut Water Regulations.

The Board noted the Commission’s commitment to consider during its review of the Draft Nunavut Land Use Plan the emergence of relevant policy initiatives from planning partners. The Board identified that the steering committee’s work to develop the Nunavut Water Management Strategy is highly relevant to water management aspects of the Draft Nunavut Land Use Plan. The Strategy will reflect watershed, regional and territorial issues, and priorities around fresh waters.

The Board thanks the Commission for the opportunity to attend these public hearings and would also like to thank all those who have been willing to share their knowledge, comments, and views about water management issues and priorities throughout this process. This is the contact information for the Board’s staff that you can contact in regard to the Board’s review of this Draft Nunavut Land Use Plan. Thank you, Mr. Chair.

Chairperson: Thank you. Are there any questions from Nunavut Planning Commission staff? *(Pause)*

No questions? Okay, are there any questions from community participants? *(Pause)*

No hands, no standing. Is there anyone from registered participants? *(Pause)*

Don’t see any public members. Okay, thank you very much for your presentation.

*(Applause)*

We will just finish off the night with a couple of comments and a little housekeeping. I would like to start with we really appreciate the prayer from the Elder this morning. I thoroughly enjoyed the drummers this morning. It was a great way to start the day. I say thank you very much to the interpreters-translators. You have a tough job, and sometimes we do not make it easy on you, but we say thank you very much.

*(Applause)*

For all who spoke today and participated today, thank you for your voice. We will look forward to some more presentations tomorrow. I will just pass it over to Sharon for a couple of last-minute housekeeping comments. Thank you.

Sharon: Thank you, Mr. Chair. I don’t have many comments tonight. If you notice, we do have several snacks at the back and lots of yogurt. Please help yourself and take some home to your room. We will be starting at 9:00 a.m. tomorrow. First up on the agenda will be the Government of Canada, so please have a good evening. We will see you all first thing in the morning. Thank you.

**End of Day 1**

## DAY 2: SEPTEMBER 27, 2022

Chairperson: We have housekeeping, and we will get that done while everyone is getting settled in. Please go ahead, Sharon.

Sharon: Thank you, Mr. Chair. Sharon Ehaloak, Executive Director for the Nunavut Planning Commission. Good morning, everyone, and welcome back to Day 2 of our public hearing here in Thompson, Manitoba. I have a couple of housekeeping items. Of course, every morning we have to go through the emergency exits. They are still the same as yesterday. There are two on this side and the one as you came in. The bathrooms are in the corridor as you came in, the entryway. Snacks, coffee, tea, please help yourself throughout the day.

Just an overview for our agenda today: We are starting with the Government of Canada. Then we will have Nunavut Tunngavik Incorporated, the Government of Nunavut, Agnico Eagle, and then we have one public member, Susan Atkins requesting a presentation at the end. The Kivalliq Inuit Association will not be presenting today. They are here as observers, observation status.

With that, we are looking forward to having a productive day. Depending on where we are at for timing, if it is an option to maybe go a little bit later and finish around 6:00 instead of doing an evening session, we may try to do that. We will see where we are at in the agenda. We do want to observe our timelines, but we do want to have fulsome dialogue with everyone and ensure that all questions are asked to the participants.

With that, it is the same format as yesterday. Cellphones on mute please, to be respectful. Questions will follow the presenters starting with the Commission staff, registered participants, and then members of the public. With that, Mr. Chair, I will turn it back to you. Thank you very much.

Chairperson: Thank you, Sharon. I have to follow the Nunavut Planning Commission rules, so we will start with Shawn Lester, Vice Chair, Acting Chair. You are good to go, Government of Canada.

### **Presentation by the Government of Canada**

**Spencer Dewar, Director of Resource Management, CIRNAC**

**Kim Pawley, Manager of Environment Assessment & Land Use Planning & Conservation**

**Jeff Hart, Manager of Land Use Planning**

**Scott Kidd, Transport Canada**

**Simon Gruda-Dolbec – Department of Justice**

Spencer: Thank you, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. I am not quite sure if I am shaking because I am nervous, or it is because I am cold. Maybe a little bit in Column B and Column A.

The Government of Canada would like to begin by acknowledging that we are on Treaty 5 territory, and the land on which we gather is the traditional territory of many First Nations and Metis people.

We would like to thank the drummers and the Elder for his opening prayer yesterday, and the members of the Ghotelnene K'odtineh Dene and the Athabasca Denesų́liné, and all our fellow interveners who have gathered in the City of Thompson for this public hearing. We would like to thank the Nunavut Planning Commission for the opportunity to review the 2021 Draft Land Use Plan and to present here today.

We did realize yesterday, we were at the back of the room, and we were looking at the back of everyone's head. As we present today, we realize you are now looking at the back of ours, so I think we would just like to stand up to introduce ourselves. With me here is Kim Pawley. She is with us as the Manager of Environment Assessment and Land Use Planning and Conservation. Jeff Hart is the Manager of Land Use Planning. I hope we can use some of this data to sort of talk and hear concerns directly from people in the room if they feel they would like to do that. In the back, we have Scott Kidd from Transportation Canada. We are supported by Simon Gruda-Dolbec from the Department of Justice.

While our presentation is largely the same for each of the hearings, we have some comments on what we heard yesterday at the end of this one.

As a way of introduction, developing a first-generation Nunavut Land Use Plan is a difficult, complex task, and the Government of Canada recognizes the efforts and the commitment of the Nunavut Planning Commission. Since the Plan was released in July 2021, the Government of Canada has been working to provide productive recommendations to the Commission, as well working with the Government of Nunavut and the Designated Inuit Organizations to discuss common issues. We continue to be committed to this process for the benefit of Nunavummiut, Indigenous organizations, and all Canadians.

The mandate of the Government of Canada under the *Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act* is an approving party to the land use plans in Nunavut. In addition, we share a role in ensuring the principles and objectives of the planning process are met. Next slide.

This submission was developed on behalf of the Government of Canada, and this is a list of who participated in this submission: the Canadian Coast Guard, Crown Indigenous Relations and Northern Affairs Canada, the Department of National Defence, Environmental and Climate Change Canada, Fisheries and Oceans Canada, Global Affairs Canada, and Justice Canada, Natural Resources Canada, Parks Canada, and Transport Canada.

Beyond the people that we have here in the room, we also have many of the departments participating via the live stream that has been provided by the Commission. I think I might have said Canada too much. I had to take a drink.

We would like to speak a bit to the duty to consult. The Crown has a duty to consult because of its role in deciding whether to approve the Nunavut Land Use Plan. The Crown relies on the Nunavut Planning Commission's process to assist with fulfilling the duty to consult. When drafting and revising the Plan, the Commission considers comments at the hearings and community meetings, as well as any written submissions. These could include any concerns brought forward on potential impacts to Section 35 rights.



The Government of Canada encourages Indigenous organizations and governments to identify to the Commission any potential adverse impacts to their rights and how these may be addressed through the Draft Plan. The Government of Canada remains actively engaged throughout the Commission's process, listening to Indigenous concerns, and identifying how they may be resolved.

The purpose of this presentation today will be to provide a high-level overview of the comments and recommendations submitted to the Commission by the Government of Canada on the 2021 Draft Land Use Plan. Written submissions were provided to the Commission and are on the public record. They are more comprehensive and contain more detail on the issues than we have time to present today. It is important to note that although we are identifying issues that need resolution, the Government of Canada is confident and committed to a collaborative process that will make progress toward developing a sound, well-supported, and clear first-generation Land Use Plan that can be successfully implemented.

The rest of our presentation will focus on key outstanding issues, make recommendations for how they may be resolved, and talk about a process for moving forward.

The Government of Canada's review is guided by our priority expectations for a first-generation Land Use Plan. These include that the planning and resulting Plan legally comply with *the Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act*. The Plan must be consistent with federal commitments and policies, and that the planning process has credibility so it is clear that the development of the Plan is supported by a meaningful, inclusive, and transparent public and stakeholder consultation process. As well, the Plan must be clear, understandable, and provide certainty for users. The Plan must be practical, implementable, and conformity requirements must be clear. The Plan should contribute to the efficiency of Nunavut's integrated regulatory system.

Our review is also guided by the Commission's *Broad Planning Policies, Objectives, and Goals* that were developed by the Commission with the Government of Canada, Nunavut Tunngavik Incorporated, and the Government of Nunavut. The 2021 Draft Land Use Plan has addressed many concerns that the Government of Canada brought forward in 2017 and 2018. There have been significant improvements. However, several substantive issues remain, and these should be addressed and resolved prior to the Plan being submitted for approval.

I will now go through some of our key outstanding issues. The first one is clarity and certainty in how the Plan should be read, which is critical to successful implementation of the Plan. There have been improvements from previous drafts, but there are still areas that need some work. For instance, overlapping land use designations remain. These should be eliminated from the Plan, or clear guidance should be provided on how the overlapping land use designations are to be applied to avoid ambiguous interpretation.

Language in the Plan requirements should also be improved to provide certainty. The Government of Canada recommends adding guidance on how to interpret the application of the Plan requirements, especially where designations overlap, and revise language to be clear and in line with legislation.

The next slide speaks to mapping. Maps are the basis for being able to understand and apply any land use plan. Sorry, it just keeps flipping to the wrong page. The accuracy of the maps that show the zoning in the Nunavut Land Use Plan are necessary for project proponents and regulators, as



well as the Commission to make decisions about the requirements that the Plan intends to apply to a project.

We have selected a map of Cambridge Bay in Nunavut to provide an example of overlapping lands that are legally recognized, in addition to those land use designations found in the Plan. As you can see, the overlap in this case is extensive. The Government of Canada understands there were some challenges experienced by the Commission in accessing certain map data and understands that work is underway to address this issue.

Before the final Plan is submitted, the Government of Canada recommends that the Commission revise all maps in the 2021 Draft Land Use Plan to improve their accuracy and use a consistent mapping standard for the Land Use Plan.

Now we will speak to finding the balance between economic development and conservation, and the treatment of existing rights. The Government of Canada recognizes the efforts the Commission has made and the challenges it has faced. Nunavut includes important habitat for caribou and other wildlife, which are critical to the wellbeing of people and the environment. As well, there are existing rights related to mineral tenure and other land uses. At the same time, there are important Section 35 Indigenous and Treaty rights that need to be considered, and in some instances, accommodated.

In our view, the Plan cannot and should not be counted on as the solution to protecting all of these values on its own. There are a number of mechanisms available in Nunavut that will help to achieve these purposes. The Plan's restrictions on land use in key caribou habitats should not unduly limit economic opportunities while ensuring protection of the caribou. This must be done in a manner that respects both the rights associated with Inuit Owned Land, and the Section 35 rights of the Dene and Denesųliné. Overlap and conflict between existing mineral tenure and mineral projects and year-round prohibitions should support caribou habitat still in the Plan. Greater clarity and certainty are required to ensure the benefits and rights guaranteed in the *Nunavut Agreement* can still be realized.

Barren ground caribou population numbers have declined over time, which generates concern amongst all the participants here today. The Government of Canada's objective is that whatever approach the Plan takes to barren ground caribou, it supports healthy populations that can support sustainable harvesting into the future. We think the Nunavut planning process is a key opportunity for parties to work together to find the right contribution the Plan can make to conserving the caribou, whether that be through a regional approach to zoning, possibly including mobile caribou measures, or other effective conservation measures. It is important that the Commission ensures that it knows whether the selected approach is working, and that is why ongoing monitoring will be important to inform if the measures are effective.

At the same time, the value the mineral economy brings to Nunavut must be a key consideration. A healthy mining sector provides opportunity for Nunavummiut. It provides employment, contracting, training, and vital contributions to the government, Indigenous governments and organizations, and communities that allow for the support of local programming. We need to ensure that the Land Use Plan does not close the door on economic potential when other regulatory tools can mitigate impacts to the environment.

By way of example, mineral tenure covers 2.5 percent of Nunavut. Over one-third of the tenure is overlapped with Limited Use zones that prohibit mineral exploration, development, and related activity. As well, a number of projects are fully enclosed within Limited Use zones. That means no year-round access, and this could prevent projects from advancing.

The Draft Plan applies a Limited Use designation to three of Nunavut's four active mines. In addition to the Land Use Plan, these projects are further regulated with a view to protecting the environment. They all possess Nunavut Impact Review Board project certificates, Nunavut Water Board Type A water licenses, Crown land use permits and leases, and authorizations from the Regional Inuit Associations, collectively tailoring a robust set term of conditions under which projects must operate.

The Government of Canada recommends that the Commission rezone areas where existing mineral tenure overlaps with a Limited Use designation to Mixed Use. However, the Plan should continue to keep information on important caribou habitat, which should be retained as a Valued Ecosystem Components designation to ensure that it is properly considered by proponents and other parts of the regulatory regime. Of note, we support the recommendation from the Ghotelnene K'odtineh Dene that the 2019 Order-in-Council overlap areas be designated as Mixed Use.

The approach in the current Draft Land Use Plan to address the issue of overlap between Limited Use zones and existing mineral rights is to include a list of projects in Appendix A that would be exceptions to the Limited Use prohibitions on future mineral development. Should the Commission remain committed to using Appendix A to list properties that are an exception to the zoning, the Government of Canada recommends that the Commission rezone Limited Use Areas where they overlap with Nunavut's operating mines to Mixed Use Areas with no applicable prohibitions, seasonal restrictions, and setbacks.

As well, information on important caribou habitats not already identified as Valued Ecosystem Components should be retained under the Valued Ecosystem Components designation to ensure that it is considered by proponents and regulators. In addition, all remaining mineral tenure that overlaps with Limited Use designations should be included in Appendix A and clarified that the prohibitions for exploration, development, and ancillary activities, for example roads and quarrying, do not apply to new project proposals or significant modifications to current projects.

The Government of Canada recommends that the Commission work with Crown Indigenous Relations and Northern Affairs Canada and holders of existing mineral rights and interests to ensure that any existing or future projects arising from existing mineral tenure that would be impacted by the proposed Limited Use Areas, are accurately identified under Appendix A of the Plan.

The next few slides are in relation to marine transportation. What we heard yesterday, it did not appear that marine transportation was a significant issue. We do have Scott Kidd who is available to answer any questions about marine transportation. Our positions are outlined there. So, if there is no desire to hear that, and we will do it by applause if you want to hear the next three slides. We would propose skipping through. *(Pause)*

Alright, we will pass the marine transportation slides. We do have one slide on National Marine Conservation Areas. The Nunavut Land Use Plan will only apply to Tallurutiup Imanga until the Canada National Marine Conservation Areas Act comes into effect. A joint Inuit-Canada co-

management board makes consensus decisions that include Inuit Qaujimajatuqangit for managing the marine conservation area. Some of the prohibited activities listed in the Plan requirements may change after legal establishment of the co-management board, and the planning processes will make decisions on appropriate activities.

Migratory bird setbacks will apply to the key habitat areas located in Tallurutiup Imanga. The planning requirements currently do not address this. It is recommended that activities that may be changed after the establishment be identified as interim prohibitions to avoid confusion with future management direction. It is further recommended that the migratory bird setbacks identified in Table 1 of the Nunavut Land Use Plan be included in the Plan requirements for the National Marine Conservation Area. The Government has provided to the Commission some suggested wording for Section 3.1.2 to clarify the difference between the National Marine Conservation Areas Awaiting Establishment and future National Marine Conservation Areas.

The next slide refers to disposal at sea. The *Canadian Environmental Protection Act* governs disposal-at-sea activities in Canadian and international waters near Canada. The act prohibits disposal at sea without a permit. The Government of Canada prefers that the disposal-at-sea prohibitions be removed from the Draft Plan and suggest that disposal at sea continue to be addressed on a case-by-case basis under the *Canadian Environmental Protection Act* using the mandated consultation process. As required under the *Act*, the Disposal at Sea Program will continue to consult on permits in Northern waters to address environmental concerns, including those in Marine Conservation Areas and Limited Use Areas. It should also be noted that vessel discharges are regulated under the *Canada Shipping Act 2001*, the *Arctic Waters Pollution Prevention Act*, and their regulations.

In regard to operations at Department of National Defence sites, the Government of Canada is reevaluating the prohibitions of all uses in areas zoned as Limited Use for military facilities. There is an opportunity to allow for some uses that would not conflict with national defence and national security. The planning process would ideally include the Department of National Defence in decision-making and approval processes, which would allow activities not contrary to those of the department to advance. This may be achieved through a Valued Socioeconomic Component designation for military but would require a clear definition on what planning considerations are afforded as a result. The Government of Canada is seeking to strike a balance between having to uphold its national defence and national security mandate and remaining a partner in Nunavut.

To summarize, the Government of Canada recognizes the importance of land use planning in Nunavut's regulatory system and will continue its role on a path towards a Plan that can be accepted. We believe the issues presented by the Government of Canada can be resolved through continued collaboration with all parties involved.

The Government of Canada supports the Commission working with the Government of Canada, the Government of Nunavut, Nunavut Tunngavik Incorporated, and the Regional Inuit Associations to develop a post-hearing process to refine the Draft Plan to collaboratively address concerns raised in this submission and at these public hearings. The Government of Canada will also continue to listen to Indigenous concerns, noting how they may be resolved and will take any further steps necessary to ensure its duty to Indigenous rights holders has been met.

Before we move on to questions, I would like to speak about a few things that we heard at these hearings yesterday. We heard passionately about the importance of caribou. The Government of Canada also places significant importance on maintaining healthy caribou populations. However, we believe this can be achieved without unduly limiting economic opportunities.

The protection of caribou can also be achieved by other elements of the Nunavut integrated regulatory system, such as Environmental Assessment from the Nunavut Impact Review Board or regulatory undertaking such as the Nunavut Water Board's water licensing process.

This speaks to another concern that we heard regarding the Kivalliq-Manitoba hydro-fibre corridor. The Draft Plan allows for linear infrastructure corridor, but that does not mean if it was to go forward that it would not undergo a robust Environmental Assessment and regulatory review. Under the review, caribou would be at the heart of the assessment, and this would consider alternative routes.

We also heard concerns about consultation. As indicated previously, we rely to the extent possible on the Nunavut Planning Commission process to discharge the Government of Canada's duty to consult, and we recommend parties submit directly to the Commission. We invite Indigenous groups to reach out to the Government of Canada should there be an issue that cannot be raised with the Nunavut Planning Commission.

We have also heard questions specifically on how the Government of Canada would consult once the Commission submits a Plan for approval. As indicated in our August 19<sup>th</sup> letter, the Government of Canada plans to engage with Indigenous groups in order to determine, based on the content of the revised Plan, the issues that would require further discussions and the nature of the process that would be adequate in these circumstances.

We have also heard the need for capacity funding. At this time, we do not have dedicated funding source for petition funding in land use planning processes. However, Canada has provided funding to the Commission to support public engagement in the planning process, for example, participation in these hearings today. It will be our intent to note that there is a desire for additional fundings for further participation, and we will make an effort to sort of discuss these on how we can provide funding to ensure that participation occurs.

With that, the Government of Canada would like to thank the Commission for this opportunity to present its views on the 2021 Draft Land Use Plan to the Commission and to other participants in this hearing, and to the public. We would be happy to answer questions on this presentation. Mahsi'cho.

Chairperson: Thank you. We will start with Nunavut Planning Commission staff. Questions? Please go ahead, Jonathan.

Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Thanks to the Government of Canada representatives here today for your presentation, and also for the additional comments on what was heard yesterday. I would just like to ask if the Government of Canada intends to provide any feedback on the proposals from the Seal River Watershed Alliance regarding the inclusion of the areas in the Land Use Plan before the record closes. I expect you would not have a response today, but just to flag that. Thank you.

Chairperson: Thank you, Jonathan. Please go ahead.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Yes. We would like to provide comment on that before the January deadline.

Chairperson: Thank you. No further questions? Okay. We will open the questions to community participants. Please put your hand up or stand up, and then we will...I don't see any activity. Okay, please state your name, community, and your question please.

Paul D: Good morning. My name is Paul Denechezhe from the Athabasca Dene, Board of Director. I would like to thank everyone that is here at the Nunavut Planning Commission meeting. In order to submit before the deadline, our population is 6,500 members that we represent. In order to get to all of them, the members that live in Saskatoon, Prince Albert, we have to consult with them. We need to educate them, but we need funds in order to get the information and support the approval or probably won't be supported, but we sure would like to protect the caribou calving grounds. Merci.

Chairperson: Thank you. That was a comment or a statement, but if you would like to reply, please go ahead.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Thank you, Paul for the comment. We do hear you. We do realize the importance of consultation. I think we will have to speak about what the needs are and maybe develop a bit of a proposal so that we know what is needed. Thank you.

Chairperson: Thank you. Are there any further questions from community participants? I was just reminded because you are all at the table and the camera can't see you, please stand when you ask. Thank you. Please go ahead.

CN Ron: Ron Robillard, Athabasca Denesųłiné. I did a presentation yesterday on the caribou and the impact it could have on our way of life. You heard that the Elders spoke yesterday as well. Some of the leadership spoke up forcefully on the protection of the caribou.

The one question that comes up from the presentation, you mentioned something about the linear infrastructure where you might look at some alternative routes. When we looked at that area, according to the Plan, the Nunavut Planning Commission Plan, the area is Limited Use Area. It is all red. The Athabasca Denesųłiné supports that there should be no developments or anything like that.

If there are going to be some options that we need to talk about, we would like to be involved in that too as well. There should be no development whatsoever in the calving grounds because it is sacred. The Elders have spoken about that. They told stories about that, and that should be respected. That goes for anybody else, any industry or any organization that is here.

I would also, I want to go back to the order of this morning the presentation, about the order of presentations that are being made. He mentioned something about some of the organizations that are not doing a presentation like KIA. I wouldn't mind hearing their views if they are here as observer status. I would like to hear their presentation too, as well, what their views are in terms of development in that area. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. In regard to the Kivalliq Hydro-Fibre line, if it was to advance, participation from everyone in this room would be critical. They would definitely be included in any Environmental Assessment that was to occur if the project was to advance.

In regard to hearing the views from the Kivalliq Inuit Association, I will leave that to you, Mr. Chair. Mahsi'cho.

Chairperson: Thank you. Are there any other questions from community participants? *(Pause)*

I see one more hand and standing. Please direct your question to the Draft Nunavut Land Use Plan and the presentation. Can I ask one more favour, or actually two? Name, community, and for camera purposes, it is very hard to have a camera on a moving object. If you could stand pretty still, that would be wonderful to help. Okay thank you.

Jonathan P: That was one of the comments I wanted to make regarding these meetings that I have attended. Everything seems to have been biologically digitized, you know? What happened to the humanitarian part of the meeting? These people came from Calgary one time. They came with a First Nations member. They came with a government member, and they came with a university, and they came with a biologist, I mean a psychologist.

I wasn't sure what that was for, but it occurred to me that coming from Calgary, the University of Calgary, they came to explore. They were the scouts of so-called progress. The psychologist was to analyze the expression of when he mentioned what does the community need. The government knows what we need but has never provided.

I just want to share what I have been thinking about for the past few years. With a new revelation of our children that were discovered, we know what the government wanted to do to us. When you ask me to have a land use management plan, we have had a land use management plan for thousands of years. That is why when you came here, you thought it was not occupied, but all of us that you see are from our forefathers.

Today, with the fast-moving search for resources, you cannot even stand still because there is money flying all over the place. We had one visitor from Australia. They said he had \$7 billion dollars to start up some sort of plant within our area. That kind of reminded me of some of the chiefs when they signed the treaty. They put the shiny objects over there or the food to force our people to sign that. Economic piracy.

See, no matter where I come from and where I was growing up, a hydro-dam was developed there. All my life has been put under water. The only good thing that came out of that in my mind because it is hard to get a job on a reservation is I see my two nephews become mechanics. They are able to feed their kids. What happens when we have a little bit of money? We try to employ our people, and the government (*inaudible*) it back, because the job we gave him is only two weeks, and then the welfare makes sure he gets all his money back before he gets his welfare.

Our land use management plan has been there forever. I have some people down in Winnipeg that applied for the job to develop a land use management plan. They had samples of all the people that they work with. I told them I do not want a land use management plan that resembles the European National Land Use Management Plan. I want you to take all your education and your Ph.D. and help us navigate through the web of the government that has been put there in front of us to get (*inaudible*).

What I have seen back in '63 or '67, I was still running around bare feet on the ground with no garbage. To me, that was the garden of Eden. Then today when I go out hunting north of my community, that is the cathedral of the Creator that gave us this earth. It is not easy to express that, because I look at your artificial ground. I know you do not understand what I am talking about, but what is the difference between you and I? You need this. I need that. Where are we going to turn? Who are we going to listen to?

I turn in my bed when I think about the brothers up north what they need. How can we do this? When I was a constable, it was 365 days, day and night. I see what progress can do. I see how it hurts people now, especially with the pandemic that happened. \$350.00 for 26 ounces. That is how greedy people can be. They do not think about the people they are hurting. They just want to put money in their pocket.

I know if we work together, we can find a way to do this without harming Mother Earth, but if with your education, it is just controlled by the people that are paying you, what is the use of having that education and knowledge that you know that you can do to help create a better future for our children? This caribou is a part of it. The bees today, nowadays, I have seen probably 20 yellowjackets this year. Last year, it was the monarchs that came last year. This year it was the swallowtail butterflies.

It is not the control the world that goes around. We seem to forget who put us here. I'm sharing this so you can see me as I speak where I come from. I would rather be out there than here.

See, I have a friend from Kenya. I was talking to her a couple of days ago. She came to my reservation. Then she came there because she wanted to understand the effects of development. She said my mother is at home in Africa with the impending doom that is coming. The hydro-dam is going to be built there. She just lives a few kilometers from there, I guess. While she was talking to me, she was crying.

When they build a dam in my homeland, I cannot tell you how devastating it is. One man that used to be a Minister of Natural Resources, a Minister of Hydro back in the 1960s, he was so aggressive like most of the young people, I guess a long time ago. He said let's make some money and build a dam up north. So, they did. Then a few years later, this was about 10 years ago maybe, 10 years ago I was talking to him...

Chairperson: Excuse me. Could you make this the last of your comments?

Jonathan P: One more second. One more second, yeah.

Chairperson: Thank you.



Jonathan P: See, I've got to go pretty soon. That is why I am compacting everything. My brother is in the hospital, and he is full of cancer, in any case like what will happen to most of you, I guess. I wish I knew then what I know now. Things would be different.

Chairperson: Thank you. Are there any other questions from community participants? I see a hand right here. Beth will continue with the tables, and then we will make our way around. Over here. I saw this hand first. Was there a hand also... okay, you are next.

Chief Denechezhe:

Good morning, everyone. Thank you, Chair, Canada, Commission, delegates. My name is Simon Denechezhe, Chief of Northlands Denesūḷiné First Nation. In regard to the fibre-link, I support Ron Robillard, Chief Negotiator. I support him for any consultation in regard to the Kivalliq Hydro-Fibre link and linear that there should be provided funds, and they participate in any consultation north and south, both fibres. Thank you.

Chairperson: Thank you for that comment. There was one right over here, Beth. Please stand up and say your name and your community. Then go ahead with your question. Thank you.

David B: *(Translated)*: Salutina. David Bigeye, Black Lake Athabasca Denesūḷiné. I come from the caribou people.

*(English)*: I am in leadership, a Band Councillor. My heart feels burdened regarding caribou. From what I hear and all the presentations that took place, I understand the Land Use Plan that I revised in looking through, there is something that troubles me sitting here: Canada, Commissioners, Inuit, and all of us. Disgusting. One topic – priority topic: Caribou.

To me, I understand that is not the priority here. The priority is mineral rights and transmission lines and the road that is compressed in the Plan. When we say duty to consult, before the Plan from what I understand from Mother Nature and the Elders that was brought on to us, duty to consult is a matter where it is addressed to all First Nations or individuals when we say Mixed Overlap or land use. It is supposed to be addressed before the Plan was in place.

You know, money comes and goes. Development and economic, it will look good for a while, but after a while it remains that way but the earth has been destroyed, our Mother Earth. What about the wildlife that live in there that God created for us to share amongst each other and to protect them as we would protect our own child?

That is something I need to address, remind both parties and all of us that are in here. The matter is in the palm of our hands, the decision. We have to think about the red zone. There is always a way, a solution to a problem. We need to identify that. Think about it. Let's all think about it, pause and think about it, the passion of wildlife.

My bloodlines come from Lac Brochet and Fond Du Lac. My mother is from Fond Du Lac. My dad is from Lac Brochet, and I have so many stories that I can tell you about the caribou within the tundra. I travelled there too in Nunavut, Ennadai Lake, Kasba Lake. It is right in the palm of my hands. I don't need no GPS coordinates to go anywhere I want to go.



When you're out there on the land, you see the caribou. It brings joy to us. I remember one day there was no caribou. We were living off, me and my dad. It was towards the end of September, and it froze up already within Nunavut territory. Back then, it was not Nunavut. My dad said, "My son, what are we going to have for supper today? I'm getting tired of eating fish all the time." It was Sunday, and we went to check the net.

We came back, and when I came back, I seen this dog sitting. We had a dog team. It was looking across, crying. So, I looked and scouted the other side of the lake. I noticed there was a thin line moving, and it was caribou coming in. That is where the caribou Qamanirjuaq came in. My dad was dancing with joy, crying. He kneeled down and prayed to the Creator that the caribou came back. My heart felt the pain that day.

I never thought I would get this opportunity to say that here today. Canada is here. There are a lot of promises. There are a lot of things that we have been asking. Our neighbors, I know we have the same culture. I know you've got respect for your wildlife. I respect you.

So, please, let's think about it before we push this through. To me, from what I understand, it is already there, because I don't see what is going on over there. It is something that we need to think about, the caribou. The topic is caribou, not minerals, not hydro-power lines, or roads. I know we need it, but there is a way, like I said, a solution that we need to come up with. Mahsi'cho. Thank you.

Chairperson: Thank you. I believe we will go the table. Oh, sorry, I did not notice. We will go to the other, please.

Elder Noey: *(Translated)*: My name is Laurent Noey, Fond Du Lac Dene Nation. There are people here from Black Lake, Lac Brochet, Inuvik people. It is like telling stories in our languages. As we remember, many Elders were living in the areas, and we lived with the caribou. We followed the caribou on their trails. We had three or five families in campsites and on the routes and we lived traditionally on our lands. There are the English-speaking people, the Cree, the Dene, and where our campsites were in a lot of areas. There are too many to put on the areas that we had.

We used the dog teams to travel. When we came to, there was no caribou, no trails, or footprints of the caribou. Then there was no way to follow where the wind comes from so when it is calm, when it is windy, and the directions. Our stories are told, and we need the English-speaking people as well. We know what is the problem for us, and now the power and the hydro-dams will be upsetting the routes of the caribou which we live off of. As Dene of the land, we have to ask now what the concerns are with the caribou, and we will have a chance to talk of what we feel as the Denesųliné. Today I will just leave it at this point because I forgot what to say.

Chairperson: Thank you. We will move over to the side table there, Beth. Please ask your question. Thank you.

Katie: Good morning, everyone. My name is Katie Rasmussen. I am with the Technical Team for the Athabasca Denesųliné. My question is I heard in your presentation that even in the most critical of caribou habitat, in the calving grounds, the Government of Canada is supporting and prioritizing mineral extraction. I will just ask you to respond to that first, and then I have a follow-up question.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. I wouldn't characterize it that we are prioritizing exploration in calving grounds. I think what we are trying to do is ensure that mineral tenure that was issued lawfully in accordance with the regulations is respected. It is our belief that in those areas, the Land Use Plan is just one step of the integrated regulatory environment, so we believe that it should not lock in or lock up existing mineral tenure.

Then the Commission would ensure that it was designated as a Valued Eco-systemic Component designation so that all regulators going forward, whether it be an Environmental Assessment, or a regulatory review would be aware that was a core calving ground. Thank you.

Chairperson: Please go ahead with your follow-up. Thanks.

Katie: Thank you for clarifying that. My follow-up question is it sounds like with those existing tenures, you are relying on the status-quo to protect caribou even in this critical calving habitat. What we have heard here today and yesterday, and what we have heard throughout the hearing from Indigenous communities is that these grounds are sacred and need to be respected and protected. We see caribou herds declining across their range, and we know that habitat protection is one of the most fundamental ways to protect caribou. That is even written into the government's own *Species At Risk Act*, the importance of protecting critical habitat.

My question is given that the status-quo is not working, and the environmental regulatory process has shown that it leads to declines in caribou, mitigation measures while they are helpful and important and part of a toolbox, they have also shown that caribou continue to decline. Given that knowledge that we have, given how important caribou are to the caribou people as we have heard, how can Canada justify not taking this opportunity to take a stand and protect caribou before there are shovels in the ground in some of these areas? Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. The Government of Canada does recognize the importance of caribou. We have heard that through the hearings in Nunavut. We have heard that here today and this week. It is something that we take seriously too, and we do want to protect the caribou.

That being said, what is causing the decline in the caribou is multi-factored. There are several things that could be applied, and we believe that protection is to look at all of the factors that are contributing to the decline. Our position is not development at all costs. Our position would be more responsible development that could only proceed if caribou were able to be protected. Mahsi'cho.

Chairperson: Thank you. Okay, we are just getting a mic fixed. Beth, please right here. Please go ahead.

Stephanie: Hello. Stephanie Thorassie from Tadoule Lake, Manitoba. My question is that Canada says that very limited restrictions on development can protect caribou but offers no evidence to support this claim. In a context where the barren-ground migratory herds are being listed as endangered species, projects across the North, including the diamond mines in Northwest Territories, are widely considered to have contributed to the precipitous decline in the Bathurst caribou herd. This has resulted in significant restrictions on Indigenous harvesters. What evidence can Canada provide to

support their position when the vast majority of scientists and Elders agree that this kind of industrial development causes a major factor in caribou decline?

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Could I get a clarification on the question? Are you looking for something specific? If you could, please?

Chairperson: Okay, please go ahead.

Stephanie: Stephanie Thorassie, Tadoule Lake. You are saying that the limited restrictions on the caribou areas on the maps will be removed because of, just as Athabasca Dene were saying, the industry that is happening or that already has tenure will be able to still exist while protecting the caribou. I am asking if you have evidence of how these things can happen at the same time when the science that we have and the Elders that we have are all telling you that these two things cannot exist together side by side in a way that protects the caribou?

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. I think what we are trying to put forward is we need to maybe...The Land Use Plan operates at a very high level and has put restrictions, which are very important in some contexts for certain purposes. So, I think what we are trying to do is to look a little bit more granular at some of the individual situations to see what is possible.

Further, we see the regulatory environment in Nunavut is integrated. So, that means the Land Use Plan provides the first step in decision-making. Therefore, we have confidence in other regulatory bodies to ensure that further protection to caribou is adequate. Thank you, Mr. Chair.

Chairperson: Thank you. Are there any other questions from registered participants? I see a couple of hands and one is standing. Please go ahead. State your name and organization and ask your question. Thanks.

Kelly: Good morning. Kelly Olson, legal counsel for Ghotelnene K'odtineh Dene. I would like to thank Spencer and the federal team for their presentation this morning. Today's presentation and previous correspondence from the Government of Canada regarding the process for Crown consultation with respect to the Nunavut Land Use Plan has provided Ghotelnene K'odtineh Dene with some insight into how Canada intends to discharge its duty to consult with Indigenous peoples.

Based on this information, it is our understanding that Canada relies, in part, on the Commission's processes to discharge its duty to consult. However, Canada does not rely entirely on the Commission's processes. Canada has indicated in its correspondence dated August 19, 2022 to Ghotelnene K'odtineh Dene that after the hearings are concluded and the record closes, it will continue to consult with Indigenous peoples as part of its decision on whether to accept or reject the Draft Plan.

In addition to Canada's duty to consult, the Government of Canada has made commitments and passed legislation to implement the *United Nations Declaration on the Rights of Indigenous Peoples*,

including the principle of Free Prior and Informed Consent. This commitment was also reinforced by ministerial mandate letters in December of 2021.

My question to Canada is how does Canada intend to implement the *United Nations Declaration of the Rights of Indigenous Peoples* including the principle of Free Prior and Informed Consent for Ghotlnehe K'odtineh Dene when it is considering its decision whether to approve or reject the Draft Land Use Plan? Thank you.

Chairperson: Thank you for the question. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. As part of the Government of Canada's guiding principles respecting its relationship with Indigenous peoples, the GoC recognizes that meaningful engagement with Indigenous peoples aims to secure Free Prior and Informed Consent when Canada proposes to take actions, which impact them and their rights, including their lands, territories, and resources.

The concept of Free Prior and Informed Consent means obtaining consent must be at the center of any of our Crown consultation efforts. When we look at this in the context, as Kelly has raised, once a plan is admitted for acceptance, we would consult with the Dene to see what was possible. We would see that in a bit of a spectrum. If all the concerns were resolved and there was no further need for accommodation, it could be very minimal, possibly transactional. But in the event that there was still a large disconnect, we would look to do something much more robust to ensure that the Dene's concerns were accommodated. Mahsi'cho.

Chairperson: Thank you. Just to give everybody a head's up, we are aiming for a break at 10:30. Is there a further question? No? We will move to Tina on the end. Please go ahead.

Tina: Thank you. Tina Giroux-Robillard of the Beverly Qamanirjuaq Caribou Management Board. Just in response to your response, I just had a question. You said that Canada is looking at more granular, but it is not really granular when you are suggesting to remove an entire designation that protects critical habitat for the caribou and relying on regulatory bodies, and like Katie said, the status-quo.

So, my first question is, is Canada actually supportive of Nunavut developing a Land Use Plan, because what you are recommending is not land use planning. If we are not protecting caribou habitat through this designation, then how do we protect caribou habitat?

If Canada is convinced that there are other factors that should be considered greater than the most critical habitat for caribou, then isn't it our responsibility to look at the impacts of cumulative effects? How would you propose to deal with that without any designations, without any protection measures for habitat? Thank you.

Chairperson: Thank you. Please go ahead when you are ready. I see your hand. We will get the answer to those questions, and then you'll be able to ask.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. It is not the Government of Canada's position to remove all caribou protections. It is to accommodate those protections that cover existing rights. So, we are in no way suggesting that the way forward

is to remove all caribou protections. It is just in certain instances, and that is maybe where I said we need to take a closer look at a more granular level in those situations.

In regard to cumulative impacts, I think most of the IPGs play a role in that. I know the Nunavut Planning Commission considers cumulative impacts when they make a conformity determination. The Nunavut Impact Review Board, in accordance with the *Nunavut Planning and Project Assessment Act* is responsible to ensure that cumulative impacts are fully considered. That being said, in instances where a Limited Use was removed to accommodate an existing tenure, we do still recommend that a Valued Eco-systemic Component designation remain, so therefore proponents and regulators will be sure to know that this was an important area for the caribou. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. We have one more question before the break. Please stand. When this interaction ends, we will have our break, and then the Government of Canada will come back to the table in case there are further questions. Thank you.

Chief Denechezhe:

Thank you, Chair, Canada. This is for better understanding and clarity. For us Indigenous groups...

Chairperson: Name, please. Sorry. Thank you.

Chief Denechezhe:

Simon Denecheze, Chief Northlands. Sorry. For us Indigenous groups, caribou is a high-level priority for us. There are a lot of elements in it of great importance to us to resolve our outstanding settlement. In order to ratify our settlement, we need to have a clear understanding (*inaudible*) of great importance to us AD and ND, and that is caribou. We need our livelihoods as much as the economy, but we need to have a better understanding on how we can resolve these issues.

In order to resolve these issues, we need to consult, and we need to take part in all negotiations and consultations. The proposed economic ventures in industry, including the hydro-link, we have to have a better understanding in order to protect our caribou. All these developments have impacts, potential impacts. We are very concerned about the impacts that it has on our livelihood, our way of life, of who we are.

For the consultation processes, we need funding. Athabasca Dene need funding. I heard right. I heard wrong. AD needs funding for consultation. Consultation is going to start the hydro-fibre link. It is going to have a potential impact on the habitat and the migration of the caribou, and caribou is of great importance to us. It is on top of our list. It is on top of our food chain. That is our economy. That sustains our economy.

So, Canada, my question is would you willing to identify funds to support AD, ND for any consultation regarding industries, North of 60, South of 60? From our legal counsel, the *United Nations Declaration*, can you elaborate a little bit more for clarity on how you are approaching that to the Dene Nations of Manitoba, Saskatchewan, across the country? Mahsi'cho.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. We certainly hear you regarding caribou and its importance. I did want to add, Kim keeps nudging me that part of our strategy towards ensuring caribou were protected would rely on monitoring to ensure that measures in the Plan were effective.

In regard to funding, we certainly hear you, and we recognize the need, and we will commit to looking for funding. We recognize how important it is. Depending on what we are doing, for the Nunavut Land Use Plan, there is not necessarily a project on the table that we are further considering. We would encourage...As I understand and I won't speak to it, I know that you are negotiating treaty agreements with the Government of Canada. I am not privy to those discussions, but there is an opportunity for you to indicate the need to participate in the land use planning process as a part of that and be provided with funding for consultation. I know we have done that in the past.

In the event that there is a project that is on the table that needs to be secured, it would be critical that we do consult that the Dene. We do have participant funding that would allow for the Dene to participate in Environmental Assessments North of 60.

When it comes to the *United Nations Declaration on the Rights of Indigenous Peoples*, it would be our intention that all Indigenous organizations were treated the same regarding consultation, but if there is a specific group that you were interested in knowing about, we could take that question and provide a written answer. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. We will take a 15-minute break and will have a follow-up question after the break if that is possible. The federal government will be coming back to the table. I saw that hand. You're up number one.

### Break

(Audio came in mid-sentence):

Elder Hyslop: Canada spoke this morning. I don't know whether I'm cold or I'm nervous. I try to put everything into perspective, everything that was presented by all parties. In moving forward, I think that I put together in my mind that (*inaudible*) important to me, Denesųłiné, the Aboriginal groups on what we are discussing about.

I've worn a lot of hats in my lifetime, different hats. I've sat in the front. I've sat in the back. I've asked questions that affect our lives. When I am a Dene, I'm a Dene. My culture, my life is so important. The Great Spirit gave me the colour of my skin. The Great Spirit gave me my tongue. The Great Spirit gave me land, and the Great Spirit gave me wildlife for survival. My survival does not come from the Constitution of Canada or England.

That is why I want to speak on *UNDRIP* or United Nations Declaration that you have circling around when you were being asked a question about the United Nations Declaration. To make it clear and to give clarity on the United Declaration and duty to consult, the duty to consult is a separate issue. The United Nations Declaration forces Canada to come to the table to discuss my rights and what I intend to do with those rights, and how I can develop those rights and implement them on my land.

That recognizes that I can develop my own laws within the land that I own, my people own. I can develop that, and I don't need to ask you. I can do this. The environment is so important to us, and we have laws, natural laws that govern us and govern the wildlife and environment within our territories. Our ancestral lands, I don't like to use territories, because I don't want to lock myself into one box. When I speak, I speak on ancestral land.

Article 10, Article 32, Article 25 to 32 recognizes us as a human being. Now after 1982, (*inaudible*) comes in and recognizes the rights of the Indigenous people, same with the Inuit, all Aboriginal people in this country. When I say that, when it comes to wildlife, caribou, our land, our medicines, our berries, we should be the ones deciding what kind of law should be implemented within our own land, not Canada. Canada is there to support it or not.

You circle around *UNDRIP*. I don't know how or why you don't want to answer it. Truthfully what *UNDRIP* is, this gives me and my people the power to implement laws within our own lands and protect wildlife as well. Protect the waters. Protect our medicines. That is what we intend to do. When we ask a question about *UNDRIP*, you should give us a straight answer. You saw the portion. Yes, you have a duty to consult and accommodate us.

When it comes to duty to consult, funding has been requested for consultation for Athabasca, Northlands, Sayisi. And you are telling us to put a budget together. You want to have a look at it before you can find funding for it. That is what I heard, didn't I? So, you are the one that passes that has the laws right now on federal Crown lands. If you don't know but you kind of (*inaudible*). I don't quite understand.

You can no longer implement laws on us within our own land. The constitutional laws will have to change in some time in the future. That is the statement I wanted to make. The United Nations Declaration is a powerful tool for us now that we can use. We have been never recognized as human beings since the time Columbus came into the shores of this country, Turtle Island.

In 1982 the Constitution did not recognize our rights. When I speak about our rights, it is rights given to me by the Great Spirit, not the Constitution of Canada. Recognition of those rights and protection comes from Section 35. I am not wrong about that. I know I am right. So, when we are discussing what we are discussing here, we are being heard, but will it be fruitful at the end of the day? When we meet in January, then I will be asking questions again after the presentation, whether it is fruitful or not.

I will tell you a little story. It is going to be a short one. I have a granddaughter, 13 years old. When she asks me for something that she wants, wants a little gift, I say, "My girl, let me think about it. Let me think about what you're saying before I give an answer." She says, "Okay, but grandpa, if you're going to think about it, I know it's not going to be fruitful. It is not an answer yes or now. You are just going to think about it, and you may say no." That is what I see here.

We will consider what we present to you, to everyone. We will be put into consideration, but we don't know if it will be fruitful. From the last time you met with the group, there has been fruitful fruit that came out of it. I hope it does at the next session. So, Canada, why are you circling around the United Nations Declaration? We are asking you for a straight answer. Article 10, 25 to 32, and it is going to happen. Thank you, Chair.



Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Thank you, Joe. It is not our intention to be unclear, but I do recognize we didn't commit to having funding. Part of that is just how internally we work. The Government of Canada does not have pots of money around, but we are extremely confident that for this purpose, as it is so important, we will be able to find the money. It is just that we are unable to commit to that until we do. It is more internal government process, which is making me sound vague, and it really is not our intention.

In the past, we were able to find funding to help for this cause, because we do understand it to be very important. We will definitely do our best to ensure that there is funding available for further consultation and participation.

I would also like to speak a little bit about what we are doing here as the Government of Canada. We are not producing laws. We are not telling anyone what to do. We are intervening before the Planning Commission to provide the best advice that we have based on our mandate and worldview. We are looking to the Commission to aggregate the comments from all parties and to come up with a Plan that seeks the balance between economic development and conservation that can provide certainty in Nunavut.

It is certainly not the unilateral hammer of the federal government trying to tell people what to do. Now we do realize when a Draft Plan is submitted, it will be submitted to the Government of Canada, the Government of Nunavut, and Nunavut Tunngavik Incorporated for joint acceptance. At that time, we will further consult with the Dene on what we receive. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. Please stand and a follow-up question.

Elder Hyslop: Elder Joe Hyslop. You still didn't answer my question on the United Nations Declaration.

Chairperson: Thank you. Please go ahead.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. I apologize for this, but what is the specific question exactly? I just want to reiterate that the concept of Free and Prior Informed Consent is something that we take seriously. We put it at the center of all our Crown consultation efforts, but if there is more that is requested, maybe we could provide a written response. Thank you, Mr. Chair.

Chairperson: A registered participant is coming to the mic. Please go ahead. I can't hear you. Something is up with the mic.

Kelly: Kelly Olson, Legal Counsel for Ghotelnene K'odtineh Dene. Further to my question asked earlier and to Joe's repeated questions, I think what we are seeking is a confirmation from Canada that it will seek the consent of Ghotelnene K'odtineh Dene when it is considering its decision on whether to accept or reject the Draft Land Use Plan.

Chairperson: Thank you. Please go ahead when you are ready.



Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. We are going to need a minute just to confer on this one.

Chairperson: Okay. Please go ahead when you are ready.

*(Pause)*

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Sorry for the delay. We do want to consult other colleagues. I think the short answer is the purpose of our consultation is to seek consent, and I think why I am unable to talk about this is because certain provisions of these draft agreements are confidential until they are final, so we can't speak to those. We realize the provisions of those agreements will apply once the agreements are signed and in effect. I am sort of torn between confidential agreements and waiting for these agreements to come into effect. When it comes to the direct question, the purpose of the consultations will be to seek consent on the Draft Nunavut Land Use Plan. I hope that answers the question. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. Are there any other questions? *(Pause)*

The gentleman at the back and then Stephanie at the front.

Napoleon: Merci. My name is Napoleon Pacquette, Fond Du Lac First Nation, the Band Council. *(Portion not translated)*

*(Translated):* We need information. The caribou is declining, and that is all what we hear of. We don't know how the caribou is declining, and we need more information and clarity on this. Where we live our life in the Athabasca region including Manitoba, and it is all just for *(inaudible)* for us. We don't know the reason for the declination of caribou. Back in the day, our ancestors the road, they had seen a lot of caribou throughout, and to this day, caribou is a big topic. We don't know the reason for the declination of caribou. It could be for the money.

Regarding money, we are having hardships. If we ask for the government for money, they have an excuse that we've got to look for money. The Parliament has a lot of money and a lot of money, and for the reason for them to look for money, I don't understand that. What the Elder had mentioned earlier, the one from Manitoba and overseas how the Declaration was processed, why don't you bring our papers from Canada over to overseas, and we get no answers for that.

One question that I am going to ask you. The Queen and Cabinet overseas, the First Nation people and the deal she had made with the Aboriginal people and how the deal was made, that one I understand and how the royalties and the First Nation, the government and how they used the trust, how they cut into the trust. Till this day, what happened to that money? We still haven't heard anything, and we know the money is over in a trust fund or is Canada using the money? We don't know that. That is our money. That is the children of children. The money is in a trust, and we are beginning to understand how that trust was put into place. My question is where is the money now? The way I see it all the mines that are happening right now, the exploration sites and any plans that are beginning that Canada is giving money for them to begin. What I think is our money, they are using our money in supporting the businesses and the mines that are being set up. That is how I see it.

One answer that was needed was not answered and given to the people. Us as Aboriginal people are really educated and know their papers. We have lawyers. We have doctors. Whatever, you name it. We have all professions in our population. There are a lot of things that we know that can come into with us since our kids we don't want our young kids to grow up with difficulties and without our land and the government would not have a lot of money because everything is being destructed on the land on even given just a little to us the people and what that has come out of it for us.

There are a lot of things that we have survived living in the north. Prices are high. Not much jobs. Not much pay. Back in the days our ancestors, they went through a difficult time, but they survived. They gave us life, and Canada has a lot of money. We know that. How is it that it is so difficult for you to ask for money and for funding. You cannot close things from us. We are talking about our land our ancestors have lived on and where we grew up. To this day, we are still using the land, and in the future, we will not move. We will continue using our land, so you have to see that too and recognize that.

You say that there is no money regarding this, but I don't understand that. Somewhere we have a lot of money in a trust fund. We are beginning to understand a lot of things. You say we are looking for money. That one I doubt very much. I know there is a lot of money in there somewhere. I know First Nation people. We have to be recognized.

We are the first place in this country and Canada, and we were the first people that came from across over the Barren Strait, because they came into this land back into the 1700s. That is where our population grew and that is where they found Aboriginal people on this land. Then the government had came, and then they took our land. They closed off everything for us, but everything in this land is ours. It is not Canada's. It is the Aboriginal people's.

The Queen and Cabinet where the Declaration was made with First Nation, there was 40-60 where the money came into the trust. That is still overseas somewhere. Is that money going to be given to Canada? We don't know that. How is it that we are broke? We understand a lot of things too, and what things that are happening on our land. We survived off our land. We lived off animals, and we don't want that taken from us. We don't want any borders to our waters. We need to drink fresh waters too. Polluted water, we don't want to survive off that. We can't. Because of that, our land has been destroyed.

We have a lot of mines that happen, Uranium City, around Wollaston Lake. The people that are sitting here know it, and we never benefit out of it. Now it is closed off. There is nothing. For example, back in 1950, there were mines – the Gunnar Mine, the Lorado Mine, Goldfields. What came out of that that benefitted us? Nothing. All the land is destroyed, and people left. We've got nothing left there. How is it that you don't recognize us that far?

The government you have to recognize us as Aboriginal people. We have to recognize each other as relatives and live together for the benefit of our future. We ask for money, but there is always nothing. We are always told we will look for it. We will look for it. We will ask for it. The government has a lot of money. Us as Aboriginal people, we know the Minister of Affairs, we have to work together to make the benefit for the future. Before overseas, what our Elders mentioned earlier regarding overseas, I believed him. He wants answers, but no answer is given.

We are beginning to understand a lot of things. The declination of the caribou, what is the reason? Why is it declining? That is what we want to know. We have seen the caribou. I have seen it. We live off it. In the Northwest Territories over 15 years ago, I have trapped for over 15 years. That is how I lived. Five years ago, was my last trip up there. I know how the land is. I know how the futures of it. I have seen far of it from Edehon Lake and up, up north is where I set my traps as well. I have trapped for many furs, for otter, fox, and a lot of many others.

A lot of us have trapping routes, and that is where our heritage is, up in the Northwest Territories and across. We have to put our words into it and become strong. This is what we are still trying to do. This is what I wanted to say. Thank you.

Chairperson: Thank you. Please go ahead with comments when you are ready.

Spencer: Mahsi'cho, Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Thank you. We heard a few questions that we will try to answer. There was reference to a trust. We are not familiar with the trust that is being discussed, but with additional information we could try to find more information about it. It is just not something that we are aware of. Now most of us work directly on Nunavut files, so maybe that is part of it.

When it comes to reference to the decline in the caribou, I am hoping that maybe later today, the Government of Nunavut's presentation will maybe shed some light on some of the multiple reasons why caribou are in decline. They are directly responsible for the management of caribou in Nunavut. We could defer some of those questions to their presentation.

In regard to funding, I know what we are saying that we are looking for money. It appears to be an answer that falls short. It is just we will need to identify...We all realize there is a need, and that is clear. We agree, but we will need to talk outside of this process to figure out the details and exactly what that need is. Then we will advance ways to provide funding for further consultation. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. Stephanie had her hand up. Please go ahead.

Stephanie: Mahsi'cho. Stephanie Thorassie, Tadoule Lake. I guess I just have a follow-up question or request from my earlier question. I am hearing that you plan on using regulatory systems already in place, which will be honouring the steps that industry already took, the steps that were already taken for them to get those permits to do the work that they are doing.

What I am hearing is that priority will be given to industry over the people that are from there, the people that live there, and the people here who are saying that this system maybe something that needs to be changed. I was asking for evidence in where you see this as being a success, where these systems can be in place together successfully. Do you dispute that some of these industries are not the reasons for the decline? If you don't have that evidence, are you willing to experiment with the caribou to show us what the answer will be, and therefore experimenting with our livelihoods and our communities, our culture? If you do not have an answer or evidence, I am requesting an undertaking for you to provide that answer in writing to us.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. It is certainly not the Government of Canada's intent to experiment with people's livelihoods, nor the environment. I would just like to highlight that we take the protection of caribou seriously. We follow the rules, the *Nunavut Agreement* per se, and the *Nunavut Planning and Project Assessment Act*.

The *Nunavut Agreement* provides no one organization with a unilateral hammer. Its decisions are made in consultation with Nunavut Tunngavik Incorporated, the Government of Nunavut, the Government of Canada, and many other stakeholders, and the decisions are made by consensus. It is done through a co-management system. I just wanted to highlight that. This isn't necessarily Canada saying what needs to be done. These have been built through collaboration with various organizations in accordance with the *Nunavut Agreement*. I will provide more in writing. Thank you.

Chairperson: Thank you. I believe I saw a hand over here.

Paul: Mahsi. Paul Denechezhe, Board of Director, Athabasca. The Elder had a question about mining from Rabbit Lake, Cigar Lake, McClean Lake, and the Cameco Mine. All the royalties that were taken from the Northern Saskatchewan, and they are requesting for funds to protect the caribou at the calving grounds. He mentioned are you going to still support the developments at the calving grounds. We are not going to support the developments if they are going to be at the calving grounds. Mahsi.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Thank you for the clarification. We are not familiar with the royalties that were collected. I don't know if they were collected by the Government of Canada or maybe the provincial government. We can look into it and provide a written response. It is noted that there is no support for development within calving grounds. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. Are there any other questions? We will be taking questions before lunch for the Government of Canada, and then we will start with our presentation by Nunavut Tunngavik Incorporated after lunch. We have a question here and then the table behind.

Elder Josie: Mahsi, Mr. Chair. My name is Louis Josie. I am from Hatchet Lake Band. I am a Band Councillor also.

*(The translator was nearly inaudible over the speaker's voice. The following is approximation):* Yesterday, it was mentioned that a lot of others have put words into it. Where the calving ground is and how the land will be used, the paper itself. They said we requested words to be followed, and *(inaudible)* mine site on our land where we live up in Wollaston. It is across from a lake. There are mines that are set there lying by the lake, and you can see the lights coming from there. What our Elders had said before, *(inaudible)* set up as a kid then, I have heard. This land they are taking from the land and once it is over, the land *(inaudible)*. They would put it back into the same state.

One Elder had stood up and said that you could say all this, but I don't believe that it will actually be accomplished. Once it is *(inaudible)* the way that it looked at it before, they will never make it look like that again. That is what the Elders had said, and they are right. Until this day, the mines set now and if they are closed the one by the lake, they did not touch anything. They just left it there

(inaudible) in the fall. We travel and going to points north to cross the lake, and that is how we seen it and how the people had left it, and still in the same state.

Now on the topic of caribou in the calving grounds, how can we support that? It is hard to support the land use plan, the paper that I set up (inaudible) and that is what we support. There are a lot of things we have been lied to. I remember that since I was a kid. While there is a lot of mines that came on to our lands, we had nothing of benefit for us from it.

(Audio corrected): We didn't benefit much and just across from the land where the mines were. My surrounding communities there were the same. They did not benefit from it. For our children right and for our future generation we are putting in words today for them to benefit for the future. The Government of Canada, they only see money. They already have money and how they set up to set up businesses and mine. We are not like that as Dene people. Aboriginal people do not think that way.

Our treaty rights we have, and we don't benefit from all of it. They still talk against it but will not touch it and how we are told we will be helped, that was not factual. That is what I wanted to say. Mahsi. Thank you.

Chairperson: Thank you. Beth, the young fellow, second row, second seat in. Please go ahead.

Ian: Ian Robillard, youth rep from Athabasca Denesųliné. I just want to make a comment on duty to consult and also a question too for the Government of Canada. Back home, I deal a lot with the consultation stuff with the land users, the trappers, the hunters, and stuff like that. The way I understand, their consultation was to help by voice their concerns and stuff like that, but throughout a couple of years of doing that work, there are a lot of people that need recommendations on how we can work together and stuff like that.

Most of the time, maybe 60% will disagree. Then 40% of the government side will agree, and they will still go ahead with the projects or whatever. Before the permit comes in, we do the consultation to do what is right for the people. Then we get the response, and we send it back to the Environment of Canada. They have a timeline of a deadline to send a response back. When that happens, we send a response back with our recommendations, our concerns, and suggestions.

We don't get the response back from the Environment, and next thing we know, the permit has been approved, and it is go-ahead. For some of those permits, I see that if a land user is impacted, they get a little compensation, and that is about it. But what we don't see is the response back from Canada, the people that brought their concerns and suggestions. In talking about that consultation with our calving grounds and stuff like that for the future, is that the same problem that we are going to be facing again too? That is just a question I wanted to ask. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. So, I live in Iqaluit in Nunavut, and our regulatory system is based on the *Nunavut Agreement*, and that really acts and tells each of the parties what to do. It is built on co-management. Unfortunately, I am not familiar with the system that is in place in Manitoba. I am not sure if the permits are being issued by the Government of Canada. I think maybe I heard that, or is it a provincial responsibility?

If it is a federal organization that is issuing authorizations or permits, maybe we could talk offline, and I can raise those concerns directly with my colleagues. In further reference to the importance of caribou, again the Government of Canada recognizes this land use plan provides an opportunity to provide conservation and both economic opportunities in a balanced way, and it is critical that we get that right.

I think through further engagement and consultation, we can ensure that we get the right mix of conservation and development to protect the caribou for now and for future generations. Mahsi'cho, Mr. Chair.

Chairperson: Thank you. We're good, or is there a follow-up? We're good? Okay. We will call it for lunch. We will meet back at 1:15. That is one-one-five. There is a little joke behind that from Rankin Inlet. Some will get it. Some won't. When we reconvene after lunch, Nunavut Tunngavik Incorporated will be at the front presentation table. Thank you.

### **Lunch**

Chairperson: Nunavut Tunngavik Incorporated, looks like you are ready to go. When you are ready, please proceed.

### **Presentation by Nunavut Tunngavik Incorporated**

**James Eetoolook, Second Vice President**

**David Ningeongan, Chief Operating Officer**

**Burt Dean, Department of Wildlife and Environment**

**Marie Belleau, Legal Counsel**

James: *(Translated)*: Qujannamiik, Itsivautaq. My name is James Eetoolook, Nunavut Tunngavik Incorporated, Second Vice President. This is my team. They will introduce themselves. Thank you.

Chairperson: Please go ahead.

David N: Thank you, Mr. Chair. David Ningeongan, Nunavut Tunngavik Incorporated.

Chairperson: Please go ahead.

Burt: Thank you, Mr. Chair. Burt Dean with NTI's Wildlife and Environment Department, and I'm located in Rankin Inlet. Thank you.

Marie: *(Translated)*: Unnsakut. Qujannamiik, Itsivautaq, Commissioners. Marie Belleau, lawyer for Nunavut Tunngavik Incorporated based in Iqaluit.

Chairperson: Thank you. Please go ahead.

James: (Translated): Qujannamiik, Itsivautaq. Qujannamiik, Commissioners. For the proceedings of public hearing in Thompson and the Draft Land Use Plan first-generation, I am happy to be here with you in Thompson, Manitoba. NTI, we have been participating in the proceedings that will be in five places conducted by NPC. This is the first-generation Draft.

NTI has some concerns pertaining to the Plan. There are amendments that will have to be made. Once they are amended, this Draft Plan will be presented as a finished product. Commissioners, staff have been working hard for the last few years on this proposed Land Use Plan for Nunavut territory. I am in full support with amendments, of course. Nunavut Tunngavik is given a task through a *Final Agreement* for the Inuit to look after their own territory. The Inuit, which you have represented in preparing the Draft Land Use Plan, your progress, the land within the territory, the Draft Land Use Plan as you progress is very good to see that things are progressing well. It is in tune with Inuit aspirations when the *Agreement* was signed.

Nunavut Tunngavik Incorporated under the Land Claims Agreement has a task, which includes environment, harvesters, and the animals within the territory. This will be good for the Inuit if planned properly. So, why are we participating in this Draft Land Use Plan? Nunavut Tunngavik Incorporated has been with the Commission since the beginning of the public hearings, and we are very much aware of what you have documented. It is very important from the last public hearings that we proceed to get this Draft Plan finalized.

This final Plan with Nunavut land use planning, NTI, Government of Canada, and Nunavut Government will have to sign the final product for it to become a law, but we will be looking at it to see if it is amended properly. You have been very attentive to presenters during your tour. It is important that this Plan be accomplished for the Nunavut Draft Land Use Plan. It will be a great help to the population of Nunavut and to Nunavut Tunngavik Incorporated.

How do we proceed in participation of this Plan to see what can be accomplished to have it finalized? We have worked hard to see a final product, and we are here participating as panelists to hear and to suggest and to participate in the process. We want it to be part of the final Land Claim product. NTI will say as a final product for this proceeding, it will have to be beneficial to the people of Nunavut, our role echos with the Draft Nunavut Land Use Plan. It is highly publicized, priority, and the contents of it have to be concentrating on wildlife in Nunavut and amongst other important priorities by Nunavummiut.

NTI and this Draft Land Use Plan, we are expressing that it proceeds according to the *Land Claims Agreement*. As mentioned earlier, the herd, wildlife has to be healthy as a food source to the harvesters and the people of the territory. It is also important that the *Nunavut Agreement* be followed in the three regional centers. It is also important that Inuit rights be a priority within their own territory. The Draft Land Use Plan has to keep these priorities in constant consideration.

The preparation for harvesting healthy mammals, animals within our territory, which harvesters caught for food source, NTI is concerned about hunting food sources in Nunavut. NTI envisions as a group that will be working with all the parties, is concerned about wildlife in Nunavut according to the *Land Claims Agreement* as guardians of Nunavut and its people.

Animals in Nunavut have to be looked at. Harvesting has to continue. What is harvested has to be there, so NTI recognizes the Nunavut Planning Commission is participating, and your staff is very



much aware and have prepared a good document. NTI is in support in general of polar bear and other walrus haul-outs and other marine mammals, waterfowl coming into the territory. These all have to be safeguarded within the territory.

The caribou habitat, calving areas, we recognize it is important to everybody. Even in all of the of the regions in Nunavut, they have voiced their opinions how these are best to look after. As NTI, we are aware of the caribou habitats. We can work together as three regions in harmony to look after these in Inuit lands. NTI and the three Regional RIOs who are keepers of their territory, their opinions are of concern to us. Inuit can work within their territory, travel, and can move forward and be masters in their own territory. That is our vision according to the *Land Claims Agreement*.

In that sense, we can accomplish, and we are touched in 2021 with your first Draft Land Use Plan. For instance, Inuit are caretakers of 1.8% of subsurface rights, and this is in the *Agreement*, and that is how much land that we are looking after. It totals to 43%. It is not a huge amount. It is not a huge amount for the size of Nunavut. Nunavut Tunngavik is pretty much aware of what we can do within our land, and the population of Nunavut, their rights to travel, and how Nunavut should proceed with Inuit in their land.

Nunavut Tunngavik encourages you to mind and proper plan what many Inuit are concerned about within their own territory. Perhaps if it is not planned properly, we could be running into some problems because Inuit Owned Lands and their rights within the territory. Our territory Inuit lands, for instance, according to the Crown land and how we can plan in looking after the Inuit Owned Lands under the *Land Claims Agreement* and in this Draft Land Use Plan, we can look after the territory quite well.

NTI believes that our wildlife has to be cared for, handled, looked after, so the people living up there in their own territory will be able to look after themselves and their wildlife in Inuit Owned Lands. As a group that can participate, Nunavut Tunngavik is aware that the Nunavut Draft Land Use Plan and governments at both levels are participating what should be taking shape. Inuit are concerned of how they will be taken into consideration.

The Draft Land Use Plan is in progress according to what the *Land Claims Agreement* was signed for where Inuit are to shape their territory working with both levels of government and how the land use will be affected. For instance, the federal government is aware that Inuit are working on these projects to look after themselves, to look after their own land in relation to wildlife areas. Waterfowl and their nesting areas should be looked after as migratory bird sanctuaries. They have to be taken into consideration as you plan the Draft Land Use Plan.

Inuit are working towards what was signed in the *Nunavut Land Claims Agreement*. The Draft Land Use Plan designation as long-term conservation goes with Government of Canada as keepers of the land, and this has possibly become useful to 2025 [sic?] Draft Land Use Plan. Long-term plans can be included as well.

Inuit have to participate on anything when it comes to land use planning or any negotiation that should take place in the future. This can be interpreted according to the *Land Claims Agreement*. Whatever governments make policies in relation to wildlife, this Draft Land Use Plan from 2021 as I mentioned before, Nunavut Tunngavik Incorporated to the *Land Claims Agreement* as you prepare the Draft Land Use Plan that you make amendments from the first Draft.

Before we see any of the amendments in the final Draft, NTI and the federal government and territorial government, we are asking that you are aware what is needed to make this Plan workable in terms of amendments. NTI and the regional RIOs, they should take place because they are the keepers of the Inuit Owned Lands within your planning process.

I want to say all these presentations by Denesųłiné to the Draft Nunavut Land Use Plan, all the participants were pretty much appreciated for given a chance to speak to the Draft Land Use Plan. NTI is in an agreement with Denesųłiné in Canada and their negotiations for their use which is Order-in-Council. I think it means that they should plan; their plans are progressing well.

NTI is in support that the Plan once it is approved and the maps drawn related to past hearings, they want to be clear that many areas should be used for harvesting use. NTI in the coming days and the maps according to your planning, as you plan it is good, acceptable in many ways. It is in tune with the *Nunavut Agreement*.

NTI is asking that Valued Components in the map to 20.5 shows what the designations are and how Dene are negotiating their own land claims agreement. They are making a claim in their negotiations. Much of that is understandable, because much of that land they are negotiating is their traditional and hunting grounds as well. NTI maps that have been planned, 2.5 according to what was done as planned. So, in conclusion, I would just like to say that the Draft Land Use Plan will have to be acceptable to us in the future. Once it is accepted, it will be an ongoing Plan as prepared. Thank you. Thank you for allowing us to sit at the table and make a presentation to a public hearing in Manitoba.

I would like to say you are planning well according to our *Land Claims Agreement*, and you should strive to work with us in land designations, especially the caribou. It is everybody's concern. We need a proper management plan related to the caribou. We have been depending on these animals for a long time ago until today. It is everybody's concern that these herds be healthy. Whatever comes to caribou management, we are in full support of it as long as it is with Indigenous needs, our concern. There will be questions, so we will be ready for questions.

Chairperson: Thank you very much for that. The Nunavut Planning Commission staff will hold their questions until the end, because they have requested the questions to come from the communities and the registered participants first. So, I will open it to the community participants first. Are there any questions? Please go ahead.

(Not stated): I'm from Athabasca, Fond Du Lac, Elders. (*Translated*): What are the barriers regarding the caribou is what I would like to mention. I haven't mentioned it earlier, but I will mention it now. Back in 1950, there was a collar put in place on a caribou and also tagged on the ear. There was a big concern in regard to that in the '60s. Then we asked for the collars to be removed, though we still don't know what is still going on, and that is what we need to know. If the caribou that migrate towards is from the Nunavut land, we just wanted to know what is going on with that. That is what I wanted to say. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

James: James Eetoolook, Nunavut Tunngavik Incorporated. I will let Burt Dean answer the question.

Chairperson: Thank you. Please go ahead.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik Incorporated. Thank you for your question. In Nunavut, the Government of Nunavut has the mandate to do research on caribou, so it is the government biologists who would put collars on. Sometimes they are doing that to help track the migration if they are going to do a survey when they are doing a calving grounds survey. There may be other times, and I know they have agreements with some of the mining companies so that if the caribou are approaching and coming close to any of the mines, there is a requirement that work should be shut down or traffic should stop if they are within a certain distance of the roads.

So, there are a few different reasons why the researchers will put collars on caribou. We hear a lot of the same concerns from our community members. They are not comfortable with wildlife being handled, collars or tags put on. We have had large gatherings, and similar to your concerns raised, people struggle with it, but they have made that decision to agree to the research being done, and Inuit participate usually when that research is happening, or the surveys are being conducted.

One of the areas where we try and share that information is with the Beverly Qamanirjuaq Caribou Management Board where representatives from Saskatchewan, Manitoba, NWT, and Nunavut and government biologists get together to share information and hear different concerns about what research is going on with caribou. I hope that answers your question. Thank you.

Chairperson: Thank you. Another question? Please go ahead.

Chief Sayazie: Hi. Coreen Sayazie, Black Lake First Nation, Denesūliné First Nation. Mobile measures and seasonal restrictions on land use activities are tools for mitigating some impacts to caribou. They do not protect habitat. How do you propose that caribou habitat would be protected through the Land Use Plan if all Limited Use Areas for caribou were removed?

Chairperson: Thank you. Please go ahead.

James: James Eetoolook. I will let Burt answer the question.

Chairperson: Please go ahead, Burt.

Burt: Thanks again, Mr. Chairman. Burt Dean with Nunavut Tunngavik Incorporated, and thanks for your question. The caribou protection measures that are in place right now have sort of evolved over the years from when the federal government first flew surveys that had caribou protection measures in place for the herds back in the 1950s and 1960s.

Recently, I think it is difficult to say if there is actually any caribou protection measures in place. In some of the bird sanctuaries, because they are migratory bird sanctuaries, some of the caribou habitat is protected. The mobile measures or the seasonal measures are an approach that the Kivalliq Inuit Association uses if mining companies or exploration or anyone gets a permit to operate on Inuit Owned Lands.

For KIA, Kivalliq Inuit Association, this is one of the tools they are using. The concerns you raise we have heard from other communities last week. The Nunavut Planning Commission held a hearing in Rankin Inlet for all the Kivalliq communities to participate, and the week before that we were in Cambridge Bay for all the Kitikmeot communities to participate. We are hearing similar concerns from the communities there as well, as far as how are we protecting the habitat. This will all be information that not just the Planning Commission, but hopefully all the organizations whether it is government, NTI, or the Regional Inuit Association will be taking into account before their final submissions to the Nunavut Planning Commission. I hope that helps answer your question. Thank you.

Chairperson: Thank you. Are there other questions from participants? Yes, right there. Please go ahead.

CN Ron: Ron Robillard, Athabasca Denesųłiné, Chief Negotiator. I just want a follow-up question to that. I am really not clear on what mobile measures are in terms of caribou protection. Can you explain that a little bit more in detail and how you plan on doing that? Is that something similar to the situation in Northwest Territories where they have Diavik mines and so forth have winter roads of migration patterns and so forth? How does it work? Can you explain that a little bit more, and then I might have some more follow-up questions.

Chairperson: Thank you. Please go ahead when you are ready.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik Incorporated. Thank you for your question. Currently for the Kivalliq region, which used to be called the Keewatin region, but north of here, any of the measures are in place for any of the operating gold mines, whether it is the Meliadine Mine which is about 20 miles outside of Rankin Inlet, or the Meadowbank Mine, which is a 100-some kilometers or miles north of Baker Lake, and there is an extension with the Whale Tail deposit. Those are on Inuit Owned Lands, so the Kivalliq Inuit Association has leases in place, and they have a working group to discuss wildlife concerns and issues, a Terrestrial Advisory Group.

There are other organizations that participate in that, including the Hunters and Trappers Organization of Baker Lake for the Meadowbank. There are challenges with capacity, and we have heard that from you and others earlier. We heard the same thing from our communities. Our small communities don't have a biologist on staff or technical support to help participate in those working groups at times.

It is controversial at times, and there are requirements for traffic to either not travel when the caribou are migrating through or other conditions that may be in place. With Crown lands, we have not necessarily had that example, and I will maybe look at Spencer or others, and we can follow-up with you later if there is anything in place.

But our experience to date, because we have a signed Land Claim Agreement or the *Nunavut Agreement*, we have an agreement in place. We have Inuit Owned Lands. We have resources. We have staff. We have a Lands Office that monitors the mines, the roads, and are involved in that. They meet on a regular basis with the mining companies to bring up any concerns there may be.

It is not perfect. There are challenges, but it is something that we are committed to, so our community members are able to have a voice and bring up concerns when it comes to any type of wildlife, whether it is the migration or exploration or helicopter traffic, or anything like that. We

can get more information to share with you in terms of how it works in Nunavut, but that is sort of a high-level overview if that helps. Thank you.

Chairperson: Thank you. Is there a follow-up? Please go ahead.

CN Ron: Yes. Ron Robillard, Athabasca Dene. With the experience that we have with the Diavik mines and so forth in the Northwest Territories, and as you are aware the caribou calving ground ranges all the way from the east all the way up to the west in the far North. We have some experience already when you look at the situation in the Northwest Territories.

From talking to local people, some of the experts, wildlife biologists and so forth, they are saying that there are a lot of impacts from the winter roads, transmission lines, activities at the mine itself, and there are winter ranges of caribou that are crossing. People take advantage of that for hunting and so forth, easy access to that. It has a lot of impact, and now that could be one of the factors that we look at aside from other factors that are putting lots of pressure on these herds.

When you look at the Beverly, for instance, yesterday we did a presentation with the Elders, and they told us because the people that live out on the land, they have more experience than western science about the wildlife, particularly caribou. So, when they talk about the caribou, they say they are very sensitive animals to smell, to sound, to sight and everything. For some reason, the transmission lines, for instance, when they see that, they see what we don't see as human eyes. Then they stay away from that. They do not cross their winter range where they should be feeding and so forth.

That is just one example that the Elders had used yesterday, and the road crossing too as well. They don't cross, because they stay away, especially from the smell, either from the mines, the gasoline, and so forth. So, when you think about that, over the years, we have not seen Beverly herd in our territory. They used to come to our territory, all the way up to the tree line in Saskatchewan. We used to hunt them right in our communities. One of the Elders told us that yesterday too as well, with their presentation.

Now in previous years, I don't know how many years, 10 years now, we have not seen the Beverly herd. The Bathurst herd, right now there are restrictions on that, and all these Section 35 rights holders here would understand that even though you have treaty or Aboriginal rights, if the conservation is an issue, we cannot hunt them. We understand that. So, that is creating a lot of pressure. For that reason, the animals are declining. The herds are declining on to the west.

Now, the only herd that we have that we share amongst ourselves as Inuit and Athabasca Dene and Manitoba Dene is the Qamanirjuaq herds, and now we are applying pressure on them too, as well. Whether it may be harvesting or other factors, and now you are talking about mining too, as well. I notice in your presentation that you don't want to put any protected measures on these designated areas that we want to protect for these herds.

The calving ground is very sensitive, and the Elders have told us that, and you should not be going in there whether it may be hunting for any activity, either resource development or exploration, anything. It should be left untouched. That is what the Elders told us. So, I am very concerned about that when you are talking about measures that you are putting into place to protect these herds. How are you going to protect that? When you have a big mining company that is sitting over there

operating, winter roads, transmission lines, how do you plan to protect the caribou in their calving grounds while all these activities are happening?

Chairperson: Thank you. Please go ahead when you are ready.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik Incorporated, and thanks for the comments and the questions. It is definitely a complicated issue. The structure of Nunavut Tunngavik Incorporated is we are the parent organization. So, politically we are divided into three regions. If you look at the map over there behind people, you have the area just north of Manitoba, which is the Kivalliq region.

The Kivalliq Inuit Association manages the surface lands. NTI, our organization, we have designated them and their Lands Department to manage surface lands. So, similar to the federal government or the provincial government depending on where you live, they issue the land use permits and do the inspections. Further to the west, when you talk about the Bathurst herd, or even the Beverly herd has been moving further west, it is the Kitikmeot Inuit Association. That is a separate organization, similar to the Athabasca Dene having their own structure and political structure separate, my apologies, for the Manitoba communities.

NTI or Nunavut Tunngavik respects the role that our Regional Inuit Association have in managing Inuit Owned Lands. To the east is Baffin Island, and that is where we have the Qikiqtani Inuit Association. North of us, the communities of Arviat and Whale Cove, there has been a lot of discussions about the calving grounds and whether or not exploration companies should be going into those areas, whether they are going onto Inuit Owned Lands or to Crown lands.

Again, the challenges are...sorry. The challenges are respecting that now that we have a *Nunavut Agreement* and Inuit Owned Lands, and some of that land was selected because there is gold or other minerals subsurface, and there is an opportunity for jobs for young people, how do you balance that and what impact is going to happen, whether it on the environment, the habitat, or the wildlife?

In our presentation, it mentioned Inuit Impact Benefits Agreements. Again, because we have a signed *Land Claim Agreement*, we have agreements with companies on what types of benefits communities would receive. We are in consultations with our regions or with our communities for these very difficult decisions.

To say it is one or the other, there are people that are very passionate, similar to what we have been hearing the last few days about the environment and wildlife, but they are just as passionate or concerned about the economic opportunities for our communities. If there is going to be development, they want it done in a responsible way and with terms and conditions in place.

Can it be better? Probably, and that is something that we strive for and work with our regions and our communities to have monitoring, to have terms and conditions in place that traffic will stop when the caribou are migrating through. One of the toughest topics we are currently dealing with is around calving grounds and the protection of calving grounds. As James mentioned in the presentation, Inuit Owned Lands, 43% of that is going to be impacted if there is total protection.

Inuit will have negotiated that right to decide what will happen or not happen on Inuit Owned Land. So, we are asking the Planning Commission to respect that, that Inuit own that land, and that tough decisions will have to be made by the people that are affected by it.

Our department has been working with the regions to do regional caribou workshops, and this December we are having a caribou summit to bring all three regions together to discuss, not just calving grounds, because there are only a handful of communities impacted by mines, but other issues and concerns around caribou. I hope that helps to answer, and I can follow-up with you more later too. Thank you.

Chairperson: Thank you. Are there any other questions? *(Pause)*

Okay, we will go over to Tina.

Tina: Hello. Tina Giroux-Robillard from the Beverly Qamanirjuaq Caribou Management Board. So, KIA has recommended that mobile conservation measures be applied by exploration projects for protecting caribou when they are on their calving areas. The Government of Nunavut has recommended that only seasonal restrictions be applied for protection of caribou during calving and post-calving areas or seasons and that mobile measures should not be used by exploration companies on calving grounds.

The Government of the Northwest Territories has shared what they describe as a preliminary draft framework for testing, applying, and evaluating caribou mobile measures for application during all seasons. That has not yet been applied in the field and has not been evaluated to see if or how it works in protecting caribou.

So, my question is given the differing opinions among regulatory agencies and the lack of standardized and proven approaches, how can KIA justify recommending that the NPC acquire the capacity and the capability to do the necessary work it would have to do to test and evaluate the methods prior to the final Land Use Plan being implemented, because essentially, you are putting all your cards onto these measures instead of protecting the habitat. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Burt: Thank you, Mr. Chairman. Burt Dean from Nunavut Tunngavik Incorporated, and Marie will help me out with this as well. I mean, the question is posed to the Kivalliq Inuit Association, so I am hesitant to respond on behalf of them. They are not presenting this week, but they are listening. They presented last week at the hearing in Rankin Inlet.

Again, referring back to the workshops that we have had, because again our structure in Nunavut is we have Designated Inuit Organizations, and the Kivalliq Inuit Association has been designated or mandated by NTI to manage Inuit Owned Lands. But we also have Hunters and Trappers Organizations in each of our communities, which make up the Kivalliq Wildlife Board who sit on the Beverly Qamanirjuaq Caribou Management Board.

So, we work with them to hopefully have good communication between the concerns about wildlife and caribou with those Inuit organizations, those Hunters and Trappers Organizations with the Kivalliq Inuit Association who has that mandate to manage lands. I can't speak to your question



directly other than my own personal experience living in Rankin Inlet and being close to the mine and working on a regular basis with the Lands Department. They do have staff who are out there doing regular monitoring and visits, and regular meetings.

Again, not to say that that's an answer, but I think what you were saying, and I have been part of the working groups in the Northwest Territories as well, we are all striving to see how we can improve things to make sure that the caribou are not impacted if there is going to be this development. It is that continual balance that we are looking for between having an economy and opportunities for our young people but making sure that we have the wildlife and the traditions that people rely on so much. I don't know if Marie... Thank you.

Chairperson: Thank you. Do you have a follow-up question? Please go ahead.

Tina: Yes. Tina Giroux, Beverly Qamanirjuaq Caribou Management Board. I was just wondering if the Commission would allow me to... I have specific more technical questions that I would have liked to ask KIA, but in the meantime, NTI is here. Either I can go through them to get them on the record, or I can submit them at a later date. They are important questions, especially about these caribou conservation measures, because as I had mentioned earlier, these measures that are being proposed are essentially replacing habitat protection.

Chairperson: We will allow the questions, knowing you might not get answers.

Tina: Yeah. Okay, and if it is okay, I am going to sit because I have them on my computer.

Chairperson: Our presenters will answer for what they can.

Tina: Thank you. So, I have five questions. I will just go through them all. Thank you. The mobile conservation measures as proposed and described in documents submitted to the NPC by the KIA and the Government of the NWT have a complex set of requirements. This would involve mapping, monitoring, and establishing zone and thresholds for mitigation for each individual project, one at a time. So, my questions are:

1. Has KIA determined how they would communicate with exploration companies, both large and small, about these new requirements to tell them what would be required and what they would be responsible for in terms of making arrangements and paying costs to make sure it is all in place before they start work on the land? Would this communication be done through the government's online staking program or some other means? Would the parties that are responsible, have they agreed to put this new system in place before the Land Use Plan is finalized?
2. The second question is, who would be responsible for monitoring compliance with these new rules? What penalty would be applied for noncompliance, and how would it be enforced?
3. Third, would this system be required for all exploration projects starting with very small camps in their first season of prospecting? If not, what alternate system would be in place for smaller projects?

4. Four: What agency would maintain sufficient satellite collar data and mapping capacity and be able to provide information on an as-needed basis? Who would be responsible for providing and paying, for acquiring and distributing the data, and what system would be used to disseminate information while ensuring that it is not used for other purposes contrary to project objectives such as hunting? How would KIA guarantee that numerous small operations, which all need information at approximately the same time but for different geographic areas, would get it when they need it?
5. Lastly, how would you determine if the plan is working? Who would be monitoring? What contingency plan have you thought to put in place should significant impacts be seen that are attributed to the activity that is happening on the calving grounds and post-calving grounds? Thank you.

Chairperson: Thank you for the questions. As in all times, the answer can be that we will reply in writing, so you may not have the answers today. Thank you. Please go ahead.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik, and Thank you for the questions, Tina. I believe we heard similar questions at the Rankin Inlet hearing. Our colleagues at the Kivalliq Inuit Association sent a message that they will be able to respond in writing, and that information will be shared with the Planning Commission as well with the Beverly Qamanirjuaq Caribou Management Board. Thank you.

Chairperson: Thank you. Stephanie has a question. Please go ahead.

Stephanie: Hello. Stephanie Thorassie from Tadoule Lake. I guess I had a follow-up question for Ron when he was asking about the mobile protection measures. Do these apply to exploration and also to operating mines?

Chairperson: Thank you. Please go ahead when you are ready.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik, and thank you for the question. Sorry, it is hard to answer with my back turned to you. As Marie pointed out, each region has unique situations depending on the herd, the location, and what companies are where. For the Kivalliq region, and this only applies on Inuit Owned Lands, the Kivalliq Inuit Association issues a land use permit, so they are meeting with these companies. There is an application process, and there are terms and conditions that go along with it. Part of that would be any terms and conditions they would have around caribou protection measures, whether the caribou if they are in a sensitive area or a sensitive time of year, that sort of thing, monitoring.

The Kivalliq Inuit Association has an office in Baker Lake where they have staff, and they also have an office in Rankin Inlet, which is their main office, and they have staff. They would do inspections at both the two mine sites, and I guess the third...Meadowbank has the Whale Tail deposit, but all those locations.

I am not 100% sure what the inspections are like for the exploration activities, but there is monitoring of those sites and reports that are done. For the Kivalliq Inuit Association, and if you contact their office, and I know because of the Seal River Initiative and if I am not mistaken, part of the funding is tied to communicating with Inuit as well, so hopefully there is that communication

with the Kivalliq Inuit Association. They have that information at their office. I hope I didn't miss anything, but I hope that answers your question. Thank you.

Stephanie: Hi. Thank you for that. It doesn't. I thought it was kind of a simple, clear question. Do mobile protection measures apply to exploration or to operating mines?

Chairperson: Thank you. Please go ahead.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik. Yes, they do, and if they are on Inuit Owned Lands, it would be the Kivalliq Inuit Association. If they are on Crown lands, it would be their land use inspector. Thank you.

Chairperson: Thank you. Further questions? *(Pause)*

I don't see any. Nunavut Planning Commission withheld, so we have a question? Please go ahead.

Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Just a point of clarification on the last exchange that took place. I am just going on memory. I believe it was noted by participants presenting at the last public hearing that mobile protection measures were only applicable to exploration projects, and then once a mine became operational, then a different suite of measures would be developed through project certificates. I am just wondering if you could provide any clarification on that. I think there was a different response we heard last week from KivIA, appreciating that they are not presenting today. Thanks.

Chairperson: Thank you. Please go ahead when you are ready.

Burt: Thank you, Mr. Chairman. Burt Dean with Nunavut Tunngavik Incorporated. Thanks, Jonathan for that request for clarification. You are correct. It is a more complex system that comes into place once a mine is operating. Thank you.

Chairperson: Thank you. I believe we are done for questions? Thank you very much for your presentation. I will look at timing in just a sec. I have to ask a question but thank you very much.

*(Applause)*

Okay, we will have a 10-minute break to give time for the Government of Nunavut to get ready and everybody else a chance to stretch your legs. At 2:30, we will start. Thanks.

### **Break**

Chairperson: Government of Nunavut representatives, please go ahead when you are ready. Thanks.

## **Presentation by the Government of Nunavut**

**Henry Coman, Assistant Deputy Minister for the Department of Environment**

**Daniel Haney, Manager of Land Use and Environmental Assessment**

**Eamonn Carroll, Legal Counsel**

Henry: Henry Coman, Government of Nunavut. Thank you to the Nunavut Planning Commission for the opportunity to present today, as well as the opportunity to present today, as well as the opportunity to listen to the thoughts of Dene and others regarding the 2021 Draft Nunavut Land Use Plan. My name is Henry Coman, and I am the Assistant Deputy Minister for the Environment. To my left is Daniel Haney, my Department's Manager of Land Use and Environment Assessment. To my right is Eamonn Carroll, legal counsel.

Today however, it is my privilege to speak for the entire Government of Nunavut. I would like to start by acknowledging the territory as Treaty 5 and thank the Ghotelnene K'odtineh Dene for hosting. Sorry if I am mispronouncing. I would also like to thank the Athabasca Denesųłiné for travelling to meet with us. We thank all the community delegates, Ghotelnene K'odtineh Dene, and Athabasca Denesųłiné planning partners for their ongoing participation in the planning process. Mahsi'cho.

I would also like to acknowledge the hard work done by the Commission and their staff for reaching the hearings for the 2021 Draft Land Use Plan. Lastly, this would not be possible without the support of the interpreters, caterers, information technology support, and we thank you for your hard work supporting these meetings.

There are many Government of Nunavut experts and support staff from across departments who have contributed to the technical review of the 2021 Draft Nunavut Land Use Plan, many of whom are following the proceedings online from Nunavut. This review is the outcome of the collective work of all Government of Nunavut departments. We are going to provide an overview of the Government of Nunavut's technical review regarding the 2021 Draft Nunavut Land Use Plan.

In the presentation, I will talk about the Government of Nunavut's role in this process, as well as the mandate that guides our participation. Following this, I will present the Government of Nunavut's technical review of the 2021 Plan. Finally, I will conclude the presentation, and we will be happy to answer any questions.

The successful completion of the Nunavut Land Use Plan is an obligation under the *Nunavut Agreement*, Article 11 and the *Nunavut Planning and Project Assessment Act*, Section 53 and is a priority for the Government of Nunavut. Once approved, the Nunavut Land Use Plan will guide and direct the territory's long-term vision for both development and conservation. This is a monumental task for the Commission, requiring a balanced approach that is reflective of a range of views.

No issue exemplifies the competing values of responsible economic development and environmental protection more than the Draft Plan's proposed designations for caribou habitat. This will, therefore, be a primary focus of the technical review portion of our presentation today.

Katujjiluat is the vision and overarching policy goal that will guide the Government of Nunavut's final review of the 2021 Draft Plan once it is submitted by the Commission. As a territory, the Government of Nunavut wants more communities to benefit from fishing, harvesting, and tourism, as well as increased Indigenous employment in mining and mining-related sectors. The Nunavut Land Use Plan should balance responsible economic development as well as ensuring the development of critical infrastructure, such as roads.

Inuit Qaujimajatuqangit, or Inuit Traditional Knowledge, and its 8 principles are integral to the Government of Nunavut, and we believe that Inuit Qaujimajatuqangit and Indigenous or Traditional Knowledge are essential for the Commission in the Nunavut Land Use Plan. The Plan in its vision should create the conditions for traditional activities that have sustained Inuit, First Nations, and Metis for thousands of years but also account for the responsible development of Nunavut's natural resources and diverse economic opportunities through increased investments.

The Government of Nunavut employs a "whole-of-government" approach in our participation in land use planning. All departments in the Government of Nunavut contribute to the technical review and makes recommendations to senior management. The Government of Nunavut's submissions to the Commission represents a unified voice.

This slide brings us to the Government of Nunavut's technical review of the 2021 Draft Nunavut Land Use Plan. This map represents the important issues that drive the Nunavut Planning Commission to put zoning in place. It shows where land access restrictions have been proposed by the Commission and why. This slide shows the main priorities, which the Government of Nunavut has identified in relation to the Draft Plan. The Government of Nunavut recommends that there is a balance in the Plan between conservation and responsible economic development. This includes both environmental stewardship as well as current and future economic opportunities. This is the first-generation Nunavut Land Use Plan, and it will change in the future.

The Plan must therefore be appropriately scoped and avoid using extensive land use prohibitions where insufficient evidence exists to justify these. Lastly, municipal views require more explicit inclusion in the implementation of the Plan to ensure that it is compatible with municipal plans.

The Government of Nunavut's main comment is that the Plan does not adequately balance environmental and economic goals. We understand that everyone may have a different understanding of what a balanced Plan is. The Government of Nunavut sees a balanced plan as one where there is enough wildlife, such as caribou, to meet the dietary and cultural needs of Indigenous peoples, food sovereignty, and where there are diverse economic opportunities for Nunavummiut and Indigenous landowners, as well as the development of Nunavut's infrastructure, such as roads.

This graph is a summary of land use designations proposed in the 2021 Draft Land Use Plan for the Nunavut Settlement Area organized by region. All Limited Use designations prohibit development activities including mining, oil, and gas exploration. Limited Use Areas are 22% of the Nunavut Settlement Area, as proposed in 2021. This is an increase from 16% proposed in the 2016 Draft, including of particular interest here in Thompson: 22% Limited Use of the Kivalliq region where the Dene overlap is located. The majority of the Kivalliq is proposed as Mixed Use. I will also draw your attention to the Conditional Use bar in the graph.

Limited Use Areas may affect some communities, such as those with closer proximity to known resource potential or those with greater transportation and infrastructure potential. The 2021 Plan states that an effective Land Use Plan needs to achieve a balance between environmental, social, and economic needs and potential. One of the Government of Nunavut's primary assessment is this balance has not yet been achieved. However, we do think that there is a path forward.

To further explain the Government of Nunavut position, this slide shows the mainland caribou herds and our understanding of their population trends. Caribou are important to Nunavummiut and other Indigenous groups for many reasons. They are culturally significant, provide a good local source of food or food sovereignty, and support the economy.

Sustainably managing caribou can guarantee that they will be a part of Nunavut and Nuh Nene into the future. Many herds are in decline, and there is uncertainty of the causes. Communities have expressed their concern that something needs to be done, and the Commission has heard them. In the 2021 Plan, the Commission has designated caribou calving and post-calving grounds, key access corridors, and freshwater crossings as Limited Use Areas. This comes with year-round prohibitions.

In the Government of Nunavut's assessment, an increase in Limited Use supports conservation but does not support economic development adequately. We must consider the socioeconomic implications of those protections. The Government of Nunavut generally supports the protection of critical caribou habitat and has faith in the robust regulatory system in Nunavut to help address impacts.

In the Government of Nunavut's assessment, excessive Limited Use designations limit economic opportunity such as access to resources, infrastructure development, and community development and Indigenous landowners' goals and priorities. The Government of Nunavut therefore recommends that Conditional Use zoning with seasonal restrictions can better achieve a balance between these priorities.

This slide shows the North Baffin Island herds and has been developed by the Department of Environment in collaboration with their wildlife partners. The Department of Environment works closely with communities to monitor the health of caribou herds. Although there is less interest in these island herds here in Thompson, it highlights the Government of Nunavut's commitment to continuously monitoring the accuracy of these areas. Where the Government of Nunavut does not have sufficient data to delineate caribou habitat, in these areas we rely on Inuit Qaujimajatuqangit. Again, that is Traditional Knowledge of the Indigenous peoples who live there. Again, the Government of Nunavut recommends Conditional Use designations wherever insufficient data exists to support Limited Use.

This slide is about the demographics of Nunavummiut and socioeconomic needs of Nunavut. Before moving on, I will simply highlight that Nunavut has one of the youngest populations in Canada, as well as the highest unemployment rates. These young Nunavummiut will need jobs. Mining is Nunavut's largest private sector employer.

The Government of Nunavut's technical assessment has determined that the 2021 Plan is too restrictive. The current Plan prohibits mining exploration on approximately 21% of the planning region. This map shows how mineral exploration activities in gray, interact with land use planning designations. Large areas of Nunavut remain unexplored. As such, the resource potential is

unknown and holds considerable value. The Limited Use designation prohibits exploration work that is needed to properly understand the resource potential to make informed decisions on the acceptability of development.

Few exploration projects develop into a full productive mine, approximately 1 in 1,000 in Nunavut. A plan that unduly limits exploration can therefore reduce the chance that a viable deposit is found. Nunavut is already considered a difficult area to develop. The Government of Nunavut does not want to create additional barriers to potential opportunities.

Exploration activity can be low impact and have flexible schedules. The exploration industry also makes significant investment contributions. There is a lack of infrastructure in Nunavut. However, the mining industry is a source of infrastructure development that can benefit the territory. For successful exploration projects, the Government of Nunavut is an active participant in the territory's robust Environmental Assessment process led by the Nunavut Impact Review Board.

As mentioned, Nunavut's unemployment rate is high and employment opportunities may be limited. The economic impact of the current Draft Plan may be significant. Opportunities for Nunavut, its residents, and its Indigenous landowners may be limited by prohibiting exploration and unduly restricting transportation or hydro, such as the Manitoba-Kivalliq Project, connections for both development and communities.

There is an abundance of minerals and metals in Nunavut, including critical minerals for green technologies, as well as potential for significant oil and gas development. Post-devolution, the Government of Nunavut will be supported by revenue and royalties driven by economic opportunities, such as from resource development, to provide services to the territory. A restrictive Plan limits the economic potential available for both residents and Indigenous landowners.

More consideration needs to be given to the socioeconomic impacts of prohibitive land use designations. The territory's population and socioeconomic needs are increasing. The Nunavut Land Use Plan should support development in a way to address both conservation and responsible development factors.

The Conditional Use designation with seasonal restrictions for caribou calving and post-calving grounds, key access corridors, and freshwater crossings is appropriate to balance environmental and economic goals. This would create formalized protection during the most sensitive periods of the caribou life cycle while allowing for a flexible case-by-case approach during the Nunavut Impact Review Board assessment. Further, the Government of Nunavut supports seasonal restrictions, up to and including seasonal phased shutdowns in these areas, and we have provided the critical timing windows for when caribou are present.

The Government of Nunavut does not consider large Limited Use Areas to be desirable in this first-generation Plan. As a first-generation territory-wide Plan, the Government of Nunavut recommends a more incremental approach to land access restrictions. The Government of Nunavut acknowledges that over time, more information and regional decisions may lead to amendments to make some areas more restrictive. The Government of Nunavut recommends a red-flag approach to identify areas of interest, concern, significance, and where competing interests exist, require greater scrutiny. As more information is known, the Plan can be updated through periodic reviews and Plan amendments.



The Government of Nunavut has identified that the Land Use Plan is not compatible with community plans. This slide is also less relevant to the communities here today. However, we can see examples of how Limited Use Areas overlap with municipal boundaries. The Commission is addressing this issue.

As per the *Nunavut Agreement*, the Nunavut Planning Commission must consider municipal views when developing land use plans. Future projects before they reach the Commission may conform to these community plans and have community support. To address this, the Government of Nunavut recommends that a mechanism to recognize community views and priorities is included in the Nunavut Land Use Plan.

The Nunavut Land Use Plan needs to conform with community plans within municipal boundaries. Community planning is central to the Commission's goal of building healthy communities and should be reflected in Chapter 4 of the Plan. To address these concerns, the Government of Nunavut recommends that the scope of minor variances be broadened so that projects that conform with community plans may be referred to the Review Board for screening, or a general exemption should be built into the Plan if the project is in conformity with the community plan, or areas within municipal boundaries are zoned as Mixed Use.

Another point to consider is the Grays Bay Port and Road corridor, which is zoned as a Valued Component and overlaps with Limited Use Areas that prohibit linear infrastructure. The Government of Nunavut is a supporter in principle of this project. Since other priority transportation corridors are supported by the Plan, the Government of Nunavut recommends that the Grays Bay Port and the Road corridor as a project of interest, should be supported by the Plan and zoned appropriately.

The Government of Nunavut recommends that all existing rights should be protected and able to reasonably develop without a Plan amendment. Some of Nunavut's existing rights are not protected by the current Draft Plan. Stranded assets are existing rights surrounded by Limited Use Areas needing a Plan amendment to access them. The surrounding Limited Use restrictions in these areas also impact the value of those existing rights. The Government of Nunavut recommends that the issue of stranded assets be addressed in the Plan.

Having access to clean drinking water is important and recognized by the Commission. Recently, several communities have had to draw water from their secondary sources. The Government of Nunavut has identified two secondary water sources outside municipal boundaries and have supplied them to the Commission. It is important that the identification of secondary drinking water sources does not unduly restrict other municipal goals such as transportation and quarrying for aggregate resources. To balance drinking water with other municipal goals, the Government of Nunavut recommends that secondary drinking water sources beyond municipal boundaries be designated Valued Components.

As part of its dual mandate in the Nunavut Land Use Plan, the Government of Nunavut has been asked by the Nunavut Planning Commission to confer with its co-signatories on certain issues. These meetings between the three signatories, the Government of Nunavut, the Government of Canada, and Nunavut Tunngavik Incorporated are ongoing. As well as direct signatory meetings, all three

signatories are also part of other ongoing negotiations. As part of devolution, some of what is currently federal lands will become Government of Nunavut lands. These negotiations are ongoing.

Additionally, all three signatories of the Land Use Plan are part of the ongoing treaty negotiations related to the Dene overlap area. In this work, Ghotelnene K'odtineh Dene and Athabasca Denesųłin  lawyers and analysts have continued to meet with the Government of Nunavut lawyers and analysts throughout this process. We hope to expand this work with the Ghotelnene K'odtineh Dene and the Athabasca Denesųłin  as we work together to achieve balance in this land.

The Government of Nunavut wildlife officers and biologists work continually to incorporate Qaujimajatuqangit, Inuit Traditional Knowledge, gather scientific data, and protect caribou. We hope to expand this work with the Ghotelnene K'odtineh Dene and the Athabasca Denesųliné in the future. The Government of Nunavut also listens to both large project proponents and local entrepreneurs on development concerns. This work will all continue throughout the life of this first-generation Nunavut Land Use Plan.

The Government of Nunavut appreciates this opportunity to discuss our technical review and recommendations and provide additional perspective for our fellow planning partners' considerations. Development in the North can be particularly challenging, and we owe it to Nunavummiut and all Indigenous landowners to collect all the necessary information and input before making land access decisions. We must emphasize the importance of integrated resource management systems and the work carried out, not just by the Nunavut Planning Commission, but also the Nunavut Impact Review Board, the Nunavut Water Board, and the Nunavut Wildlife Management Board. Together, these institutions safeguard the eco-systemic and socioeconomic integrity of Nunavut and ensure the responsible development of our natural resources.

At this point, the Government of Nunavut would like to emphasize that there have been improvements to the Plan. The Government of Nunavut found that the *Options and Recommendations Document* has greatly improved and has helped facilitate a review of the Plan. The Government of Nunavut would like to see the Commission's rationale expanded so there is better understanding of the tradeoffs that were made in the decision-making process for different land use designations.

Going forward, the Government of Nunavut is confident that a balance can be struck between Conditional Use with seasonal restrictions that supports responsible development and economic growth. The Government of Nunavut has faith in the Nunavut Planning Commission process and in the processes of other Nunavut Institutions of Public Governance: the Nunavut Impact Review Board, the Nunavut Water Board, the Nunavut Surface Rights Board, and the Nunavut Wildlife Management Board.

The Government of Nunavut has listened and heard what all participants in the process have brought forward. The views of the Ghotelnehe K'odtineh Dene, Athabasca Denesųłin , Met , and other planning partners are important. The Government of Nunavut is looking forward to receiving a revised Draft Plan from the Commission after the records are closed. We will now be happy to answer any questions you may have for the Government of Nunavut. Thank you. Merci. Qujannamiik, and again Mahsi'cho.

Chairperson: Thank you. We will start with Nunavut Planning Commission staff. Questions? Please go ahead, Jonathan.

Johnathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Thank you to the GN representatives here today for your presentation. Given the discussion this week, because it focused a great deal on caribou, I am just going to limit my questions to the topic of caribou today.

During your presentation, you indicated the Government of Nunavut's support for Conditional land use designations for several caribou habitats that would apply seasonal restrictions rather than year-round restrictions in the proposed Limited Use designations. Does that mean the Government of Nunavut supports in principle, mining development on caribou calving grounds, in particular?

Chairperson: Thank you. Please go ahead when you are ready.

Henry C: Thank you for the question. Henry Coman, Government of Nunavut. Mining requires an all-year restriction. However, the seasonal restrictions we are discussing are for exploration work.

Chairperson: Thank you. Jonathan?

Jonathan: Okay, Thank you. So, just for further clarification, you support seasonal restrictions on exploration activities, which would allow a mine to become operational, which then would not be subject to those seasonal restrictions?

Chairperson: Thank you. Please go ahead.

Henry C: Thank you. Henry Coman, Government of Nunavut. Eamonn Carroll is going to answer that one.

Chairperson: Go ahead.

Eamonn: Eamonn Carroll, legal counsel, Government of Nunavut. In a lot of ways, that is a bit of a slippery slope argument in the sense that a mine would necessarily require a year-round presence. It would require some sort of Plan amendment to come into on the seasonal conditions. The seasonal conditions are about whether or not something will be limited year-round or limited with seasonality, so the Conditional Use Areas would be seasonal rather than year-round. I am not quite following about the mine piece, because for a mine to exist, it would be there year-round.

Chairperson: Thank you. Jonathan, please go ahead.

Jonathan S: Thank you very much. Yeah, I think we understand that for a mine to be operational on a calving ground, there would need to be some type of caribou management approach associated with that mine. As a further follow-up, is the Government of Nunavut aware of any operating mines in other jurisdictions on caribou calving grounds in particular?

Chairperson: Thank you. Please go ahead when you are ready.

Henry: Henry Coman, Government of Nunavut. The answer for that is no. We are not aware.

Chairperson: Thank you. Please go ahead, Jonathan.

- Jonathan S: Thank you very much. So, just to confirm then, the Government of Nunavut is not aware of any evidence of mining operations on caribou calving grounds being compatible with the wellbeing of caribou populations?
- Chairperson: Thank you. Please go ahead when you are ready.
- Henry: Henry Coman, Government of Nunavut. The answer for that is no, as well.
- Chairperson: Thank you. One more question? Please go ahead, Jonathan.
- Jonathan S: Thank you very much, Mr. Chair. Also, in your presentation today, you highlighted the economic value of mining in Nunavut in general, and the Commission certainly appreciates that. We are wondering if the Government of Nunavut would be able to provide updated information on the economic value of caribou to Nunavut and potentially to surrounding jurisdictions as well.
- Chairperson: Thank you. Please go ahead when you are ready.
- Henry: Henry Coman, Government of Nunavut. May I ask for Jonathan to further clarify the question? Thank you.
- Chairperson: Thank you. Please go ahead, Jonathan.
- Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. We have heard throughout this planning process the value of caribou, whether that be cultural, environmental, economic, and we are aware of previous estimates of sort of a dollar value associated with the harvest of caribou to Nunavut communities, respecting as well that these same herds are being harvested by the communities in other jurisdictions. We are just wondering if the Government of Nunavut with your responsibilities for caribou management would be in a position to identify sort of a current estimate of the economic value of caribou. Thank you.
- Chairperson: Thank you. Please go ahead when you are ready.
- Henry: Thank you. Henry Coman, Government of Nunavut. We will have to reply in writing for that question. Thank you.
- Chairperson: Thank you. Okay, Sharon has two questions. Please go ahead, Sharon.
- Sharon: Thank you, Mr. Chair, and thank you to the Government of Nunavut for your presentation. Sharon Ehloak, Executive Director, Nunavut Planning Commission. So, you stated that you are unaware of situations where mining development has proceeded in the caribou calving grounds. That's correct? So, can the GN advise us if they can be confident that mining development on the caribou calving grounds could proceed without threatening the wellbeing of the herds? That's my first question. Thank you, Mr. Chair.
- Chairperson: Thank you. Please go ahead when you are ready.

- Eamonn: Eamonn Carroll, legal counsel. I believe we said that we are unaware of caribou development in other jurisdictions. We can provide an answer in writing if you kind of clarify the question, because it is more about the awareness in other jurisdictions.
- Chairperson: Thank you. Please.
- Sharon: Thank you, Mr. Chair. Sharon Ehloak, Executive Director, Nunavut Planning Commission. The question that had been asked, with balance with economic development and the sustainability of the herds and your position of having development or potential development in the caribou calving grounds, how, where, or what evidence does the GN have that these are compatible activities in the caribou calving grounds? Is there any evidence should these developments proceed that there is protection for the sustainability and the health of the herds? Thank you.
- Chairperson: Thank you. Please go ahead when you are ready.
- Eamonn: There seems to be some confusion. We are not saying that development proceed other than the developments we have identified to the Commission. Our presentation was about exploration.
- Chairperson: Thank you. Please go ahead, Sharon.
- Sharon: Thank you. Thank you, Mr. Chair. So, the first question Jonathan asked you was does the Government of Nunavut support exploration and development in the caribou calving grounds, post-calving grounds, or water crossings. Thank you.
- Chairperson: Thank you. Please go ahead.
- Eamonn: And we responded in the affirmative with regards to exploration.
- Sharon: Sorry, they can't hear you through the...
- Eamonn: I apologize. Eamonn Carroll, legal counsel. We responded in the affirmative for exploration.
- Chairperson: Thank you. Go ahead, Sharon.
- Sharon: Thank you. So, my question is in the affirmative that a development was to proceed on the caribou calving grounds, what evidence do you have that the protection and the sustainability and the health of the herds would not be affected? Thank you.
- Chairperson: Thank you. Please go ahead when you are ready.
- Henry: Thank you. Henry Coman, Government of Nunavut. I think I can be a little bit clearer in regard to the exploration phase. That would be the first step with having seasonal restrictions in place. It would allow exploration to occur to see what is there. Then at that point, a more robust hearing or meetings regarding further development would proceed at that point. It would not be to allow full-stage mining to occur. It was just to allow the exploration to occur. I think, does that clear our position up at all? Thank you.
- Chairperson: Thank you. Sharon has another question in the meantime. Thanks.

Sharon: Thank you, Mr. Chair. Sharon Ehloak, Executive Director, Nunavut Planning Commission. In your presentation, you have touched on a red flag approach. We know that in the presentation from the Nunavut Impact Review Board, the Nunavut Impact Review Board was clear that the Environmental Assessment process and the land use planning process are two distinct different processes. The Impact Review Board had stated that they would prefer for guidance in the Land Use Plan with regards to caribou protection measures and/or other measures as recommended and not to have it fall on the Environmental Assessment process.

Could you provide direction or clarification on how your red flag approach would work and what guarantees the red flag approach would be long-term in sustainability in caribou protection? Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Daniel: Thank you, Mr. Chair. Daniel Haney, Government of Nunavut. The red flag approach is more to identify areas where more discussion needs to take place. In terms of development or exploration and development in sensitive areas, we recommend seasonal restrictions, seasonal phased shutdowns in those areas, and we look to the Nunavut Impact Review Board process to go through a case-by-case approach on whether or not the Government of Nunavut would support any further development of an exploration project into a mine. That is where we will be making our recommendations doing adequate consultation with affected communities to find out whether that development would be feasible and supported by communities. Thank you.

Chairperson: Thank you. I will now open it to community participants. Are there any registered participants? Oh, okay. Please go ahead.

Chief Tsannie: Chief Tsannie of Hatchet Lake. I have a question and maybe a comment on the employment side. You know, I experienced the mine. We do have mines in our area in Saskatchewan, three of them close to the community where I come from on Treaty 10, on our Treaty's traditional area. You're not talking about employment.

I remember when I was not a little boy but back years when the company came and addressed about to get the mine up. They were talking about employees and some other opportunities. Now as Chief in the three Athabaskan and four hamlet communities, we signed an agreement in 2016, and still the lack of employment happens in Hatchet. The agreement is there, and they are not fulfilling their agreement, which still bothers us.

The other question I have is how would you know if the mines would affect the caribou habitat in the calving ground? Mahsi'cho.

Chairperson: Thank you. Please go ahead when you are ready.

Daniel: Thank you, Mr. Chair. Daniel Haney, Government of Nunavut. We certainly understand your concern about employment levels not being reached. We have heard similar complaints from our communities in Nunavut. We try to work with mining companies to get those employment levels reached. We will continue to do that work.

As for your second question about how we can guarantee that a mine in a sensitive area will not have an impact, we can't guarantee that. We don't know that. That is why we participate in these hearings in the land use planning, and also in the Environmental Assessment process to try and answer those questions, communicate with stakeholders, and find solutions to that. So, it is an ongoing process. Thank you.

Chairperson: Thank you. I believe there is a question over on the side wall. Please go ahead when you are ready.

Katie: Thank you. Katie Rasmussen, part of the Technical Team for the Athabasca Denesųliné. I have a couple of questions. The first question is about the Conditional Use designation that you recommended with seasonal restrictions. So, we know that seasonal restrictions do not equal protection. Seasonal restrictions cannot address the impacts caused by permanent infrastructure on the landscape such as roads, such as the infrastructure that goes along with these activities.

I guess I should just say that I think it is a logical conclusion that if you are allowing exploration in these calving habitats that you are planning to allow mining as well. I can't imagine any proponent being very supportive of spending time and money on exploration if they do not have assurances that they will be able to move forward to the next stage of development.

So, my comments are following that logical conclusion that these projects will be taking place in calving grounds. Given that habitat protection is a universally accepted and fundamental principle of protecting vulnerable species, how can you justify not supporting any habitat protection in this Land Use Plan, especially given how important caribou are to the communities that have come to talk over the last couple of days?

Chairperson: Thank you. Please go ahead when you are ready.

Eamonn: Eamonn Carroll, legal counsel. Can we have a second to answer? There were a lot of questions.

Chairperson: Yep. Please go ahead.

*(Pause)*

Henry: Thank you. Henry Coman, Government of Nunavut. So, Conditional Use and Limited Use are zoning designations. In order to protect areas, the best way to do that is through parks and conservation areas. I don't know if that answers the question. Thank you.

Chairperson: Thank you. I believe there is a follow-up? Please go ahead.

Katie: Sure, yeah. So, you mentioned that this is a first-generation Plan, that it would make sense to not have these Limited Use Areas and then wait until you see if there is a red flag, such as caribou populations declining before you review the Plan and potentially put in more strict Limited Use designations. This approach seems completely backwards.

Once you have industry on a landscape, once you have put roads and other infrastructure, once caribou populations have declined, it is incredibly hard to walk that back. It is much easier to listen to what people have been telling you, which is that these grounds are sacred, that they need to be respected, that they need to be protected.



If you feel you need more information, it would make much more sense to leave the Limited Use designation in place for now until you have gathered more information, and then it is a matter of lifting a designation from a map rather than trying to deal with a population that is crashing with infrastructure that has already permanently changed the landscape and impacts that potentially cannot be reversed by the time we see that there is a problem.

So, can you please explain the logic behind your statement that it should be the opposite, that we should open it up now and apply more restrictive designations later?

Chairperson: Thank you. Please go ahead when you are ready.

Henry: Hello. Henry Coman, Government of Nunavut. The Conditional Use designation permanently changes the....sorry. I am going to let Eamonn Carroll answer this one.

Chairperson: Okay. Please go ahead when you are ready.

Eamonn: Thank you. Eamonn Carroll, legal counsel. Again, I would highlight that Conditional Use with seasonal restrictions does not imply permanence or permanent changes to the landscape because of seasonal restrictions, the very fact that there are seasonal restrictions. That would be Mixed Use. Anything that is being advocated as Mixed Use changes and Mixed Use designations, that is what can be permanently changed. That is not the decision of the Government of Nunavut to advocate for more Mixed Use.

Chairperson: Thank you. Please go ahead.

Katie: So, I think again the position that the Government of Nunavut is taking is very unclear. If you are opening up exploration in calving grounds, the logical conclusion is that there is a high potential of mining infrastructure in those calving grounds. If you do not expect to have mining infrastructure in the calving grounds, I would expect that exploration would also not happen, because what's the point of exploration otherwise?

Chairperson: Thank you. Please go ahead when you are ready.

Daniel: Thank you, Mr. Chair. Daniel Haney, Government of Nunavut. As we did mention in our presentation, only about 1 in 1,000 exploration projects evolve into a full productive mine. Even when exploration projects are being proposed, the Government of Nunavut is an active participant in the screening of those projects. We always make recommendations for seasonal restrictions, seasonal shutdowns, and we do not support permanent infrastructure for exploration projects. So, there would not be...we would hope there would not be any permanent infrastructure associated with those exploration projects. Thank you.

Chairperson: Thank you. Another one? Go ahead.

Katie: Thank you. Yeah, I just have one final. It is more I guess, a comment. It seems like what we have heard in the room over the last couple of days and what I have heard from a lot of Inuit Hunters and Trappers Organizations as well in listening to some of the other hearings is that people are saying that these calving grounds are important and should be protected.

This approach of wanting to leave it open for exploration and then maybe down the road we will have more consultation if we want to have a mine developed there or another incompatible project developed there, it is very taxing on all of these people that have come out to express their views. It just sounds like the Government of Nunavut is willing to gamble with you know, the culture, the rights, and the livelihoods of the people that have come to speak, but to also to add this extra burden.

One of the benefits of land use planning at this high level is that we can identify areas on the landscape, these key critical places where we can say in this one area, industrial development of this type is not compatible with the other values on the landscape. The proposal that we won't designate that, use that tool at all just means that all of these community people will have years and years and years of more meetings and consultations and more taxation of their time, their resources, and their capacity to come and tell you the same thing that they have been saying, which is that these grounds should be respected. That is more of a comment than a question, but I would appreciate to hear your response. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Henry: Thank you. Henry Coman, Government of Nunavut. We believe that is the purpose of parks and conservation areas. However, we have heard you, so thank you.

Chairperson: Please go ahead, Daniel.

Daniel: Thank you, Mr. Chair. Daniel Haney, Government of Nunavut. We hear that loud and clear. We acknowledge that these processes are very taxing. That is also, as you mentioned, land use planning helps to alleviate that by identifying Valued Eco-systemic and Socioeconomic Components. The Nunavut Planning Commission has done a lot of work on gathering those Community Areas of Interests and other Valued Components, and those will be made available to all proponents when they move through the process. I hope that alleviates some of the concern there, but I certainly acknowledge that it is very taxing. Thank you.

Chairperson: Thank you. Are there any other questions before we move on? *(Pause)*. I see a hand up back there. Please go ahead.

David B: *(Translated)*: David Bigeye, Band Councillor, Black Lake First Nations. I rely on caribou meat. The Government of Nunavut is sitting in front of us and how they talk with their representatives had told them. Regarding the importance of caribou, it sounds like they are not listening to the concerns of the people. It sounds like they do not listen to what we are saying as well. The mining exploration is all their importance to them. They could just see it.

*(English but audio very distant)*: My name is David Bigeye. I am from Black Lake First Nation, Denesūliné, caribou people. Mining, my concern and thoughts that I have here, sitting here through your presentation, it seems like we have an issue regarding *(inaudible)*. I did some exploration in my life. I asked you a question. Did you ever experience hands-on doing exploration of land? But I did. It is a big distraction when you do that drilling.

There are choppers coming in, bringing in fuel. If there are roads, roads coming in. If they are on snowmobile, they are on snowmobiles back and forth. We have big drills coming in drilling holes for minerals. To me it does not matter what we say here. You guys had already made a decision that you're going to go ahead with this because you want to create employment opportunity for young people, you stated.

That is what we said, like what Chief Bart stated. But the industry, they leave a big mess. The mess is not replaceable. Sacred land where the calving grounds are cannot be replaced along with the caribou. That red zone means a lot. To me, there is a way that we can work around it, but to do the exploration on calving grounds is going to be a big distraction to our sensitive animals, caribou.

Every time we ask you a question, you brush it off. You answer in a different format, not direct. If I ask you a question, would you answer me truthfully? Do you respect and protect our caribou and your caribou in your territory and the lands where we shared once thousands of years ago? Do you have the passion to protect them, or the money is the only thing that you see? What is it?

That troubles me. We learn as we go. I've got gray in my hair. I learned. I was young once. I used to hear Elders talk about stuff, and I never took it seriously, but now sitting here and those words remind me of what they were focusing and vision of things that is going to come out. You should reconsider and think about it, especially on the calving grounds or any other wildlife, birds too, all them animals, mammals. My question to you is do you respect the caribou calving grounds?

Chairperson: Thank you. Please go ahead when you are ready.

Henry: Henry Coman, Government of Nunavut. Thank you very much for that question, and I can say yes, we do. Yes, we are. Thank you.

Chairperson: Okay, thank you. We would like to thank the Government of Nunavut for their presentation, and then we would like to take a 10-minute break to transfer over to Agnico Eagle. Our hope is to power through and be done as soon as possible this evening, aiming for 6:00 to put a timeframe on it, but we will see how we go. So, thank you very much, Government of Nunavut.

*(Applause)*

### **Break**

Chairperson: Please start your presentation. Thanks.

## **Agnico Eagle Presentation**

**Jamie Quesnel – Director of Permitting and Regulatory Affairs**

**Manon Turmel – Superintendent of Permitting and Regulatory Affairs**

**Greg Sharam – Consultant**

**Christine Kowbel – Legal Counsel**

Jamie: Thank you. Good afternoon, Mr. Chair. I am Jamie Quesnel, Director of Permitting and Regulatory Affairs for Agnico Eagle. To my right, I have Manon Turmel, Superintendent of Permitting and Regulatory Affairs. To my left, there is Dr. Greg Sharam, who is the expert on Arctic wildlife matters. In the back, we have Christine Kowbel, our external legal counsel for Permitting and Regulatory Matters. I would also like to recognize we are all gathered here together on Treaty 5 lands. Again, we thank the Nunavut Planning Commission for this opportunity to present at this hearing. Plus, it is nice to be in Thompson.

This slide presents an overview of our presentation. It should be noted that we have condensed this version of our presentation, as we have articulated our full overview of the 2021 Draft Nunavut Land Use Plan at the Rankin Inlet hearing. Our full presentation is on Nunavut Planning Commission registry for those who want to take a look at it. This presentation will be focused on our caribou monitoring and mitigation that are conditions of our existing Nunavut Impact Review Board project certificate.

Overall, we respect the great effort that has gone into developing the Plan. It is an achievement to have brought a Draft to this point. We support the land use planning process and its importance under the *Nunavut Agreement*. However, Agnico Eagle feels there is a lot more work to be done before it is ready for approval. We recognize that working together and compromise will be necessary to arrive at a final Plan, but we are very concerned about the impact of the current Draft on Nunavut's balanced sustainable future.

We would like to describe who we are at Agnico Eagle. Agnico Eagle is a senior Canadian gold mining company with seven Canadian operating mines, as well as mines in Australia, Finland, and Mexico. We have been in business for over 60 years. We have three mines in Nunavut located near the communities of Baker Lake, Cambridge Bay, and Rankin Inlet. Our Nunavut operations have been going for over 12 years now, and we have learned a lot about how to operate safely and sustainably in the Arctic over that time, and we are still learning.

We work closely with the Inuit in Nunavut to make sure our operations do not negatively affect caribou. We have also been working with Ghotelnene K'odtineh Dene on topics related to caribou. We have met with you in Winnipeg. Some of you may recognize my colleague, Manon Turmel to my right from those in-person meetings in Winnipeg.

Our operations in Nunavut provide an essential opportunity for wage employment for local residents. As you heard the Government of Nunavut speak to earlier, there is a very large number of young people entering the workforce in the near term, and without mining, there just is not the opportunity for employment. Our mines support the opportunity for Nunavut residents to stay and work in Nunavut.

Also, Agnico Eagle is recognized globally for its leading environmental, social, and governance practices. In addition, we are recognized by the Mining Association of Canada related towards sustainable mining.

Just a few points to emphasize related to the Draft Nunavut Land Use Plan: People who have invested in mineral claims in Nunavut to date should continue to have the ability to explore, develop, and access those claims. That is what we mean when we refer to grandparenting. The Nunavut Planning Commission states it as existing rights.

Second, we believe more information is needed in order to specify Limited Use and Conditional Use Areas. While we acknowledge the good work done so far, in our view, the information that these areas were based on is unclear and incomplete. More collaboration on these matters is required to incorporate the available scientific information as well as Inuit and Traditional Knowledge. We are fully prepared to actively engage in this task.

Third, we believe the prohibitions on mining within those polygons will not be effective in protecting caribou. They also do not take into account magnitude of effects, or the mitigation and monitoring conducted by Agnico Eagle. Rather than focus on mapped-based protection, we think the focus should be on protecting caribou where they are.

We are also pleased to give you more information of our Nunavut Impact Review Board project certificate mandated programs today, but before I turn it over to Manon and Greg, I just wanted to add a few details based on a previous discussion based on a process for protecting caribou. Just related to our regional exploration group, we follow the mobile caribou protection measures, which is directed through our permits and leases with the Kivalliq Inuit Association.

Once we advance a project to an operational level when it seems to be appropriate to do that, we go through the full regulatory process with the Nunavut Impact Review Board and then we develop a very rigorous program for the Terrestrial Management Program that Manon and Greg will refer to. Exploration at our site within the footprint will follow the more rigorous program that we have established at the operations, but our regional exploration, which may be a couple of drills, will follow the mobile caribou prevention measures. Based on that, I will hand it over to Manon and Greg to get some of those details now.

Manon

Manon Turmel, Agnico Eagle. As Jamie mentioned, we think effective measures have been developed that mines can implement that will protect caribou. So, we have focused this presentation here in Thompson to show the community some of the unique things we do at our mine sites to limit our impact on caribou.

Before I get into the details, I want to note the footprint of areas affected by mining. The actual area affected including reasonably foreseeable future mining, is very small, so I want to reassure everyone that there is still a large area of habitat that has no mines at all in Nunavut.

As Jamie mentioned, all Agnico Eagle projects and mines have robust mitigation and monitoring programs. For exploration, the Kivalliq and Kitikmeot Inuit Associations permit activities, whether they are smaller in scope or advanced using mobile caribou protection measures. This means that

special caribou protections are included in the surface tenures that are issued by the Inuit landowners.

At our mines, we have a Terrestrial Ecosystem Mitigation and Monitoring Plan. We will be referring to it as a Wildlife Plan. This Wildlife Plan is based on Inuit Qaujimajatuqangit, Traditional Knowledge, and western science. This plan is reviewed by Inuit and technical experts. It is also a requirement by the Nunavut Impact Review Board project certificate. The results of monitoring or any adaptive management is reported to the Nunavut Impact Review Board. Indigenous groups and experts review and update the Wildlife Plan in a working group.

In the next slide, I will present some of our working groups. As part of the process, the Nunavut Impact Review Board asks for public comments on the Wildlife Plan. In this slide, we want to show you some of the working groups that we have developed at some of our mine sites. The first one is for the Meadowbank Mine around Baker Lake. You can see a picture here of one of the first meetings, and some of the players that were involved are here in this room.

This group was formed in 2018 and includes the Kivalliq Inuit Association, the Hunters and Trappers Organization, the Government of Nunavut, and Environment and Climate Change Canada. In this working group, we report the results of monitoring. We conduct site visits, and we use Qaujimajatuqangit and western science to look at the monitoring results, mitigation, and if anything needs to be adjusted based on what is being seen in the field. The group meets regularly multiple times a year.

In our Meliadine Mine, this group has had its first meeting on May 4<sup>th</sup>. Some of the groups involved: Kivalliq Inuit Association, Hunters and Trappers Organization, the Sayisi Dene First Nation, the Northlands Denesųliné First Nation, the Government of Nunavut, and Environment and Climate Change Canada. We are currently working to finalize the terms of reference, so how we are going to work together in this group. We are hoping that this collaboration will be as successful as the Meadowbank one.

In addition to the Terrestrial Advisory Groups that work with Indigenous and government organizations, we are also very happy to have Qaujimajatuqangit and wildlife advisors at our projects. These are Inuit members of the community, and their role is to meet with Elders, be a bridge between Traditional Knowledge, IQ, and our project, and make sure that we integrate Traditional Knowledge and IQ in our design, monitoring, and mitigation.

In this picture, you can see David Kritterdlik, one of our advisors. He has been a very strong player on our team, sharing important information to us. We just want to note that this is not a permit requirement. It is something we feel that is important, and that is why we do it. Thank you. I will now turn over this presentation to Greg to talk more about the monitoring and mitigation measures.

Greg:

Good afternoon. My name is Greg Sharam. I am a wildlife biologist who works with clients to help develop mitigations to protect wildlife at mine sites, and to help carry out the monitoring at those mine sites. I am going to focus my remarks here on how potential effects on caribou from mining can be prevented, and how mitigation measures allow for caribou and mining to coexist.

Agnico Eagle has a robust monitoring and mitigation program at each one of its sites, as Manon described. Each of these include Indigenous Knowledge and western science. We track when

caribou will be present. We monitor, and we manage. In the next few slides, we will be talking about what some of that management looks like.

First though, in Rankin Inlet, there were several questions about how caribou habitat is being protected. When a proponent applies to the Nunavut Impact Review Board to get a project certificate, they must develop, as Manon mentioned, a Terrestrial Environment Management and Monitoring Plan, which we are referring to as a Wildlife Plan. This plan must include measures to protect both caribou habitat and keep caribou safe.

Here are a few examples from the current Meadowbank Wildlife Plan, which is Version 7 of the plan. The plan is continuously being updated following input from the Terrestrial Advisory Group.

Examples include, the project must be designed to avoid high-value caribou habitats, such as eskers and meadows. Agnico Eagle must be built together and reduce the project footprint; minimize the length and width of access roads and burrow pits; construct boardwalks and helicopter plans to reduce walking on the tundra; restore and revegetate any disturbed habitats during construction and operation; clearly mark and stay on all roads; minimize vehicle traffic and speed to reduce dust; control active dust control during summer; and at closure, rip up roads, remove facilities, restore any disturbed drainage patterns, and stabilize any slopes as part of the Closure and Reclamation Plan.

Agnico Eagle also monitors their mitigation and effects on caribou habitat through monitoring and reporting the actual built footprint, so the area disturbed, and comparing that to the footprint that was proposed to the Nunavut Impact Review Board; monitor water quality in streams, ponds, and lakes all around the mine and in the downstream environment; monitoring dust deposition on and around the mine site; and monitoring vegetation to see if it is changing at different distances from the mine.

The rest of my presentation will be about the monitoring and mitigation to keep caribou safe and reduce any disturbance to caribou. In the photo here, actually you can see this is one of the advisory groups visiting the site. They are conducting an inspection here of one of the waste management facilities after giving suggestions on the previous site visit.

A lot of the mitigation for caribou are things that you don't normally hear about but are built into all of Agnico Eagle's projects, such as designs to allow caribou to cross the roads. In the lefthand frame of this photo, you can see that the roads are built to be as low as possible, typically about 1 metre, and to have a gentle slope allowing caribou to cross the road. They are also built out of fine-grained material, so it is easy for the animals to walk across the road.

In the middle, you can see a bridge built across a caribou trail to ease passage of caribou across the road. On the right, you can see a tunnel installed underneath the road to allow caribou to cross. You can see the many caribou hoof prints in the mud inside the tunnel where caribou having been using it in the warm weather.

The first type of monitoring we will talk about is road monitoring. Agnico Eagle conducts several different types of road monitoring. Remote cameras, which are in the lefthand frame, are used to monitor where caribou cross the road. In this photo is a biologist wearing a COVID mask, setting up a wildlife trail camera on a post. Agnico Eagle has these at each one of its mines.



Agnico Eagle also conducts daily driving surveys recording the number of caribou near the roads and using this information for mitigation. You will see a lot of very close-up pictures of caribou in this presentation. These are from these remote cameras. There are no people taking these pictures, only these cameras.

Agnico Eagle also conducts monitoring for caribou at all of its mine sites. We see that caribou use the areas surrounding our roads and mine sites at each of the projects. To return to roads, at each one of Agnico Eagle's projects, the Wildlife Plan, which is developed in consultation with advisory groups, has specific rules about management of the road. The Wildlife Plan includes monitoring of caribou near the road, and when a certain number of caribou are observed, then the road is closed. Every year, Agnico Eagle closes its roads for many weeks at a time to enable caribou to migrate unhindered.

Some example numbers: From the Meliadine Mine, which is near Rankin Inlet, in 2020, the main road was closed for 8 days. Last year, it was closed for 28 days. This year, it has been closed for 14 days so far. At the Meadowbank Mine near Baker Lake, in 2020 the road was closed for 42 days. Last year, it was closed for 28 days, and this year it has been closed for 13 days so far. At the Whale Tail Project in 2020, the road was closed for 60 days; last year for 15 days; and this year so far for 23 days.

On this slide, you can see the road at Meliadine. You can see that the road is quite low. It is about a metre high. There are sloping edges to allow caribou to cross the road, and we have many thousands of these photos of caribou using the road once it has been closed.

Agnico Eagle also conducts mine shutdowns so that caribou are safe. This example is also from the Meliadine Mine. In 2021 last year, the mine was shut down for 10 days. This includes shutting down all vehicles, blasting, drilling, and the use of helicopters. This year to date, the mine has been shut for 25 days. These shutdowns underline Agnico Eagle's commitment to avoiding effects on caribou. It should be noted that the only mines in Canada that conduct shutdowns for wildlife of this type are in Nunavut.

Agnico Eagle also monitors the effects of mining on caribou at each one of its operations. The Nunavut Impact Review Board requires Agnico Eagle to test each one of the predictions that it made in its Environmental Impact Statement. These monitoring programs show that the actual effects on caribou are typically lower than those predicted during the Impact Assessment process.

There are many of these programs, but I am just going to focus on one of those, which is the Caribou Behaviour Monitoring Program. At both the Meliadine and Meadowbank sites, behaviour surveys are conducted on caribou. These surveys are conducted at all times when caribou are present on site. These surveys show that caribou react to all-terrain vehicles and project trucks but returned to what is termed a base behavior, so the behavior they had before they saw something, quickly in less than 3 to 6 minutes. This is a new program operating for three years.

We would like to thank the Kivalliq Inuit Association and the Government of Nunavut who have collaborated on this Monitoring Program providing many helpful suggestions for fieldwork and analysis. We also welcome the recent addition of the Dene to our Meliadine Terrestrial Advisory Group. I am now going to turn it back to Jamie for a few short closing remarks.

Jamie: Thank you, Greg. Jamie Quesnel, Agnico Eagle. In closing, we would like to emphasize that more time and consultation is needed. A revised Draft should be produced for review and comment before it goes directly to the decision-makers on reasonable timelines.

The Plan needs to better acknowledge existing mineral claims, and in the event that prohibitions overlap those claims in the final Draft, clarify that grandparenting will support development and access, and these activities will be permitted to proceed to the Nunavut Impact Review Board process step.

As I emphasized earlier, rather than the current heavy reliance on Option 1, Limited Use prohibitions, the Plan should be revised to reflect a hierarchy of mitigation and monitoring achievable through the incorporation of more Option 4, Valued Components. That approach can provide the clarity and direction in the Land Use Plan that communities are asking for while preserving the opportunity to submit applications for development. Not every application will be approved. That will be for the Nunavut Impact Review Board process to decide, as it does today.

On your Option 4, Community Values identified to Nunavut Planning Commission would be given full consideration in the Environmental Assessment process. An Environmental Assessment is also an effective planning tool. Companies would be required to address each and every one of those values in their applications. There is good evidence from our point of view that mitigations in place at mines are working to reduce impacts and ensure that mining and caribou can be compatible.

We appreciate the Nunavut Impact Review Board and Terrestrial Advisory Group process as an opportunity to help develop innovative mitigations and encourage the Nunavut Planning Commission to give full consideration to these mitigations and the volume of data that has been provided to the Nunavut Impact Review Board that show that they are effective.

We need to keep working together. We are not perfect, but we are here to keep learning. Caribou are always going to be a priority. They get the right-of-way at our operations. This is how we run our operations, and those are our values. Our roads do shut down based on the approved Wildlife Plans that have been vetted through a robust system, including Terrestrial Advisory Groups that are based on both Indigenous Knowledge and scientific knowledge.

We are confident that a revised Land Use Plan with more emphasis on Option 4, along with the process in place by other existing and tested regulatory processes in Nunavut can help ensure future development proceeds in the right way that protects culture, cross-border caribou herds, and the opportunity for Nunavut to pursue economic self-sufficiency. Agnico Eagle would like to thank the Nunavut Planning Commission for this opportunity to provide comments on the 2021 Draft Nunavut Land Use Plan. Thank you.

Chairperson: Thank you. We will open up to questions. Okay, please go ahead, Jonathan.

Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Thank you to the representatives from Agnico Eagle for being here today to provide an overview of your feedback on the Plan and of your experience working in Nunavut as the primary mining company operating in the territory. It is valuable to have your perspective here.

We note that your experience operating three mines in the territory and multiple ongoing exploration activities are not within caribou calving grounds, so the experience in working with caribou in Nunavut has not been on caribou calving grounds for your company. We are just wondering if Agnico Eagle would be interested in exploration and mining development within caribou calving grounds, and whether you believe your experience working in other caribou habitats would be transferrable or adaptable to work in the calving grounds themselves. Thank you.

Chairperson: Thank you. Please go ahead when you are ready.

Jamie: Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. Thank you for the question. We may have claims in core calving areas. We just have to confirm that. We will provide that in the written, just a small little bit, in the written submission. Just talking to our regional exploration team to clarify that, but we are not there now as far as I know.

I think there is an opportunity here, and this is why we recommend the working group just to define the caribou polygons and to identify that, but I think there is an opportunity here to look at all the data and find a way forward with the mitigation that we are using right now at the operation. I think that information, the key learnings from our perspective could be transferrable. I think there is an opportunity there, but we have to talk it through. I don't think we are going to resolve it today right here, but that is why we are recommending those type of groups and drill more into the details. We find that everything is a little bit too high-level. We have to get into the details a little bit, so I think there is a great opportunity to get focused on that.

In addition, mining is on surface and underground as well, so depending on which are we are talking about, depending on the geological opportunities if there are any, then we would have to look at infrastructure associated with that potential or body in that potential area. So, there are a lot of assumptions, a lot of variables we have to look at, but we have to start talking about it. That is why I think it is important to talk it through, go through a process.

We agree with the Government of Nunavut, and I think others have mentioned that there is an opportunity to look at this flexibility. We may drill an area. It might not look good to us. I think it has been mentioned by the Government of Nunavut that I think it was 1 in 1,000. So, that may not even happen in that key area that we are talking about. I think we have to have that flexibility, transfer our learnings, have a working group, get into the details, and move it forward. Hopefully, that answers your question. Thank you.

Chairperson: Thank you. We're good? Open questions to the floor, community participants? *(Pause)*

Registered participants, any questions? Please go ahead.

Katie: Good afternoon. Thanks for your presentation. Katie Rasmussen, Technical Team with the Athabasca Denesųliné. We have been hearing a lot of presentations today that are talking about either mobile measures or seasonal limits or other methods that provide mitigation that I think is important. The work that Agnico Eagle has presented here is really commendable. I think the working groups that you formed and the measures that you are taking, they sound really positive. I hope they continue to grow.

I think it is really, really important that we remember that those are mitigation measures that can limit the harmful impacts on caribou, but they don't fully prevent them. Again, one of the benefits of a land use plan at a high level where we identify these few critical areas where we say certain types of land use are not compatible is so that we can say the calving grounds are for caribou to carry out their calving. That is not compatible with extractive industry. So, this is one small part of the landscape that we are saying let's not have extractive industry there.

Just a reminder, we also hear the word "balance" coming up a lot from groups that are putting forward the recommendation that we have absolutely no restrictions or Limited Use restrictions on industrial development. So, how is that balance? There is only currently 22% of the land base at this time in Limited Use designation. Some of that is also removed because of the existing rights.

So, I guess my question is, can you consider that there may be areas on the landscape that are so critical for a species like caribou that we heard is so vulnerable, that we heard is so sensitive, that we heard that entire peoples and cultures depend on, can you not imagine that there might be locations on the landscape where we just should not have mining in order to protect these species?

Chairperson: Thank you. Please go ahead when you are ready.

Jamie: Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. I will get Greg to answer part of your question. I think the existing system provides some rigour and also with our reporting and all our groups provides that effectiveness of the monitoring and mitigation. We do approve, I think Greg mentioned that our Meadowbank complex for version 7 of our Wildlife Plan, version 4 at Meliadine. We are not status-quo. We are always improving. But that is why we are mentioning that we don't agree with all the polygons, how we got there. There is so much into that. We have to really dial into those details before we understand what we are all talking about.

I think we have to have that conversation first. The grandparenting for us is very important based on our investment in Nunavut. We are pushing \$9 billion dollars in Nunavut. We went through a process that is allowed. We are not doing anything wrong. We followed the process to invest in Nunavut, so we have to get those components down first before we move to the next step based on your question. I will turn it over to Greg just to quickly respond.

Chairperson: Please go ahead.

Greg: Thank you. Greg Sharam for Agnico Eagle. I just wanted to address the concern about mobile protection measures or mitigation measures in this case, noting that the mobile protection measures are for exploration sites. The more detailed and more advanced Terrestrial Environment Mitigation and Monitoring Plans are for operating mines.

Those Wildlife Plans for operating mines require testing of each one of the predictions made during the Environmental Assessment process through the Nunavut Impact Review Board. Those are things like how far away caribou will avoid the mine, whether caribou avoid crossing roads, behaviour studies, and toxicology studies. Each one of these studies is being done at each one of Agnico Eagle's mines, and these studies are showing that there is, if not no effect, then much less effect that was predicted based on expert knowledge during the Environmental Assessment process.

I do think we should touch on the comment that without area restrictions there would be no restrictions on mining. It is important to state that any project that wants to go from exploration to mining must go through the Nunavut Impact Review Board. I have worked in many jurisdictions in Canada, and by far Nunavut is the most difficult place to build a mine. It requires multiple years of baseline studies to prepare for a draft Environmental Impact Statement, followed by one to several years of follow-up work and a final Environmental Impact Statement, followed by some of the toughest mitigations at any mining site in Canada by far. So, I don't think it is fair to say there are no restrictions. Thank you.

Chairperson: Thank you. Do you have a follow-up? Please go ahead.

Katie: Yes. Thank you. Katie Rasmussen, Technical Team for Athabasca Denesųliné. I think my final comment and question is again, just to reiterate, I do applaud the work that you have presented here and the work that it sounds like you are working hard with local communities on mitigation. You know, the work that you have presented is three or four years in the making, so I would just like to say your assertion that you believe that the evidence that you have is strong enough to show that your projects are not having an impact on caribou, I think it is too early to make that assertion. You know, there are hundreds of years' worth of knowledge, of Indigenous Knowledge. There are decades of other studies showing us that this type of extractive industry does have an impact on caribou, so at this time, again, I think the precautionary principle is in order until a time when we have better evidence showing us the contrary, as you are suggesting.

Chairperson: Thank you. Please go ahead.

Jamie: Thank you, Mr. Chair. Jamie Quesnel. Just for clarification, we have been operating our Meadowbank Complex for 12 years, not three years. Meliadine has come in just recently, and Whale Tail is basically part of the Meadowbank Complex, so just to clarify that.

Chairperson: Thank you. Oh, okay at the back is Wayne first, and then Tina and then...

Wayne: Wayne Wysocki, Technical Advisor to Ghotelnene K'odtineh Dene. I'm just trying to get to the crux of the question, so I will try to make my question as simple as possible, and I would appreciate as close to as possible a yes or no answer.

Is it fair to say that based on Agnico Eagle's experience so far in mining in Nunavut that they would not rule out the possibility of building a mine in a core caribou calving area?

Chairperson: Thank you. Please go ahead.

Jamie: Yep. Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. We just have a sliver one claim in a core calving area, but again, we have to look at all the components. So, it is not a yes-no answer. It is conversation. It is a process we have to go through. We have to identify all the polygons correctly. So, I think it is an unfair question at this stage. However, we are not there. We don't plan to be there based on our existing claims for grandparenting, and that is the first step for us.

Then, like we mentioned in our presentation, Option 4 is our preferred path, and that is where we can look at all the Valued Components related to our activities if an application ever did occur there.

So, I think we have to go back a few steps to validate a few things like I mentioned to Katie earlier, Wayne. Then we can have that conversation a little bit later.

Chairperson: Thank you. A follow-up. Please, go ahead.

Wayne: Thanks. Wayne Wysocki, Technical Advisor for Ghotelnene K'odtineh Dene. So, what I am hearing you saying is that subject to further discussion, the possibility of constructing a mine in a core caribou calving area is still something that Agnico Eagle would consider. I think that is a yes or no.

Chairperson: Thank you.

Jamie: Thank you, Mr. Chair. Jamie Quesnel. Thank you for the question, Wayne. Again, we would go through the process, the regulatory process. We do not have any claims in core calving areas. Like was mentioned to Jonathan, we have a small claim there. So, we would look at where we are in Nunavut right now as the first case and take it from there. So, we would follow a process similar to what the Government of Nunavut is advising of a process with the Kivalliq Inuit Association as mentioned. Again, Agnico Eagle has a small sliver of a claim block in a core calving area.

Chairperson: Thank you. I believe Tina was next.

Tina: Thank you. Tina Giroux-Robillard, Beverly Qamanirjuaq Caribou Management Board. Thank you for your presentation. It was very interesting, and I do commend and thank you for working toward mitigation measures on the impacts or disturbance that your mine would have on caribou.

I have like a three-part question if you want to jot those down. Here correct me if I am wrong, but as a proponent, I would imagine that certainty when looking at new areas to develop would be important for you. When you hear all of the community feedback, and again how important these areas are and how the communities support and the Board, the Caribou Management Board, supports habitat protection, are you concerned at all about the social license or the work that you would have to do with the communities to try to get the communities on board with you being in the calving ground? So, would it not deter you a little bit from going in those areas? That's my first question.

Second, you had said that the effects on caribou are typically less than predicted. I was just wondering, how do you know? How did you measure that before and after? And lastly, if mitigation and monitoring is all that is needed that is needed to decrease impacts on caribou, yet the Qamanirjuaq herd has been declining for 25 years now. It is about a third smaller than it was in the 1990s. Do you believe mining has had no impact on the caribou herd? Thank you.

Chairperson: Thank you. Providing answers in writing is always an option. Please go ahead when you are ready.

Jamie: Yep, Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. Thank you for the three-part question, Tina. I will let Greg talk about less than predictions. That is part two. Certainty, we are always looking for certainty, but we feel right now with all due respect, the 2021 Draft Land Use Plan is creating some uncertainty.

We have confidence with the existing process with the Nunavut Impact Review Board and the Nunavut Water Board. We do have in the Kivalliq area, we do have the Keewatin Land Use Plan,

which we use to get conformity from the Nunavut Planning Commission, so there is some level of certainty there. Working with the communities in Nunavut where our mines are operating and the net benefit to the communities from our Impact Benefit Agreements, I feel we have alignment because there are some tough discussions during the regulatory process, the IIBA negotiations. But we end up with a Plan together, and we move forward together.

Dealing with caribou, we are doing our part, I think with the mitigation. We are following a process. We appreciate the comments on our efforts. We are not perfect, but we are getting there. So, we are doing our part related to our activities in the North. Overall, our impacts to caribou have been defined in the process, and we do get the approval of our monitoring and mitigation to get our project certificate, and then also the water license approval related to water and waste components with terms and conditions.

If we went in front of the Nunavut Impact Review Board, it did not show that the monitoring and mitigation related to our application, I feel we would not receive a project certificate. I think we have vetted and presented our view of our plans in front of the Board to get an approval. I think that covers that component. I will turn it over to Greg related to less than predicted.

Chairperson: Please go ahead.

Greg: Thank you. Greg Sharam for Agnico Eagle. Without diving too deeply into the Environmental Assessment process, in each Environment Assessment for a project, there are predictions that are made for the assessment. Those predictions are made on Traditional Knowledge, the best available scientific information, and the results of local monitoring programs.

A predication is made for each potential effect, or a series of potential effects are identified through consultation and in discussion with the Nunavut Impact Review Board for each one of those potential effects. For caribou, those would be things like caribou might avoid the mine. They may not want to cross the road. Those would be potential effects. Then the best available information would be used to make a prediction as to whether that would happen or not and the degree to which that would happen.

Through the Nunavut Impact Review Board process, there is a term and condition that each one of those, well that a Wildlife Management Plan must be written, and the Plan must test each one of those predictions.

So, for example, in 2005 when the Hope Bay project was permitted by its previous owner, they predicted that caribou may avoid the project site by anywhere from 4 to 5 kilometers, which is a fairly large area. Since 2009, we have conducted Canada's largest Arctic Camera Array Program, which is a collaboration between the previous owner and now Agnico Eagle, the Government of Nunavut, and the Kitikmeot Inuit Association. That camera program is showing that caribou may be avoiding the site within about 500 meters.

It is difficult to tell the difference though between a response to the mine and a response to vegetation, because there is different vegetation around the mine naturally. What we say in our annual report is that we are not getting a strong signal of any avoidance that we can't tell apart from vegetation. In that case, we are finding a very small amount of avoidance by caribou over this 13-year program, much less than what was predicted in the Environmental Assessment.



We have similar programs operating at Meadowbank and Meliadine looking at potential effects at those mines. I could, in fact, stay here all evening, but I don't think anyone wants that, so I will end there. Thank you.

Chairperson: Thank you. We have one more question, and then we are going to move into the next process for closing the night. Then I will have Sharon talk about the next process. Please go ahead.

David B: Thank you, Mr. Chair. David Bigeye, Black Lake First Nation Band Councillor. (*Translated*): Right now in this meeting, all I am thinking about is the caribou. I want to ask you a question, a scientific question. Was there any research done on the behaviour of the caribou migrating back to the calving ground every year for thousands of years? Do you know why? That is my question. Was there any research done on why the caribou migrate back to the calving ground every year for thousands of years?

Chairperson: Thank you. Please go ahead when you are ready.

Jamie: Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. Thank you, David, for your question. I will comment on the research we have done related to our operations. We have done a study related to our Whale Tail Project related to the caribou going to the calving area, so we have done a study based on their migration to the calving area.

We have that. I think it is on the Nunavut Impact Review Board registry. We can send it to you if we get your information, and then Greg will respond on the broader context of research, but primarily we can only comment on the research that Agnico Eagle has completed.

Chairperson: Thank you.

David: I will give you my email later on, but I want to state the reason I asked that question is there always a story when I speak from our ancestors. It is a sacred land. You all know why the caribou migrates back to that, same particular spot. Maybe it is because the minerals are there. You don't know. They are protectors of Mother Earth in our custom.

Distracting, removing that could harm or change behaviour of the caribou or relocate somewhere else. Nunavut is a big territory, and as well the Northwest Territories. They could go somewhere for calving, but for thousands of years, they go back to the same particular place. We are all here to distract them by industry, transmission lines, roads.

I will say it again. There is always a way that we can avoid that. Like what my colleague stated, we are working opposite. We do what you guys are planning. It may be too late for the caribou. That is my concern, because it is sacred. I strongly believe that the caribou, the way you said it is monitored, I don't believe it, because I hunt them every year. I trapped in Northwest Territories and Nunavut territory. I used to go on a dog team. I know the behaviour of the caribou.

For this about 12 years now, caribou are so terrified. When you go hunting, you hit the leg, they will be hurt. They will be running away as if they are running for life. I know they are trying to survive, but the behaviour wasn't there. Back in the '80s, there used to be a lot of herds coming in. It

declined over the years. Slowly we are losing them. We are losing them. There could be a lot of reasons why. We are all aware of it, and yet still we are trying to distract them.

It is just that I wanted to address that so we can think about it. I know now, I feel it in my heart. No matter what we address here, how to protect the caribou, I see it is not going to happen. There is a done deal here. We are just being consulted at the end. That is how I feel standing here. Every presentation I see, I fully support, support, support industry. That is all I hear. I feel sad, saddened hearing that. That is all I wanted to say. Thank you.

Chairperson: Thank you very much. A quick response please.

Jamie: Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. David, thanks for your comments, your input. I just want to reassure you that Agnico Eagle respects caribou. It is a value of our company. We work with the local Hunters and Trappers Organizations, the Government of Nunavut, the Regional Inuit Associations as part of our Terrestrial Advisory Group for input. Our monitoring and mitigation does evolve over time.

So, we listen. We implement. We look at the data from the field, and there is a discussion. Where should the company improve on the monitoring and mitigation? What is the data telling us? What should we do next? That is how we are going to learn together is having those discussions.

We respect your comments. However, I just want to assure you that the company respects caribou. We put a lot of effort into this working in the Arctic with our operations, and we want to continue having the dialogue and continue to learn. That is what we are trying to achieve with our programs that have been established with a lot of rigour and a lot of review. I just wanted to mention that, so again thank you for your comments.

Chairperson: Thank you. Jonathan has one quick question before you leave. Please go ahead, Jonathan.

Jonathan S: Thank you very much, Mr. Chair. Jonathan Savoy with the Nunavut Planning Commission. Thanks again to the Agnico team for their responses to the number of questions that have come up. In your presentation, you noted that you operate, of course, in many other jurisdictions including other jurisdictions within Canada. Are you aware that in many of those jurisdictions, industrial activities are off limits in designated arable lands put aside by the provinces for agricultural activities that sustain food security? If you are aware, do you agree that a similar approach in Nunavut where there is limited agricultural opportunities would be to protect essential caribou habitats to support food sovereignty for Inuit and Denesų́łné communities that rely on the herds? Thank you.

Chairperson: Thank you. Please go ahead.

Jamie: Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. We will take note of that, and we will defer our response. That is a big question for 5:00 p.m. on a Tuesday. We will take a note of that, and we will put that in our written submission. Thank you.

Chairperson: Thank you very much. Thank you for the presentation. We will thank you this way as well.

*(Applause)*

We will move to Sharon. Please explain the process for closing the night and how we are going to finish off. Thanks.

John: *(Spoke off mic – inaudible)*

Chairperson: Is it a question specific to this presentation? Please go ahead.

John: Mahsi. I am going to speak my language. We will say what we think and feel. The mining company, I would like to ask a question. These mining company, we have to look and see where the mining companies place the locations. *(Translation mostly inaudible due to volume significantly lower than the speaker)*. See what it looks like, what it does to our land.

*(English)*: So, you think you can allow us? Also, this is toward Canada too. If you can support us, we would appreciate it to do a tour around that area and see for ourselves why the caribou is not coming anymore over all those years. I know we have been crying out here saying things, not to disturb the caribou. But still, it looks like we have been ignored. If you guys can help us out and see for ourselves to do a tour around there, Athabasca Denesųliné and Northlands Sayisi Dene would see for themselves about the caribou, why they are not coming back. Mahsi'cho for giving me this time to speak up for what I feel. Thank you.

Chairperson: Please go ahead when you are ready.

Jamie: Yep, Thank you, Mr. Chair. Jamie Quesnel, Agnico Eagle. Thank you, John for your question. It's hard with the mic and turning around to see you. Yes, we can organize. We are very proud of the company. The operating team is very proud of what we achieved. Again, we are not perfect, but we would be happy to invite you to the operations to have a look. We just have to figure out a few details. We can communicate and organize something. Thank you.

Chairperson: Thank you, and I will turn it over to Sharon. Yeah, you are done.

*(Applause)*

I will turn it over to Sharon to talk through the last part. Thanks.

Sharon: Thank you, Mr. Chair. I have been asked before I continue on for the rest of the agenda to note to David's comment that he felt that this is a done deal. For the Commission, our role, the Commissioners' role, we are here to listen. The final recommendations and content of the Land Use Plan are guided by the mandate of the *Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act*. The recommendations and the decisions based on the submissions, the voices of the people, that is for the Commissioners that you see sitting here to make those recommendations.

To be clear on the process going forward, the Commission's job is to draft the Land Use Plan and to put the Land Use Plan forward to the signatory parties for consideration. The parties have the opportunity to design and process how they see fit once the Plan is submitted. Then, through the *NuPPAA* legislation, it compels the parties to either accept or to reject the Plan as presented by the Commission. If they reject the Plan, they must do so in writing with comments. That would be public, or they could accept the Plan.

The next steps after that: if it was rejected, it would come back to the Commission for consideration of their recommendations. Commissioners again would look at what was given to the Commission and resubmit back to the parties. So, it is not a done deal. We are here to listen, to gather. Both oral and written submissions get great weight, get equal weight.

The record does close. This process has been in the works for a long time. It is not new. We have heard many of the communities tell us to please get a Land Use Plan in place, and that is our job. So, the record does close on January 10<sup>th</sup>. Any comments, submissions that you would like to make further, you can do so until that timeline. I hope that provides clarity for everyone in the room, all the community members and registered participants of how the process is going forward. So, David, I thank you for your comment. The Commissioners do take their role very seriously.

For the next portion of the agenda, we have had two public members ask to make comments. They have been allowed five minutes each to make their comments. When they are finished, we will go to the final closing statements. For the signatory parties, as we stated at the beginning...and I just have to go back to the first page to make sure I am capturing this right. One moment.

For the signatory parties, they will have 15 minutes for closing remarks. For all other parties, registered participants, they will have 3 minutes for their closing remarks. Then, we will have our Chairperson do our closing remarks jointly with myself. Then we will have the closing prayer by George St. Pierre. Then, we will have the Denesūliné drummers close our public hearing.

We are going to continue on and hopefully we will be finished by 6:00-6:30. We do understand that there are many that want to get on the road this evening, so we will try to be as efficient with our time as possible. With that, Mr. Chair, the first public member that would like to speak is Susan Atkins. Susan, if you would like to come up to the table or stand and we can bring the mic, it is your preference. Thank you very much, and you do have five minutes. Thank you.

Chairperson: Please go ahead when you are ready.

Susan: So, I have to press a button? It is a real honour and privilege that I am here, and I get to witness this. I have been watching on the sidelines for maybe over 30 years of this process. I just wanted to share a couple of real important points, as my reflection of the past two days here. I want to thank every individual in the room that has gone through this process all together. I would like to thank every Elder that had spoken, because they had spoken about two really important components of this, and that was protection of caribou, protection of lands, and protection of water.

I want to say the biggest Mahsi'cho to all the Elders that paved the way for this to become a reality. The Elders spoke lots the other day, and I was listening, because it gave me a reminder of my past relatives and current present relatives and Elders that are in this room that have guided me well. I just adore them for that guidance, and they are still there to guide us.

The only key, real important points that I did want to bring up publicly is the protection of the caribou, all herds, and protection of the waters, because we have the cleanest waters in the world. To all parties, let's take another look at protecting the caribou and our waters for sure when we deal with mines. You know, the environmental impacts of those mines or big corporations, we need to maybe take a step back and reflect on that again.

I just wanted to bring up those few key points. The biggest Mahsi'cho to everybody that participated in this process in this past 40 to 50 years. Pat yourself on the back, and all the Elders that sit behind, past and present. Mahsi'cho. Appreciate your time.

*(Applause)*

Chairperson: Thank you. Jessie? Please. Please go ahead when you are ready. State your name.

Jessie: Salutina. Jessie Thomas. Hello, all my relations. My name is Jessie Thomas. I am Sayisi Dene from Tadoule Lake, Manitoba. I am a social worker, and I am not too sure how this fits in with all that has been discussed for the last two days, but I am wondering about how can the Government of Canada address the social and emotional impacts of what you are discussing here.

In 1956, the Government of Canada made a decision to relocate the Sayisi Dene due to the perceived decline of the caribou, and there have been numerous reports and studies of the social and emotional impact on the people. So, I am wondering what can Canada do to address the social and emotional impact of everything that is happening or will happen? Yeah, that is what I wanted to ask. Mahsi'cho.

Chairperson: Thank you. Do you have a quick answer, Spencer, or should it be done afterward? Okay, the Government of Canada will follow up with you afterwards on answering that question.

Jessie: Okay. Mahsi'cho.

Chairperson: We will start closing remarks. Government of Canada, please come forward. Please go ahead when you are ready.

## CLOSING REMARKS

Spencer: Mahsi'cho, Mr. Chair. Spencer Dewar, Crown Indigenous Relations and Northern Affairs Canada. Sorry, we had to boot up there. The Government of Canada would like to thank the City of Thompson for welcoming us and everyone who helped bring this hearing together. We would like to thank the Commissioners, the Nunavut Planning Commission team, and the interpreters for their excellent work.

This week has brought us together and has offered valuable insights into the expectations of communities and participants of a first-generation Land Use Plan. This is an important step and highlighted the difficulties and complexities before the Commission in achieving balance required in a land use plan.

This week, we have heard a lot about the importance of caribou, consultation, and the responsibilities of the Government of Canada to provide funding. It is clear that conservation of caribou is a top priority of participants in this hearing. The Government of Canada places significant importance on maintaining healthy caribou populations. The Government of Canada believes the protections of caribou is reinforced by other elements of Nunavut's integrated regulatory system,

such as the Nunavut Impact Review Board and the Nunavut Water Board, as they can impose binding terms and conditions.

Regarding consultation, as indicated before, we rely to the extent possible on the Nunavut Planning Commission process to discharge the Government of Canada's duty to consult. We recommend parties submit directly to the Commission. We do invite Indigenous groups to reach out to the Government of Canada should there be an issue that cannot be raised with the Nunavut Planning Commission.

The *United Nations Declaration of Rights of Indigenous Peoples* and the Principle of Free Informed and Prior Consent shapes the Government of Canada's consultation efforts, which aim to obtain consent from the Athabasca Denesųliné and the Ghotelnene K'odtineh Dene. We have also heard clearly the responsibility the government has to provide funding to enable capacity for meaningful participation.

The Land Use Plan is about finding balance, and it should not be a choice between economic development and jobs on one hand, and environment, culture, and food security on the other hand. Finding this balance that provides for protection of the environment and economic development will require a closer look at specific areas. This will take efforts from all the parties to collaborate and compromise to find workable solutions.

As this is the third of five public hearings, the Government of Canada is optimistic that alignment is possible through further dialogue. We appreciate the Commission's openness and flexibility as parties work together on the shared goal of a sound, well-supported, and clear Land Use Plan that can successfully be implemented. The Government of Canada remains committed to this process and will work with all participants to help inform the Commission, as we recognize that it is the Commission that has had the difficult task of developing a first-generation Land Use Plan, one that can be jointly accepted by the Government of Canada, Nunavut Tunngavik Incorporated, and the Government of Nunavut. Mahsi'cho, Mr. Chair.

Chairperson: Thank you for your closing remarks. Would Nunavut Tunngavik Incorporated please come forward? Please go ahead when you are ready.

James: (*Translated*): James Eetoolook, Nunavut Tunngavik Incorporated. I would like to say a few things regarding what we have heard from this past week, Nunavut Tunngavik. We have heard. We were taking notes, and we have taken things from whoever has spoken. We had noted all those who said, especially the First Nations. Nunavut Tunngavik wants to ensure that these rights are not demolished due to implementation of the Land Use Plan.

Inuit have, we have been talking about land use planning and Nunavut Tunngavik had mentioned that land use planning must be adopted to support Inuit decision-making on Inuit Owned Lands that limits the impact of the Nunavut Land Use Plan on the right of Inuit to manage Inuit Owned Lands.

Inuit had negotiations, defined rights on behalf of Inuit within the *Nunavut Agreement*. These include landowners to the small portion of land in the Nunavut Settlement Area. This is under the *Agreement*. Nunavut Tunngavik wants to ensure that these rights are not diminished due to implementation of the Land Use Plan. Flexible approaches in the Land Use Plan must be adopted

to support Inuit decision-making on Inuit lands that limits the impact of the Nunavut Land Use Plan on the right of the Inuit to manage Inuit Owned Lands.

These hearings are very informative and are just one step to the progress. We must continue discussions with our organizations to move forward for the first-generation Nunavut Land Use Plan. The *Nunavut Agreement* states that the Land Use Plan should reflect the priorities and values of the residents of the planning regions. This planning principle must be supported. These should be protected.

At this meeting, NTI had listened closely to the information provided and will consider this information as we work on our further submissions. I am glad to have participated in this important hearing and to have heard everyone's contributions. Thank you for this opportunity to speak to this public hearing. Thank you to the Commission staff in organizing this hearing and to the interpreters. Finally, thank you to the Community of Thompson for welcoming us here. Thompson had welcomed us while we had this hearing here.

We have to think and make a decision of how land use planning will be and how it will guide us. If it is in the Agreement, it has to get implemented. So how we can guide and work especially with the animals, wildlife that we have in our region, not just caribou, and also in Alaska. Everywhere the caribou has declined. It is due to probably the weather too. The other wildlife and tuktu should be protected. We cannot pinpoint what is causing that problem to decline on caribou. We cannot control the weather, change of weather.

We are here for the Inuit, and we are very glad that we were here. Those who are travelling either this evening or tomorrow, have a safe travel. We are here to make wildlife and Inuit and the First Nations. Once the Land Use Plan is completed, we will see. We are supporting our people and our wildlife in Nunavut. Once the Inuk was born, they are told now you are to take care of the people on the earth and the wildlife on the earth. Thank you, Commissioners.

Chairperson: Qujannamiik. Government of Nunavut, please come ahead. Please go ahead.

Henry: Henry Coman, Government of Nunavut. On behalf of the Government of Nunavut, I would like to thank the Nunavut Planning Commission for the opportunity to be here and partake in the Thompson, Manitoba public hearing for the 2021 Draft Nunavut Land Use Plan. The Government of Nunavut remains committed to the processes outlined in the *Nunavut Agreement* for land use planning and continues to support the efforts of the Commission in this task.

The successful completion of the Nunavut Land Use Plan is a Government of Nunavut priority. Once approved, the Nunavut Land Use Plan should guide and direct the territory's long-term vision for development and conservation. This is a monumental task for the Commission requiring a balanced approach that is reflected of a range of views.

I would therefore like to thank all those who have travelled here to participate in this public hearing. We wish to thank the Commission for providing this opportunity to comment on the Draft Nunavut Land Use Plan and ask them to consider the recommendations that we have made and those recommendations made by the other participants.



As stated in our presentation, the Government of Nunavut sees the need for revisions to the Draft Nunavut Land Use Plan in order to achieve an improved balance between conservation and responsible economic development goals. We have listened to and recorded the different perspectives we have heard regarding the Draft Nunavut Land Use Plan, and more broadly on the issue of caribou.

The Government of Nunavut is not recommending opening up critical areas for widespread development. Rather, the Government of Nunavut's position remains supporting caribou management through Conditional Use while balancing the need for economic development opportunities for Nunavummiut.

This Nunavut Land Use Plan will be the first step in a rigorous process that reviews the impacts and mitigation measures for projects. The Government of Nunavut is a participant in this process and contributes information, including impact on caribou.

The Government of Nunavut has listened and heard the passionate words of the Ghotelnene K'odtineh Dene and the Athabasca Denesųłiné First Nations and Inuit. We will take these concerns back to the rest of the Government of Nunavut, and it will help to inform our final review of the Nunavut Land Use Plan.

We look forward to working with the Commission and our planning partners to develop a territorial-wide Land Use Plan, which is appropriately scoped and in accordance with our mandate, Katujjiluat. We look forward to a refined Draft Land Use Plan after these public hearings and a successfully approved Nunavut Land Use Plan in the near future.

This is not an end but the very beginning of more sophisticated land use regulation in the territory. We are merely making a foundation for the Nunavut Impact Review Board, Nunavut Water Board, the Nunavut Surface Rights Tribunal, Nunavut Wildlife Management Board, governments, Inuit organizations, and Dene organizations to build upon for many generations. Mahsi'cho. Qujannamiik. Thank you, and Merci.

Chairperson: Thank you. Please go ahead, Sharon.

Sharon: Thank you. So, next for closing remarks, Ghotelnene K'odtineh Dene, Chief Simon Denechezhe and Geoff. Geoff, I don't know your last name. If you could come up, you have 15 minutes. Thank you.

Chairperson: Please go ahead when you are ready.

Chief

Denechezhe: Thank you, Mr. Chair. Simon Denechezhe, Chief of Northlands Denesųłiné First Nation. On behalf of Northlands Denesųłiné First Nation and the Community of Lac Brochet, I would like to thank the Commission and all the participants for a very productive two days for Northlands Denesųłiné First Nation. The last two days is just one more positive step in our long journey towards recognition of our inherited rights in Nunavut.

Our relationship with the Commission started well over 10 years. They have listened to our concerns, gotten to know who we are, and have worked hard to build a working relationship with our First Nations. These public hearings and all the work leading up to them give us an opportunity

to build a relationship with Inuit, Athabasca Denesųliné, with whom we had shared the lands for thousands of years.

The Government of Canada, industry, and the Government of Nunavut, this relationship building is an important step in our journey towards recognition of our people as full and equal partners in land use planning and development in Nunavut.

As you have heard today, caribou are a central concern to our people. We need a Land Use Plan that will provide the protection that the herds need. Protection of the herd is fundamental to our people and to our inherited rights.

We encourage the addition of clarity provided by the government about its proposed consultation process. Although there is still some work to do, it appears Canada is prepared to implement its commitments related to seeking Free Prior Informed Consent for our people. If Canada can't implement *UNDRIP* for Ghotelnene K'odtineh Dene in Nunavut, then its commitments are hollowed.

I again wish to thank everyone here today. Our First Nation looks forward to working collaboratively with the Commission and all parties towards the finalization, implementation of the final Land Use Plan for Nunavut. Mahsi'cho on behalf of all Northlands.

Chairperson: Thank you. Please go ahead when you are ready.

Geoff: Hello, hello. My last name is Bussidor; Bussidon it is supposed to be, which is the original name. We are talking about caribou here.

*(Translated):* I am happy to be here with all the Elders to meet at this gathering. My late grandparents raised me. Dene was the first language I have heard, and that is the language I started using. Since I was a kid, I started speaking Dene, and I always go and see places with my grandparents. I would tell them if they talked to me in English, that is how I translated to my grandparents. That is when I started translating as a little kid.

What we are talking about now, there is an Elder that passed away from our community. He was of the Elders that was eldest in the community. It has been a while since he was gone. There are four that are at the hospital at Nelson House. One Elder had passed away there. We went to go visit them with one translator here, Jimmy, before this meeting. After that, there are two Elders that are at the hospital there, one lady. They are still at that hospital. They were happy to see us.

The Elder that had passed away from my community and various Elders. Although there are a lot of young people, a lot, a lot of people are happy. Because there are very few Elders in our community, so I am happy to be here with a lot of people and others as well, listening to Elders speak, when they are telling me about their thoughts on some issues.

One Elder mentioned is at Churchill. It is not much, but I will share the story and what he had mentioned about three or four years ago when he told me it. Now I am over 82 and to share the story, and I said okay. I was happy to hear that. When I was a kid, when I was young, my grandfather had raised me. I am going to back to the trapping ground and then do you want to come with us, and I said yes, I will. Okay. It was a far distance, and when I got there, we always had gear with us. They always hunted and trapped. When we came back to him, he said whenever I harvest on land

and succeed, this is what I say. Whatever we survive off on, I too, I save for others to help. I put it aside, and for me put some aside for me to survive on. If I do that, then I tell them. There is no animal, and if there is nothing in sight, I would still tell them. What meat did I put here? That is for us to eat and for this other side, that is for you to survive on. You can eat that and use that, but you don't bother this part. That is what you say.

That is why there is still meat here. Whatever food I leave over for the wild, they would take that. What was left for me was still there. They listen to us, every wild animal that is on this planet. They listen to us. That is how the Elders used to share the stories and where they say the world was (*inaudible*), and that is one of the wildlife stories. That is how we know. For that, we have to respect that and respect the land, how to live off it, how we used to live. If you would try, it would be succeeded.

For people that look for money here that had spoken earlier, how they see the caribou migration and that is when they shut down and make room for them to migrate. Once they had passed, they opened up the mines again. It is a really positive thing that they had said that, and how the Inuit say the roads are low, high and become low, and they listen to the people. That is how the caribou migrated, so that is a very positive thing how they work, because they listen to the people.

I would like to share this short story one Elder had said that is at the hospital right now. Just mentioned it earlier, he said he is at the Churchill Hospital at the moment, and that is where we will go and visit him. He says a while ago when your late grandfather was alive, they had this land use meeting at Churchill. We used to have difficult time going to Churchill shores. When the Inuit would go back to their land, that is when we used to fish, go fishing. We used to live off fish, aquatic marines, so we had benefitted from the ocean.

He had said there have to be a good word in towards that. When I see it now, we had a difficult time living at Churchill at the time. The Inuit had lived there too. We used to hunt for big fish, trying to make money. If you recognize it now, the shores of Churchill, it would be a positive thing and a good thing if it was to come a time for us for that.

Late Grannie Betsy was mentioned earlier. I used to visit her, and she had said there was once a caribou. There was no caribou, and there were no animals. There for two years, we had survived off fish, so there may come a time when we go back to that time again, so it is best that we think about that too. Nothing was mentioned about that. Now I am going to say it in English.

(English): Mahsi. I would like to thank the Commission and all the participants in the last two days of hearing. There have been a lot of positive discussions these days, and it has been great to meet many folks. We had only met on Zoom before.

This public meeting has provided us an opportunity to build and strengthen relationships with the other parties, including the Government of Canada, the Government of Nunavut, Nunavut Tunngavik Incorporated, Kivalliq Inuit Association, Athabasca Denesųliné, Seal Watershed Alliance, BQ Board, Nunavut Water Board, Agnico Eagle.

Land use planning is an extremely important tool in resource management. The caribou and the land that we have been talking about are critical to Sayisi Dene. These are the lands that my ancestors lived off, and the lands that we continue to use and live on. My mother was born at

Edehon Lake. It was on September 29<sup>th</sup>, just a couple of days away. They did not go by skidoo or plane. They might have gone by dogs, but I don't think it would have been dog time yet, because it was September, right? They walked up there. Imagine having a baby out in the open there at that time of year. It gets kind of cold further north.

Our voice and our inherent rights to this land must be respected. We look forward to participating and working collaboratively with all parties in the post-hearing process including continued Crown consultations and working with the Crown to implement the *UNDRIP* principle of seeking Free Prior and Informed Consent for the Nunavut Land Use Plan. Thank you very much. Anybody else want to say around the table? Joe? Okay, I guess that is it. Mahsi.

*(Applause)*

Chairperson: Okay. Thank you very much. Please go ahead, Sharon.

Sharon: Thank you, Mr. Chair, and thank you for the closing remarks. For the Athabasca Dene, we have Chief Bart Tsannie.

Chairperson: Please go ahead when you are ready.

Chief Tsannie: *(The interpreter's voice was significantly diminished compared to the speaker's voice; much of the translation was inaudible, and the following is an approximation):*

Mahsi. *(Translated)*: I would like to thank all the people that had come out. We had met for days and talked over important topics regarding our land. We have to put in a good *(inaudible)* regarding the caribou, the land, the migrating birds, the water, and everything that we were talking. If we don't talk about that, it would *(inaudible)*, and it is very important to put in a good word into it. It was very positive.

Talking about the caribou and how the Inuit are using the land, I respect them, because they survived *(inaudible)* back in history as the stories we have heard. Our sisters have lived a difficult time and with the stories that is shared with us, we share as well. *(Inaudible)* There are no adults. One of them is 23, and the other one is 14. They had travelled far up to the Northwest Territories and Nunavut area to harvest for caribou. That is how they had *(inaudible)* because we rely on caribou. *(Inaudible)*, and I give them to *(inaudible)*. My grandfather used to talk to me, and now I talk with them. My late father *(inaudible)* had given the word of how to respect animals. I talk about *(inaudible)*. It is not written down, but orally and this is *(inaudible)*. What he had mentioned is *(inaudible)*. He passed away *(inaudible)*. So, we are talking about the topic that I came here, the Chair, co-chair, and all the Commission. I would like to thank all of you very much. Thank you for listening to us.

In the beginning, we need to listen to each other and understand each other. I have been working for my people for a while as Chief. Over 10 years as Councillor. I only talk about *(inaudible)*. Whenever I talk, I talk *(inaudible)*, how I talk how people will listen. I don't talk with a cold heart. And now Canada has *(inaudible)* and Nunavut government as well and Nunavut representatives. I would like to thank the reps from Manitoba and the leaders that had come here as well, Sayisi Dene people. I would like to thank all of them. The two meetings have gone *(inaudible)* is the way we would succeed and accomplish lots of things. If not, it would become to a difficult time. The Elders

that were (*inaudible*), I would like to thank them for putting their stories. As one Elder mentioned earlier, a lot of Elders are passing away on (*inaudible*). Now it is us to share the stories that was given to us as children. I know we are in kind of a rush, and we have a big job as leaders. We have other commitments as well. (*Inaudible*) Travel right after the meeting.

(*English*): When I get home, I am probably going to drive at least 17 hours to get home, so it is quite a ways, but Black Lake is further, and Fond Due Lac is further. So, with that, I just want to bring one thing up here. I wanted to object to KIA having the opportunity to give a closing remark. We were not able to hear their presentation or ask them questions. We have great concern about their hydro-link proposal, and we are not able to engage with them on that. They should be not given an opportunity to speak now that we cannot respond or question now. So, with that, wherever you are going, have a safe trip. Hope you get back to your family, and God bless each and every one of you. Mahsi'cho. Salutina.

(*Applause*)

Chairperson: Thank you very much. Please, Sharon.

Sharon: Thank you, Mr. Chair. Next is the Beverly Qamanirjuaq Caribou Management Board. Tina, you have three minutes.

Chairperson: Please go ahead when you are ready.

Tina: Thank you. First of all, I just want to acknowledge those translators. They are doing an amazing job today. It is not an easy job, and to the Nunavut Planning Commission for giving us time, the Caribou Management Board.

The Nunavut Planning Commission, Nunavut Land Use Plan has the opportunity to take significant steps to ensure that the habitat of barren ground caribou, which are the cultural keystone species of the communities that rely on them for not only food security but for cultural, spiritual, and physical health, is protected. We can tell that the Nunavut Planning Commission has listened to numerous submissions over the years by proposing some significant habitat protection through Limited Use designations in the calving, post-calving grounds, and freshwater crossings.

The Caribou Management Board has been present and listening throughout this hearing and also last week in Rankin Inlet where our Board chair presented and talked to delegates from the Nunavut communities. What we have heard reaffirms and confirms our Board's views and recommendations that were submitted, as they are aligned with the wishes of both the Inuit and the Denesųłiné caribou people.

Our six recommendations remain, namely, to protect caribou habitat, to maintain key habitats so that caribou can access their seasonal migrations to and from the calving and post-calving areas. We want you to set out clear rules for all parties to follow when using the land, and we must use established methods and tools. We should not be testing and experimenting on caribou now. We can always revise the management plan at a later date. Seasonal protection measures and mitigation do not provide long-term habitat protection.

In closing, I just want to say that these days caribou are under additional pressures from land uses and external factors that they have not had to deal with in the past. The cumulating effects from many pressures create cumulative negative effects on the herds. We need to protect their habitat so they can have their calves without disturbance, as they have done for many years.

The Nunavut Land Use Plan comes at a critical time for caribou. Let's make the right decisions and give weight to the community voices and protect the caribou for future generations. Mahsi'cho.

*(Applause)*

Chairperson: Thank you. Just one second here. I was in such a rush. We forgot to clap for the three signatories. We should say thank you to them as well.

*(Applause)*

I apologize for that. Please go ahead, Sharon.

Sharon: Thank you, Mr. Chair. Seal River Watershed Alliance, Stephanie?

Chairperson: Please go ahead when you are ready.

Stephanie: Hello. Thank you very much. On behalf of the Seal River Watershed Alliance, I wanted to say Mahsi'cho to our Elders, to the youth, our leadership, the Athabasca Dene, the Ghotelnene K'odtineh Dene, the Nunavut Planning Commission, the NPC staff, the Government of Canada, Nunavut Tunngavik, the Government of Nunavut, the Beverly Qamanirjuaq Caribou Management Board, our translators who are doing an incredible job. I really do not envy them right now. The Government of Nunavut, I think I said them already. Well, they get it twice, since we didn't clap for them, I guess. The Kivalliq Inuit Association, Agnico Eagle, I am grateful for all the work that you guys have done to date.

I feel for all of the Commissioners for all the work that is still yet to come. I think it will take a lot to go through all of that information and to consider everything, all of the stories and the voices and the Elders. I heard so many people speak from their hearts the past two days. The energy at the end of the day, I felt exhausted. I cannot imagine how you guys are feeling.

I am thankful to be able to be here today to speak to you all, speak my truth as a Denesųliné person, but also as a new project. It is amazing to be able to share with you all in person, our goals. So, I just wanted to share again, you know we envision a pristine watershed where our people, animals, and fish are healthy; our unique languages and cultures are thriving; and there is hope and abundance for all of our future generations. Mahsi'cho.

*(Applause)*

Chairperson: Thank you. Who is next, Sharon?

Sharon: The Nunavut Water Board, Assol and Jesse?

Chairperson: Please go ahead when you are ready.

Assol: Thank you, Mr. Chair. Jesse has departed, so I am alone today. The Nunavut Water Board thanks the Nunavut Planning Commission for giving us this opportunity to present our findings and recommendations on the 2021 Draft Nunavut Land Use Plan. We thank the Nunavut Planning Commission staff for the numerous discussions that we had with them during this process, and thank you also to all the parties today, especially the community representatives for sharing their knowledge. Thank you very much.

*(Applause)*

Chairperson: Thank you. Who is next, Sharon?

Sharon: Agnico Eagle, Jamie.

Chairperson: Please go ahead when you are ready.

Jamie: Thank you, Mr. Chair. Good evening. Jamie Quesnel, Agnico Eagle. Thank you, Mr. Chair. We have had the honour to present to you and the communities in Cambridge Bay, Rankin Inlet, and now Thompson. This will likely be the last time we appear before the Commission at the public hearings, so I will summarize our views for you.

We have heard from all participants that land use planning is important. Nunavut has a right to a Land Use Plan under the *Nunavut Agreement*. Nunavut has a right to a safe, clean environment. Nunavut also has a right to economic self-sufficiency. We have talked a lot about balance during these hearings, but we think it is important to make ourselves very clear on this point.

We don't see the choice to be either environment or development. For Agnico Eagle's projects, we know it has to be both. You cannot have one without the other. The Nunavut regulatory system and the Inuit landowners have held our mining development to the highest standards. We are proud of the work that we have done together. We trigger the Nunavut regulatory system when we make new applications or significantly amend our projects, and it takes many years of consultation and work for a mine to be approved.

We understand participation in these processes takes effort from the community, and we are grateful to help in the feedback. We think the benefits that can come to the communities from the mines are worth that effort. We have already seen local benefits and payments of royalties to Inuit that benefit everyone.

We directly employ Inuit and support Inuit-owned businesses. Those that are interested have had the opportunity to pursue higher-level positions within our mines, and we have many examples of individuals who have been able to achieve Red Seal Certification that can be transferred to any employment opportunity. We have seen the pride in workers at every level of employment. Every worker is essential at our operations, and everyone is given the respect they deserve.

The systems in place at our mine operations and all examples of protection of both caribou habitat and caribou themselves, they protect both. We hope that our submissions have been helpful to the Commission in their deliberations. We appreciate that you are listening to us and hearing our perspective. We will provide a written submission to the Commission prior to the close of record.



Thank you to everyone here: translators, community members, all the participants. Appreciate the hospitality in a northern mining community, and safe travels home. Thank you.

*(Applause)*

Chairperson: Thank you. Sharon, please go ahead.

Sharon: Thank you, Mr. Chair. As part of the Commission's closing remarks, first of all, I would like to acknowledge that we are on the Treaty 5 territory, and we are grateful as a team that we were able to travel to Thompson and meet each and every one of you. I would like our translators to stand up and give them a big applause, because without them, we just wouldn't be able to do our business.

*(Applause)*

We are so grateful for Annie and Tommy on our team. They are just rock stars, our whole team. Wonderful for our translations. On behalf of the Commission staff, we thank you for your open and honest dialogue; to the signatory parties for coming to all of the hearings and speaking and for providing the community members an opportunity to hear your words. I want to stress to you, the Commission and the Commissioners have heard you.

To the Community of Thompson, we have had a warm welcome, and we are very grateful to the hotels, the catering, the restaurants, all of the people that extended their hospitality to us. It has been a wonderful time and a wonderful experience here since we landed.

Going forward, I explained how the process will work already, so I won't go into that. This is the third of our five public hearings, so we are just a little over the hump of halfway. Our next hearings will be in the North and South Baffin.

Again, the Commission recognizes traditional values, Traditional Knowledge, and scientific information. We welcome all participants to provide the Commission with such. Again, I stress the closing record for the submissions is January 10<sup>th</sup>, and we encourage each of you as registered participants to communicate with the Commission and to provide any further submissions, comments, or recommendations, preferably some solutions and options so the Commission has your direction, and as our team says, sooner than later would be appreciated.

Finally, a round of applause to our Commission staff, our audio, our communications, and all our legal and external team. We would not be able to do any of this without the talent and their commitment to this file. So, to the Commission team, thank you.

*(Applause)*

Mr. Chair, I will turn it over to you. Thank you very much.

Chairperson: Thank you. I would just like to take a moment to thank you for all being here, taking your time to speak to us. We value everything that we hear. We consider everything we hear. Then we hash it out and see if we can come out with what we consider to be the best Land Use Plan to put forward to the signatories.

Without your participation, there would have been a missing piece, so thank you for filling in that missing piece.

I would like to say thank you for the opening prayer, for the opening drum song, and we are looking forward to the closing prayer and the closing drum song. May we all have safe travels home, whether that be driving or flying. Please take care and thank you once again.

*(Applause)*

I also have to say thank you to Sharon because she keeps me on the straight and narrow. She leads the team, and we appreciate her very much.

*(Applause)*

We need a mic for Elder George St. Pierre. He will be closing in prayer.

Elder St. Pierre: *(Translated)*: Merci. I am from the Hatchet Lake Band. My name is George St. Pierre. Thank you to all the people that attended here and all the people that are sitting in front of us. All the people, they are from our land: Lac Brochet, Fond Du Lake, and Black Lake. I would like to say thank you.

*(Elder St. Pierre sang and said the Closing Prayer)*

Chairperson: Drummers, please come forward for your drum song.

Modeste: Mahsi. *(Modeste spoke in his language initially; not translated)*

*(English)*: Thank you very much. In the past two days, we have been here discussing all the issues that were brought forward. At the beginning, I spoke a little bit on the drumming, my drum. When we call for the spirit of the caribou, in the past two days, the spirit of the caribou was present. So, tonight, today, we will sing a song so the spirit of the caribou to go. It is like the way we go home. We will all be coming home to our beloved ones. I also acknowledge my sister, Patricia, who lost a loved one. The drums are used for grieving too. As we sing the song, we will remember you. Mahsi'cho.

*(Applause)*

**End of Thompson, Manitoba Public Hearing**