

Nunavut Land Use Plan



2016 Draft



Nunavut Planning
Commission

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Letter from the Commissioners



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Approval Page

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Acronyms

CCG	Canadian Coast Guard
DFO	Fisheries and Oceans Canada
DND	Department of National Defence
DNLUP	Draft Nunavut Land Use Plan
IIBA	Inuit Impact and Benefit Agreement
IMO	International Maritime Organization
INAC	Indigenous & Northern Affairs Canada
IPG	Institution of Public Government (NIRB, NPC, NWB, NSRT, NWMB)
IQ	Inuit Qaujimajatuqangit
LIC	Linear Infrastructure Corridor
NEB	National Energy Board
NIRB	Nunavut Impact Review Board
NLCA	Nunavut Land Claims Agreement
NLUP	Nunavut Land Use Plan
NPC	Nunavut Planning Commission
NSA	Nunavut Settlement Area
NTI	Nunavut Tunngavik Incorporated
NUPPAA	Nunavut Planning and Project Assessment Act
NWB	Nunavut Water Board
NWMB	Nunavut Wildlife Management Board
SARA	Species at Risk Act
SDL	Significant Discovery Licence
SEA	Strategic Environmental Assessment
VEC	Valued Ecosystem Component
VSEC	Valued Socio-Economic Component

Definitions: General

In the case of inconsistencies between these definitions and those found in the Nunavut Land Claim Agreement (NLCA) or the Nunavut Planning & Project Assessment Act (NUPPAA), the definitions in those documents shall prevail.

In the NLUP:

Advanced Exploration is the phase after Exploration and prior to Mining where intensive work is done to a staked area. This includes but not limited to: bulk sampling; stripping and trenching land; removing shallow overburden; use of explosives; and drilling. A proponent may or may not require a Type A land use permit pursuant to Section 25 of the Territorial Land Use Regulation.

Areas of Asserted Title Claim is the Athabasca Denesuline Area of Asserted Title Claim under the Benoanie Litigation; or, Manitoba Denesuline Area of Asserted Title Claim under Samuel/Thorassie Litigation.

Areas of Equal Use and Occupancy means the areas generally located around the Salisbury and Nottingham Islands in the Hudson Strait, and the Bakers Dozen, King George, and Sleeper Islands in the Hudson Bay. The Aboriginal-owned lands of these islands are jointly owned and managed between the Inuit of Northern Quebec (Nunavik) represented by Makivik and the Inuit of Nunavut represented by Nunavut Tunngavik Incorporated (NTI) as illustrated under Article 40 of the NLCA.

Area of Interest is a spatial area identified by one or more communities where Land Use Designations are applied in order to protect or promote areas of particular ecological, cultural, social, economic, archaeological, historical, or research interest as well as the restoration of environmental integrity or other similar purpose.

Broad Planning Policies, Objectives and Goals refers to the 2007 document prepared by the NPC in collaboration with the Governments of Canada and Nunavut as well as NTI, in fulfilment of section 11.4.1(a) of the NLCA.

Closure refers to operations that close and/or decommission a mine. Closure of a mine includes remediation activity as required.

Commission means the Nunavut Planning Commission.

Conditions means the set of conditions or restrictions with a Land Use Designation.

Conformity Determination is the review of a Project/Project Proposal to determine if it is consistent with the Land Use Designations and Conditions set out in the Nunavut Land Use Plan (NLUP). See Chapter 6.

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Conservation Area means any Conservation Area in existence at the date of ratification of the NLCA, and, any of the following areas established under the legislation of NUPPAA:

(a) A wildlife area established under the *Canada Wildlife Act*;

(b) A critical habitat, wildlife sanctuary or special management area, as defined in Section 2 of the *Wildlife Act*, *S.Nu. 2003, c. 26*;

(c) A migratory bird sanctuary prescribed under the *Migratory Birds Convention Act, 1994*;

(d) A wetland of international importance, as defined in Article 2 of the *Convention on Wetlands of International Importance especially as Waterfowl Habitat*, concluded at Ramsar on February 2, 1971 and in force in Canada on May 15, 1981, that is designated by the Government of Canada;

(e) A marine protected area designated under paragraph 35(3) (a) of the *Oceans Act*;

(f) A protected marine area established under subsection 4.1(1) of the *Canada Wildlife Act*;

(g) A Canadian heritage river referred to in paragraph 4(1) (b) of the *Parks Canada Agency Act*;

(h) A historic place designated under the *Historic Sites and Monuments Act*;

(i) A historic place designated under the *Historical Resources Act, R.S.N.W.T. 1988, c. H-3*, and;

(j) Any other area of particular significance for ecological, cultural, archaeological, research or similar reasons, if established under an Act of Parliament or territorial law.

Contaminated Sites means an area of land which a regulatory authority has determined under applicable laws relating to the regulation of substances or products, including hazardous waste or dangerous goods, and the protection of the environment, is contaminated.

Cumulative Impacts means any ecosystemic and/or socio-economic impacts that could result from the impacts of a Project/Project Proposal combined with those of any other Project/Project Proposal or development activities that has been carried out, is being carried out or is likely to be carried out inside the Nunavut Settlement Area (NSA) or Outer Land Fast Ice Zone, or wholly or partly outside the NSA or Fast Ice Zone.

Department of National Defence (DND) Establishments means DND installations together with its personnel and major equipment, organized as an operating entity.

Designated Area refers to the NSA and Outer Land Fast Ice Zone.

Designated Inuit Organization as defined by NUPPAA means (a) Tunngavik or, the organization designated in the public record, which is maintained by Tunngavik under the NLCA, as being responsible for the exercise of any power or the performance of any duty or function under the corresponding provision of the NLCA; or (b) in respect of Inuit owned lands in the areas of equal use and occupancy, Makivik acting jointly with the designated organization determined under paragraph (a).

Disposal at Sea has the same meaning as “disposal” in section 122 of the *Canadian Environmental Protection Act, 1999* and may be amended over time.

Distant Early Warning Line is a system of radar sites.

Ecosystemic means relating to the complex of a natural community of living organisms and its environment functioning as an ecological unit in nature.

Existing Rights means the use of land which does not conform to the NLUP but lawfully existed prior to the approval of the NLUP, provided that there have not been any “significant modifications” to the use as described in Chapter 6.5 of the NLUP.

Exploration means a search for minerals by Prospecting, by geological, geophysical or geochemical surveys, by trenching, stripping, excavating or drilling or by any other method. A proponent may or may not require a Type B land use permit pursuant to Section 27 of the Territorial Land Use Regulation.

Government means the Government of Canada and/or the Government of Nunavut, collectively and/or together, excluding all others.

Hydro-Electrical and Related Infrastructure means all infrastructure related to the operation, maintenance of hydro-electrical facilities and associated distribution network.

Inuit Impact and Benefit Agreement (IIBA) are matters that are connected to a major development project in the NSA that could have a detrimental impact on Inuit or could reasonably provide a benefit to Inuit, on a territorial, regional, or local basis. IIBAs are inclusive of oil, gas, and mineral development.

Inuit Owned Lands means (a) those lands that vest in the Designated Inuit Organization as Inuit Owned Lands pursuant to Section 19.3.1 of the NLCA, and (b) any lands that are vested in, acquired by or re-acquired by the Designated Inuit

Organization as Inuit Owned Land from time to time so long as they maintain such status pursuant to the NLCA.

Inuit Qaujimagatuqangit (IQ) is Inuit knowledge referring to “what Inuit have always known.” IQ includes what has been provided from ancestors in the past, and also what currently exists and what is changing.

Land includes land and land covered by water, whether onshore or offshore, waters and resources, including wildlife, as defined in section 11.1.2 of the NLCA and section 40 of the NUPPAA.

Land Use Designation means a specific geographic area where appropriate land uses are identified and prohibited, and permitted Uses, Conditions, and/or Information on Valued Ecosystem Components (VEC) and Valued Socio-Economic Components (VSEC) may be identified.

Map Biography means the map or set of maps resulting from a face to face interview during which the individual participant indicates the places he or she has used resources within living memory. The Map Biography records activities involving the harvest of traditional resources such as hunting, trapping, fishing, gathering of medicinal plants, berry picking, camping, and traveling.

Memorandum of Understanding is a formal agreement between two (2) or more parties.

Mineral Exploration & Production includes prospecting, staking a claim, exploration, advanced exploration, removal and processing of a mineral resource, mining, developing or operating a mine, closure, reclamation, monitoring, and any other works required within the meaning of the Nunavut Mining Regulations.

Mining means the extraction of minerals, precious metals, or mineral specimens for a period of time, including any of the following undertakings that are performed in respect of a recorded claim:

- a) Examination of outcrops and surficial deposits;
- b) Excavation;
- c) Sampling;
- d) Geochemical study or analysis;
- e) Drilling; and/or
- f) Geophysical study and analysis

Ministerial Exemption is a decision from the Minister to exempt a Project/Project Proposal from conformity with the Land Use Designation and Conditions of the NLUP.

Minor Variance means relief or reasonable deviation from certain Conditions of a Land Use Designation while not permitting additional uses or changing a Land Use Designation.

Mixed Use is a Land Use Designation that allows for all uses except highways and railways but may identify Valued Components that should be considered in the design and regulatory review of Projects/Project Proposals.

Monitoring refers to the process of periodic checks to the area that has been impacted by a former mine, in order to ensure that Closure and Remediation programs are successful.

National Historic Site means a site, building, or other place of national interest or significance that has been commemorated by the Minister responsible for the Parks Canada Agency, under the *Historic Sites and Monuments Act*.

National Marine Conservation Area are marine areas managed for sustainable use and containing smaller zones of high protection. They include the seabed, the water above it and any species which occur there. They may also take in wetlands, estuaries, islands and other coastal lands.

National Park is a park or park reserve as defined in subsection 2(1) of the *Canada National Parks Act*.

National Parks Awaiting Full Establishment means an area that is awaiting full establishment as a National Park under the *Canada National Parks Act* but for which an IIBA has been signed.

Non-exploitive Scientific Research refers to research whose objective is not the development or extraction of renewable or non-renewable resources, and uses scientific methods of data collection whose procedures and outcomes adhere to recognized ethical parameters of non-exploitation.

Non-renewable resource means a resource that is finite and cannot be readily regenerated.

NPC Goals means the Goals as written in the Nunavut Planning Commission's Broad Planning Policies, Objectives and Goals, as agreed with Government and NTI in 2007.

NPC Objectives means the objectives as written in the Nunavut Planning Commission's Broad Planning Policies, Objectives and Goals.

Nunavummiut means residents of Nunavut.

Nunavut Land Claims Agreement is the Agreement between the Inuit of the Nunavut Settlement Area and the Government of Canada, where Inuit are represented by Nunavut Tunngavik Incorporated.

Nunavut Marine Council, made up of the Nunavut Impact Review Board, the Nunavut Water Board, the Nunavut Planning Commission, and the Nunavut Wildlife Management Board, may jointly advise and make recommendations to other government agencies regarding marine areas. See Section 15.4.1 of the NLCA.

Nunavut Planning and Project Assessment Act is a federal Act respecting land use planning and the assessment of ecosystemic and socio-economic impacts of projects in the Nunavut Settlement Area and making consequential amendments to other Acts.

Nunavut Settlement Area means the area described in Section 3.1.1 of the NLCA.

Obnoxious Land Use includes uses which are obnoxious or offensive by reason of their emission of odour, smoke, dust, noise, gas, fumes, cinders, vibration, refuse matter or water-carried waste.

Oil & Gas Exploration and Production includes the process of searching for, and extracting, subsurface hydrocarbon resources. For the purposes of the NLUP, Oil & Gas Exploration and Production is inclusive of seismic testing exploratory processes.

Outer Land Fast Ice Zone has the same meaning as defined by Section 1.1.1 of the NLCA.

Park as defined by NUPPAA, means a National Park, Territorial Park or a Marine Conservation Area.

Particularly Sensitive Sea Area, as defined by the International Maritime Organization, is an area that needs special protection through action by International Maritime Organization because of its significance for recognized ecological or socio-economic or scientific reasons and which may be vulnerable to damage by international maritime activities.

Periodic Review means a complete public review of an approved land use plan including its regional and sub-regional components. The NPC intends to regularly undertake such a review.

Plan Amendment is the process of considering changes to the Plan's content.

Planning Partner means an individual, group or organization, either public or private, interested in participating in the land use planning process. This includes both Inuit and Non-Inuit residents; not for profit community and Inuit organizations; municipalities; the business community; industry; environmental non-government organizations; Designated

Inuit Organizations; territorial and federal government department and agencies; Institutions of Public Government, and; any other community, regional, territorial or national organization with an interest in the social, cultural, economic and environmental impacts and benefits associated with land use in Nunavut.

Policies means the policies as written in the Nunavut Planning Commission's Broad Planning Policies, Objectives and Goals.

Priorities and Values means the issues identified by residents and communities listed in Tables 3 and 4, which were considered by the NPC in preparing this NLUP and may be relevant to the design and regulation of Projects/Project Proposals. For clarity, priorities and values are primarily identified in order to assist in the identification of VECs and VSECs which form an important aspect in the scoping function in environmental assessment (EA) and water licensing. Priorities and values are not used directly in conformity determinations, but may be used indirectly in cumulative-effects-based referrals to the Nunavut Impact Review Board (NIRB). See Valued Components.

Prohibited Use means a land use that does not conform to the requirements of a Land Use Designation.

Project/Project Proposal carry the meanings provided in the NUPPAA and NLCA respectively.

Proponent means a person or entity that proposes the carrying out of a Project/Project Proposal.

Proposed National Marine Conservation Area means an area for which the NPC has been notified by Government that a National Marine Conservation Area is being, or has been, proposed.

Proposed National Park means an area for which the NPC has been notified by Government that a National Park is being, or has been, proposed with respect to that area.

Proposed Territorial Park means an area that has undergone a background and feasibility study, has community and regional Inuit association support and has been approved by Government of Nunavut to proceed in accordance to the legal obligations and processes as outlined under the NLCA and Umbrella IIBA for Territorial Parks in the NSA.

Prospecting is the physical search for minerals, precious metals, or mineral specimens in their natural state.

Protected Area is a Land Use Designation that prohibits specified land uses that are incompatible with environmental

and cultural values and may include Conditions to guide land use. Valued Components may also be identified in these areas.

Quarries are places from which stone, rock, construction aggregate, riprap, sand, gravel, or slate has been or is being excavated from the ground. A quarry is the same thing as an open-pit mine from which minerals are extracted. Carving stone is excluded from this definition.

Regulatory Authority, as defined in NUPPAA, means a Minister, other than for the purposes of Section 197 of NUPPAA, a department or agency, a municipality or any other public body responsible for issuing a licence, permit or other authorization required by or under any other Act of Parliament or a territorial law for a Project/Project Proposal to proceed.

Related research means research directly related to other activities.

Remediation is the process of restoring an area of land as nearly as possible to the same condition as it was prior to the commencement of the land use in a manner that can support and sustain wildlife and wildlife habitat.

Screening means a process undertaken by the NIRB to determine if a Project/Project Proposal has significant ecosystemic and socio-economic impact potential for the purpose of determining whether a review is required by the NIRB or by a federal environmental assessment panel.

Seismic Testing refers to the process of using acoustic technologies on ground or in marine or freshwater environments to research subsurface geology, usually in the search for extractable resources.

Setback means a minimum distance.

Special Management Area is a Land Use Designation that may prohibit certain land uses and/or include Conditions to guide land use. Valued Components may also be identified in these areas.

Staking is the process of marking an area of land for the purpose of claiming exclusive rights to the minerals, precious metals, or mineral specimens as described in Section 30 of the Nunavut Mining Regulations, SOR/2014-69.

Territorial Historic Site means a site that has been declared to be of historical significance to the territories according to the *Historic Resources Act*.

Territorial Park means an area that has been formally and fully dedicated as a Territorial Park under the *Territorial Parks Act*.

Territorial Parks Awaiting Full Establishment means parks which have been approved by the Government of Nunavut and

are treated as Territorial Parks. These parks, including those listed under Schedule 2.1 of the Umbrella IIBA for Territorial Parks (as may be amended from time to time), are under the land withdrawal process and/or have not yet been legally designated under the *Territorial Parks Act*.

Tourism means the activities of a tourist, guide or outfitter for leisure, sightseeing, recreational and/or sporting purposes.

Valued Ecosystem Component (VEC) is an element of the environment that has scientific significance (for example: iconic animal species or clean water). See Priorities and Values.

Valued Socio-Economic Component (VSEC) is an element of the environment that has economic, social, or cultural significance (for example: jobs or adequate housing). See Priorities and Values.

Waste means a substance, whether solid, liquid or gas, that is no longer being used for its original purpose or is a bi-product and includes but is not limited to:

- a) Rubbish, refuse, garbage, and litter;
- b) Paper, packaging, and containers;
- c) Human or animal excrement, and solid or liquid manure, offal, animal carcasses in whole or part;
- d) Biomedical waste;
- e) Hazardous waste, tailings;
- f) Waste of domestic, municipal, mining, factory or industrial origin;
- g) Scrap and discarded material, articles, bottles or cans;
- h) Junk, or junked obsolete or derelict motor vehicles, or obsolete or derelict equipment, appliances or machinery;
- i) The whole or part of any article, raw or processed material, product, vehicle or other machinery or item that is dumped, discarded, abandoned or otherwise disposed of;
- j) Effluent, wastewater or sewage, sludge, slimes;

- k) Fumes, smoke of mines, factories or other industrial works;
- l) Dangerous goods as defined in section 2 of the Federal Transportation of Dangerous Goods Act, 1992, and;
- m) Hazardous waste meeting the criteria of section 2.1 of the Federal Dangerous Goods Regulations as well as PCBs, waste oil, substances containing dioxin or asbestos, waste pest control product containers and wastes containing pest control products, including wastes produced in the production of treated wood products using pest control products, leachable toxic waste, substances containing tetrachloroethylene, and waste containing polycyclic aromatic hydrocarbon; or
- n) The run-off from such substances.

Waste Site means an area of land which is no longer used for any licenced, permitted, or otherwise authorized activity, including but not limited to Contaminated Sites, hazardous waste sites, inactive mining sites, abandoned Distant Early Warning Line sites, and non-hazardous sites near communities, where substances including Waste, Contaminants, and other substances regulated by applicable laws relating to the regulation of substances or products including hazardous waste or dangerous goods, and the protection of the environment:

- a) Pose an adverse effect to human or ecosystem health;
- b) Are of unsightly appearance; or
- c) Exceed levels specified in applicable policies and regulations whether or not a regulatory authority has determined the area of land to be a Contaminated Site.

Zoning See Land Use Designation.

Definitions: Transportation and Communications

In the NLUP:

Access Roads are unmaintained, informal, all-season community-based pathways, trails, and routes with no gravel bed, minimally engineered, and suitable for personal backroad vehicles. Access roads are not surveyed, and are used for traditional or community activities, not industrial activities.

Communication and/or Telephone Lines may refer to either to cables laid below, at-grade, or supported above ground or along the bed of a freshwater or marine body of water, the purpose of which is to carry communications. Communication/Telephone Lines are not inclusive of any associated road and may also refer to a linear series of repeater stations intended for wireless communication signals.

Highways are publicly accessible roads for general use between communities. They are distinguished from Public Roads, which are not built between communities.

Linear Infrastructure means any form of constructed infrastructure that is linear in nature.

These may include:

- a) Communication and/or Telephone Lines;
- b) Highways;
- c) Marine Undersea Utility Corridor;
- d) Mine Bulk Hauling Roads;
- e) Mine Servicing Roads;
- f) Public Roads;
- g) Pipelines;
- h) Power lines;
- i) Private Roads; and/or
- j) Railways.

Linear Infrastructure Corridor (LIC) refers to a strip of land, narrower than 10km, marking the location where Linear Infrastructure is to be constructed. These corridors may, if so authorized in the NLUP, combine multimodal, intermodal, and utilities such as power and communication transmission lines and towers.

Marine Infrastructure includes ports and other infrastructure needed to support the coming and going of marine vessels. It is inclusive of any buoys, geo-location responders, beacons, charting or surveying activities, lighthouses, communication repeater stations, safety equipment depots, or other land-based, floating, or submerged marine service or safety infrastructure proposed or required on or near the regular shipping route. Marine Infrastructure may also include fixed docks, floating docks, piers, ports, loading and unloading facilities, storage

facilities, refuelling facilities and any other facilities or infrastructure which are required for operating the port or for ensuring the safe passage of vessels.

Marine On-Ice Transportation Corridors relate to travel, including traditional travel and harvest routes on the sea ice during the frozen season. Includes any Marine Infrastructure to be installed to support transport in the corridor. For clarity, includes Winter Roads and Winter Skid Tracks on sea ice.

Marine Setback refers to areas where, subject to safe navigation, certain types of vessels are not permitted entry during part or all of the year within a certain distance of a geographic feature, typically a location of importance to natural and/or cultural heritage values.

Marine Shipping Corridor means the approved corridors identified by the Canadian Coast Guard (CCG) in the Northern Marine Transportation Corridors Initiative and all normal community resupply (as defined in the NLCA) routes.

Marine Utility Corridors has the same definition as Utility Corridors, but are located at the bed of the sea.

Mine Bulk Hauling Roads are similar to Mine Servicing Roads, but are engineered for passage of bulk haul trucks one or more times daily. Mine Bulk Hauling Roads have greater potential for negative noise, air, and water pollution than Mine Servicing Roads.

Mine Servicing Roads are engineered roadways with gravel beds, whose width at road foundation is under 40 metres (exclusive of culverts), and suitable for regular year-round use, although seasonal or ecological use restrictions may be applied.

A Mine Servicing Road must:

- a) Be a Private Road: used only for restricted and specific private purposes;
- b) Have a defined operation period and a closure and remediation plan; and
- c) Not be a part of a wider transportation, road, or highway network.

Pipelines are at, below, and/or above surface grade, or along the bed of a body of water, and are intended to carry liquids, gases, and/or suspended solids.

Power lines are elevated cables, carrying an electric current, held above the ground by towers or supports, or buried in the ground, or running along the bed of a body of water.

Private Road means a built road not accessible to general use for the public, with some mechanism such as a gate preventing non-permitted access.

Proposed LIC's are within the approval process, however construction has not yet started.

Public Roads are publicly accessible roads, for general use near communities. They are distinguished from highways, which provide access between communities.

Railways are fixed-track transportation infrastructure where metal-wheeled vehicles may be operated.

Speculative LIC's may have had some feasibility, planning, or engineering studies undertaken, but no Project/Project Proposal has been submitted to a Regulatory Authority and no approval process has commenced or is underway.

Transportation Corridor is a type of L.I.C. whose purpose is solely for transportation. Such a corridor can be multi-modal. Facilities for operation or maintenance, or services of travellers are included in this definition.

Utility Corridor includes an area that is intended to be used for:

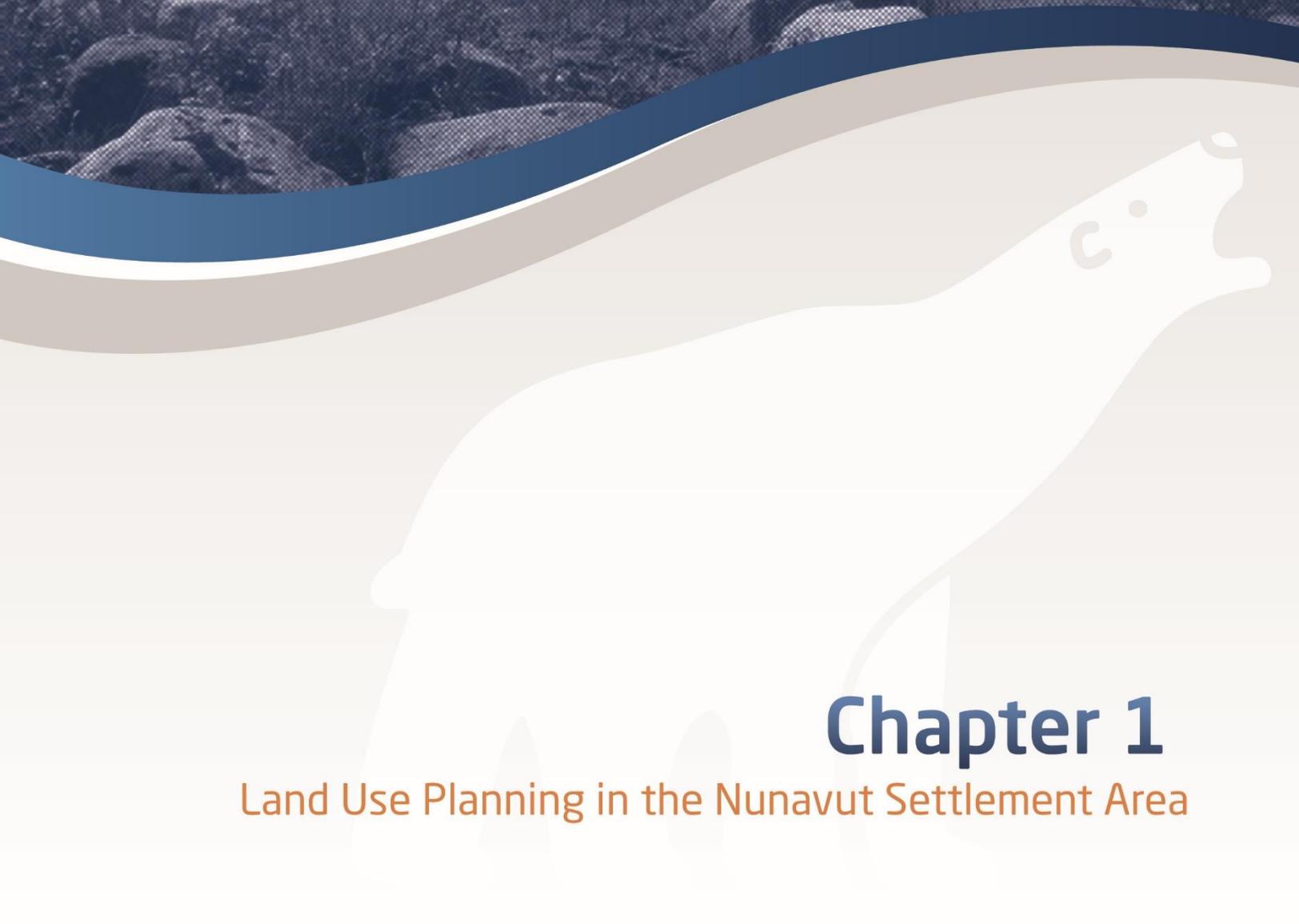
- a) Communication and/or Telephone Lines;
- b) Pipelines;
- c) Private Roads;
- d) Power lines; or

a combination of the above, but not for any other type of Linear Infrastructure.

Winter Road refers to engineered temporary roads and highways, built on snow and ice across the land and water bodies, leaving little disturbance to the area once melted. For clarity, includes winter season versions of:

- a) Mine Bulk Hauling Roads;
- b) Mine Servicing Roads;
- c) Private Roads; or
- d) Public Roads.

Winter Skid Tracks refers to a non-engineered path over ice and snow that leaves no permanent mark on the land in the snow-free season. It is inclusive of roads on frozen bodies of water.



Chapter 1

Land Use Planning in the Nunavut Settlement Area

1.1 The Nunavut Planning Commission

Following ratification of the NLCA, the NPC became an Institution of Public Government (IPG). The Commission is mandated under Article 11: Land Use Planning to develop, implement, and monitor land use plans in the NSA.

The NPC is the gatekeeper of the regulatory system in the NSA. Land use plans prepared by the NPC are intended to guide and direct resource use and development. Proponents wishing to carry out activities in the NSA must submit a Project/Project Proposal to the NPC for a conformity determination. These Projects/Project Proposals must conform to the requirements of the NLUP before it can advance further in the regulatory system.

Once approved by the Governments of Canada and Nunavut, and Nunavut Tunngavik Incorporated, land use plans are legally binding and implemented on the basis of jurisdictional responsibility through the issuance of permits, licences, and authorizations.

1.2 The Nunavut Settlement Area

The Nunavut Settlement Area (see **Figure 1**) includes one-fifth of Canada's land mass, and is the largest jurisdiction in Canada while also having the smallest population. There are less than 40,000 residents, and over 80% are Inuit, living in 25 municipalities over three regions: the Qikiqtani, Kivalliq, and Kitikmeot. All of the communities are only accessible by air and seasonally by sea.

Nunavut is home to a variety of unique and iconic wildlife species. Nunavummiut rely on wildlife for much of their diet and basic needs, therefore healthy wildlife populations are vital for the social, cultural, and economic well-being of residents.

Nunavut has the youngest and fastest growing population in Canada, as well as the highest unemployment rate, creating a need for social and economic development opportunities. While the economy is growing, there is great potential for further growth, particularly in the sectors of mining, oil and gas, tourism, and commercial fisheries. The obstacles to development include the remoteness of the location, limited infrastructure, and the high costs of transporting goods and services.

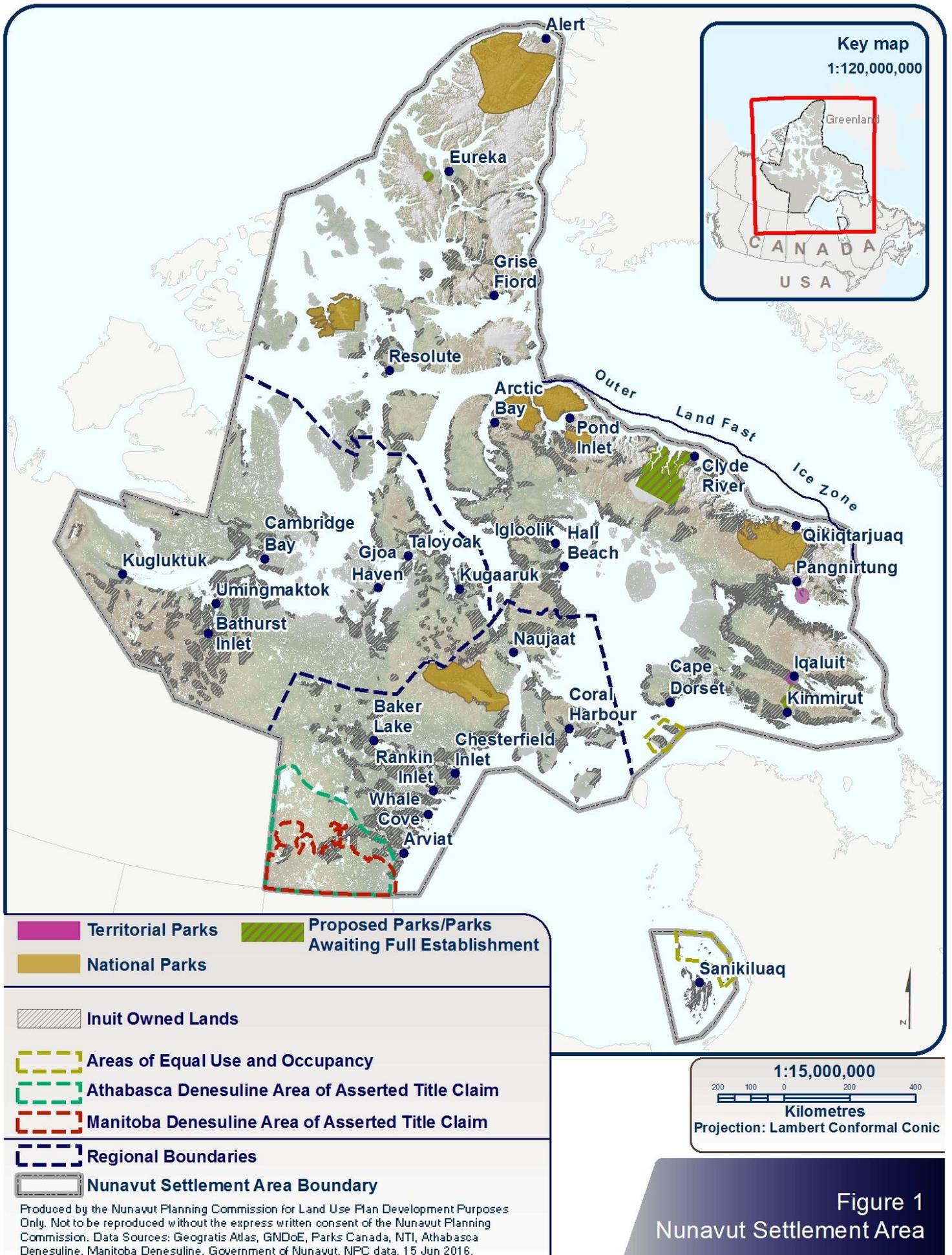
1.2.1 Inuit Owned Lands

Following the ratification of the NLCA, approximately 356,000 square kilometres (km²) of land in the NSA became Inuit Owned Land, with title being held by NTI and the three regional Inuit associations (Kitikmeot Inuit Association, Kivalliq Inuit Association, Qikiqtani Inuit Association). The majority of Inuit Owned Land is in the form of surface rights, while approximately 36,000km² includes sub-surface rights. Section 11.8.2 of the NLCA states that the land use planning process shall apply to Inuit Owned Land and shall take into account Inuit goals and objectives for Inuit Owned Land as represented by the Designated Inuit Organizations.

1.2.2 Non-Nunavut Inuit and First Nation Land Ownership in the Nunavut Settlement Area

Article 40 of the NLCA identifies Areas of Equal Use and Occupancy between the Inuit of Nunavut and Northern Quebec (Nunavik, represented by Makivik Corporation), and provides for the joint ownership of Inuit Owned Land by the two groups in the identified areas. There are also two areas of asserted title claim currently under negotiation: the Athabasca Denesuline Area of Asserted Title Claim under the Benoanie Litigation, and the Manitoba Denesuline Area of Asserted Title Claim under Samuel/Thorassie Litigation.

Aside from a small percentage of the NSA being privately owned (mostly in municipalities), the remainder is Crown land.



1.3 Broad Planning Policies, Objectives and Goals

As required under Section 11.4.1(a) of the NLCA, the NPC established Broad Planning Policies, Objectives and Goals in conjunction with the Government of Canada, Government of Nunavut, and NTI. The Broad Land Use Planning Policies, Objectives and Goals, along with Article 11 and other relevant articles of the NLCA including Articles 5 and 7, inform the development of the NLUP.

Goal 1 - Strengthening Partnership and Institutions

This goal provides direction on the land use planning process as an aspect of good governance. The goals of strengthening governance and institutions include: recognizing and respecting the mandates and jurisdictions of all participants, decision making through discussion and consensus, and working together for a common cause through the integration and application of the principles of IQ.

Goal 2 - Protecting and Sustaining the Environment

The goal of protecting and conserving Nunavut's air, land and water, i.e. the environment, including wildlife and wildlife habitat, is of critical importance to the sustainability of Nunavut's communities, Inuit culture and the continuation of a viable long-term economy.

Goal 3 - Encouraging Conservation Planning

The purpose of conservation planning is to protect the natural environment, culturally significant areas and special places for the benefit of Nunavummiut and all Canadians. This will be achieved by recognizing the general desirability to establish Parks in the NSA, supporting Conservation Area initiatives of Government, and by protecting Areas of Interest under the authority of the land use plan.

Goal 4 - Building Healthier Communities

The promotion and strengthening of Inuit culture and heritage is integral to the goal of building healthy communities in Nunavut. It is also one of the fundamental objectives of the NLCA. Protection and promotion of the well-being of Nunavut's residents and communities is the primary purpose of land use planning under Article 11 of the NLCA, is implicit in other NLCA provisions, and is an inherent goal in land use related territorial and federal statutes and policies.

Goal 5 - Encouraging Sustainable Economic Development

The goal of achieving the economic well-being of communities motivates many of the articles and provisions set out in the NLCA. The goal provides for a range of economic opportunities such as renewable resources, tourism, energy, and mineral and petroleum sectors. This goal is integral in the NLCA's objective of encouraging self-reliance and diverse economic opportunities for Nunavummiut and all Canadians and will arise from a long-term, healthy, sustainable, renewable and non-renewable resource economy.

The policies, objectives and goals of the Broad Planning Policies, Objectives and Goals document are intended to be read together and interpreted as a whole.

1.4 The Commission's Planning Approach

Planning in Nunavut has unique challenges. No other jurisdiction provides legally binding regional land use planning for an area the size of the NSA.

Land use plans prepared by the NPC may restrict or prohibit some uses of land and provide information for others. The next step of the regulatory process, environmental assessment, ensures that the uses supported by the land use plan are carried out in a manner that is consistent with the priorities and values identified in the NLUP.

The NLUP supports the NSA and Nunavummiut by guiding land use in a way that cannot be achieved by focusing on individual projects.

1.4.1 Incremental Planning

As part of the establishment of the Broad Planning Policies, Objectives and Goals document, the Commission, Federal and Territorial Government departments, and NTI formalized an incremental approach to land use planning. As stated in the forenamed document:

"Land use planning, as informed by these Broad Planning Policies, Objectives and Goals, will rely on the best available Inuit Qaujimagatuqangit and scientific information as a basis for decisions. The absence of information does not preclude the necessity to make land use planning decisions and to conclude the plan development process in a timely manner."

The Commission is taking an incremental approach to the development of the NLUP. It is not feasible to develop a completely comprehensive land use plan for such a vast area in

a reasonable timeframe. This ‘first generation’ plan is written with anticipation that subsequent generations of the NLUP will have an expanded scope. In addition, regional and sub-regional land use planning studies, which could include, amongst other options, strategic environmental assessments (SEAs) or research into prioritization of clean-up of Contaminated Sites, will be undertaken to address outstanding matters important to Planning Partners. The intention at the time of writing is that eventually the NLUP will be focused on land use planning at the watershed scale.

The Commissioners of the NPC will consider undertaking a full review of the plan every five (5) years minimum, according to the NPC’s Plan Amendment Internal Procedure as it may be amended from time to time. Input by stakeholders will play a significant role in future decisions on the timing and direction of future plan amendments.

1.4.2 Consultation

The Commission has worked closely with Nunavummiut, Planning Partners, and stakeholders to identify areas of importance to the NPC Goals.

Following the preparation of a draft NLUP in 2012 and a two year consultation process, the Commission has learned a great deal about the priorities and values of residents, as well as those of the Government of Canada, the Government of Nunavut, Inuit organizations, other IPGs, industry, communities from neighbouring jurisdictions, and non-governmental organizations. Information relied upon in drafting the NLUP can be found in the public registry.

The community consultation phase of the planning process included meetings with elected officials and public workshops where the content of the NLUP was reviewed and the priorities and values of residents were recorded. Meetings and workshops were hosted in the 25 municipalities of Nunavut. Five (5) Inuit communities from Northern Quebec, two Denesuline communities from Northern Manitoba and three from Northern Saskatchewan were also consulted in accordance with Article 40 of the NLCA: Other Aboriginal Peoples.

1.4.2.1 Key Messages from Nunavummiut

During the compilation of priorities and values from residents and neighbouring jurisdictions, the NPC learned that food security is of the utmost importance. In Nunavut communities, which are only accessible year-round by air and where there are often few economic opportunities, access to country foods such

as caribou, fish, and sea mammals is the highest priority. Food security exists when all Nunavummiut have access to safe and nutritious food to meet their dietary needs and food preferences. The opposite, food insecurity, exists when there is an inability to acquire a sufficient quantity of food. This occurs in Nunavut and neighbouring jurisdictions when wildlife that was once bountiful in an area is no longer present. In Nunavut, the NPC also heard that hunting for food is not just about accessing the local food source, but also about maintaining and promoting Inuit culture and sharing of social norms and traditions.

During consultations for the NLUP, the NPC frequently heard that current wildlife populations were not as abundant as in the past, and that something needs to be done to ensure that important habitat is protected. The impacts of climate change and human disturbance were often noted as contributing factors. Most participants agreed that being notified in advance of a proponent accessing the land was important.

Access to safe drinking water, whether from municipal sources or from streams while on the land, is essential to Nunavummiut. Preservation of water quality is an underlying theme for protecting the environmental integrity of the NSA.

During community workshops and meetings with elected officials, the NPC heard of the need for economic development both from renewable and non-renewable resources. Planning Partners have noted that realizing the economic opportunities of the NSA requires access to lands and suitable transportation networks to support the activities and move resources to markets. There must be a balance between industrial development and the environment in order to guarantee the long-term preservation and conservation of the land, wildlife, and wildlife habitat.

Residents would like to see the development of a stronger economy that would provide more business and employment opportunities, particularly for youth. At the same time residents want to maintain the traditional lifestyle of Inuit.

1.4.3 Inuit Qaujimaqatugangit

IQ is first-hand knowledge obtained from knowledgeable Inuit Elders, pertaining to:

- a) Language;
- b) Culture;
- c) Values and beliefs;
- d) Survival skills;
- e) Use of resources;
- f) Humane and sustainable harvesting; and

- g) An understanding of society, ecology, and environment.

- c) Demonstrating this attitude helps build positive relationships with others.

IQ consists of the past, present, and future experience, and includes the knowledge and values of Inuit society. The following are the guiding principles of a traditional Inuit family and leader/community model:

1. *Pijitsirniq*

- a) Leadership role assumes responsibility to serve community;
- b) Knowledge and ability-based leadership;
- c) Authoritative vs authoritarian; and
- d) Serves in the interest of community as opposed to pure self-interest.

2. *Aajiiqatigiingniq*

- a) Inclusive decision-making;
- b) Ensures that all parties understand each other;
- c) Doing different tasks for a common purpose; and
- d) Ensures wise use of resources.

3. *Pilimmaksarniq*

- a) Skill development ensures success and survival;
- b) Ensures that all members are able to contribute to the community; and
- c) Knowledge gained through observation and experience.

4. *Piliriqatigiingniq*

- a) Believes that all members can contribute to the community;
- b) Ensures wise use of limited resources; and
- c) Sharing of resources and collaborative relationships.

5. *Avatimik Kamattiarniq*

- a) People are part of the environment;
- b) What people put into the environment comes back to them; and
- c) Vast store of experiential knowledge pertaining to environment and wildlife needs to be collected and collated to be used in conjunction with western methods of research and management.

6. *Qanuqtuurranniq*

- a) Improvising with what is available;
- b) Not giving up in the face of obstacles; and
- c) Reflecting on a problem before acting on a decision.

7. *Inuuqatigiisiarniq*

- a) Showing respect and a caring attitude for others;
- b) Consideration of relationships to people, and behaving in ways that improve the relationship; and
- c) Building strength in themselves, others, and together as a community.

8. *Tunnganarniq*

- a) Welcoming others;
- b) Being open in communications and inclusive in ways to interact; and

The collection and transfer of IQ into the NLUP has been an overarching focus of the NPC throughout the planning process. The four primary sources have been:

- a) Use and Occupancy Mapping. This long-running program involves community visits and in-depth interviews with Inuit on current use of the land. Use and occupancy methodology has been proven to be legally defensible in Canada;
- b) Community consultations (see 1.4.2);
- c) Written input from communities and individuals; and
- d) Literary research. NPC used applicable research undertaken by other parties and agencies, including industry, government, RIOs, and academia.

The data from these multiple sources has been overlaid and considered for the NLUP.

1.5 Watershed Management Planning

The Minister of INAC, along with the Government of Nunavut and the Nunavut Water Board (NWB), established under Article 13 of the NLCA, have mandated responsibilities for the management, conservation and use of freshwater in Nunavut. The federal government and the NWB have shared responsibilities for the management of freshwater resources in Nunavut while the Government of Nunavut has responsibilities for community drinking water and waste management systems. The *Nunavut Waters Regulations (SOR/2013-69)* established 65 water management areas within Nunavut (see Schedule B).

Land use management within these water management areas is expected to be an important component of future generations of the NLUP because of the inter-connectivity between land and water throughout the NSA.

1.6 Limitation of Data

The Commission recognizes that there are data gaps in our knowledge in the Arctic. Chapter 6 contains recommendations on future research to be undertaken in Nunavut. As new information is provided, the NLUP will be updated as required to ensure the best information is available to support an integrated regulatory system.

1.7 The Nunavut Land Use Plan

1.7.1 Purpose of the Nunavut Land Use Plan

The NLUP is a legal requirement of Section 11.5.1 of the NLCA and Part 2 of NUPPAA to guide and direct short-term and long-term development in the NSA. The NLUP must be consistent with the Broad Planning Policies, Objectives and Goals document and reflect the priorities and values of residents. The NLCA includes a variety of social, cultural, economic, and environmental factors to consider in the development of land use plans, and also includes the following foundational statement found in Section 11.3.2:

“The purpose of a land use plan shall be to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, taking into account the interests of all Canadians, and to protect, and where necessary, to restore the environmental integrity of the Nunavut Settlement Area.”

1.7.2 Nunavut Land Use Plan Content

The NLUP contains the following six chapters and supporting material:

Chapter 1:	Introduction
Chapter 2:	Protecting and Sustaining the Environment
Chapter 3:	Encouraging Conservation Planning
Chapter 4:	Building Healthier Communities
Chapter 5:	Encouraging Sustainable Economic Development
Chapter 6:	Implementation Strategy
Schedule A:	Land Use Designations
Schedule B:	Valued Components of Nunavut
Annex A:	Considerations of Information Requirements for Conformity Determinations on Certain Transportation & Communication Projects
Annex B:	Requirements for bridging over icebreaker tracks
Annex C:	Recommendations and Action Items for Government and Nunavut Tunngavik Incorporated

Table 1: **Provides Regulations for the Land Use Designations Presented on Schedule A**

Tables 2-6: **Provides background information on VECs and VSECs and Priorities and Values of Nunavummiut, as well as research materials**

Chapters two (2) through six (6) include specific NPC Goals and Objectives for land use planning in Nunavut. Areas and issues that have been identified for their significance to each NPC Goal are discussed, and Land use Designations are assigned.

Chapter 6 describes the planning tools used by the Commission to implement the NLUP.

Schedule A provides a summary of the Land Use Designations, and an illustration of their spatial extent.

Schedule B provides a summary of additional Information on VECs and VSECs, and also includes an illustration of water management areas.

1.7.2.1 Options and Recommendations Document

The Options and Recommendations document provides explanatory notes and details on the land use polygons presented in Schedule A.

1.7.3 Application of the Nunavut Land Use Plan

Pursuant to NUPPAA, the NLUP applies to all Projects/Project Proposals within the NSA and Outer Land Fast Ice Zone including surface and subsurface lands, freshwater, marine areas and the beds of these bodies of water. The NLUP does not apply within established National Parks, National Marine Conservation Areas, Territorial Parks, and National Historic Sites administered by Parks Canada.

Within municipal boundaries, the NLUP applies to Projects/Project Proposals that:

- a) Have ecosystemic impacts outside the municipality; or
- b) Involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydroelectric power or any industrial activities.

The NPC may communicate with the NIRB and NWB when determining if there is a concern regarding cumulative impacts.

The NLUP does not apply to subsistence land use or to the harvesting of wildlife, as defined in the NLCA. Unless falling within one of the exceptions noted above, any aerial or vessel

setbacks do not fetter the Inuit right to unrestricted access for the purposes of harvesting.

1.7.4 Land Use Regulatory Concepts

Land Use Designations manage land use through the following concepts, which have been designed to function under Section 48(4) and 74(f) of NUPPAA and are enforceable by law.

Prohibited uses: identify incompatible land uses that do not conform to the NLUP.

Conditions: identify requirements such as setbacks that land users must follow.

Information on VECs and VSECs: identify priorities and values that help inform NPC on cumulative effects-based referrals to NIRB, and that Regulatory Authorities, where appropriate, need to address when implementing the NLUP during the regulatory review of Projects/Project Proposals.

1.7.5 Land Use Designations

One of the following three Land Use Designations is assigned to all areas where the NLUP applies.

1.7.5.1 Protected Areas

Protected Areas prohibit certain specific land uses that are incompatible with environmental and cultural values and may identify Conditions to guide land use and/or Information on VECs and VSECs.

The intent of PAs is to support environmental protection and/or cultural priorities, including wildlife conservation, protection, and management, taking into account factors such as the following:

- The natural resource base and existing patterns of natural resource use;
- Environmental considerations, including wildlife habitat;
- Cultural factors and priorities, and;
- Special local, regional, and national considerations.

It is prohibited to contravene any applicable restrictions in PAs under 74(f) of the NUPPAA.

1.7.5.2 Special Management Areas

Special Management Areas may restrict access to certain specific uses, or prohibit incompatible uses, and may identify Conditions to guide land use and/or Information on VECs and VSECs. Compared to PAs, SMAs provide more flexible management of areas of environmental or cultural importance. SMAs also provide management for areas of economic potential as well as areas with existing land uses.

The intent of SMAs is to support the identified value of the area, taking into account factors such as the following:

- The natural resource base and existing patterns of natural resource use;
- Linear Infrastructure, including transportation and communication services and corridors;
- Energy requirements, sources and availability;
- Community infrastructural requirements;
- Environmental considerations, including wildlife habitat;
- Cultural factors and priorities; and
- Special local, regional, and national considerations.

It is prohibited to contravene any applicable restrictions in SMAs under 74(f) of the NUPPAA.

1.7.5.3 Mixed Use

Areas that have been identified for their potential to support a variety of land uses are managed through a **Mixed Use** Land Use Designation.

Figure 2: Mixed Use



As illustrated in Figure 2, the intent of Mixed Use Land Use Designations is to support a variety of opportunities and land use activities, taking into account the following factors:

- The potential for economic opportunity in the NSA;
- The potential for conservation initiatives in the NSA; and
- The social well-being of the residents of the NSA.

In Mixed Use Areas, all uses are considered to conform to the NLUP with the exception of highways and railways; however, Mixed Use areas important to certain VEC and VSECs are presented in Schedule B.

1.7.5.4 Overlapping Designations

Where the footprint or study area of a Project/Project Proposal occurs in more than one land use designation, it will be considered to conform as long as all aspects of the project

conform to the requirements of both designations. If a designation boundary appears to follow a geographic feature or property boundary, it follows that feature or boundary.

Land Use Designations and their respective Conditions as established in the NLUP are legally binding. The Commission implements the NLUP by conducting Conformity Determinations on Projects/Project Proposals. Regulatory Authorities implement the relevant Conditions through the issuance of permits, licences, and authorizations as appropriate, and through the conduct of their activities and operations as they relate to the management and regulation of Projects/Project Proposals.

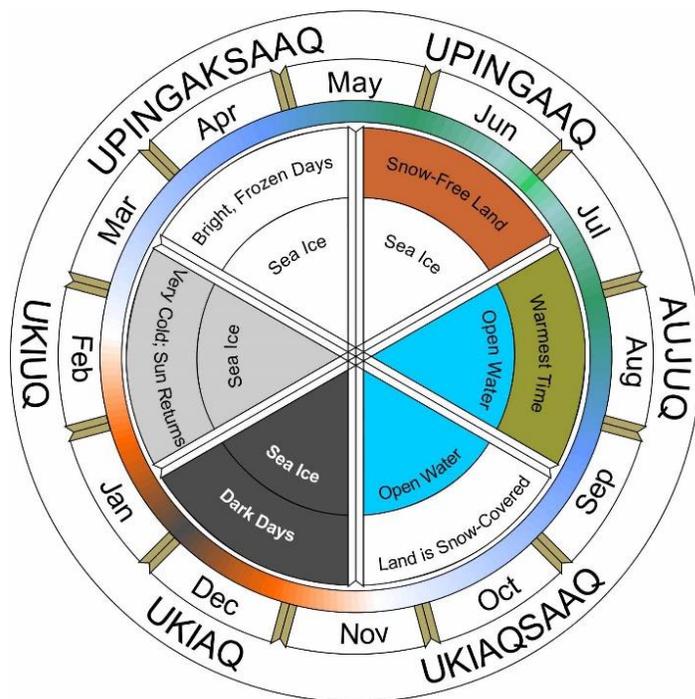
Projects/Project Proposals must conform to all Designations and meet the most stringent requirements of the overlapping designations.

1.7.6 Seasonal Restrictions

Some PAs and SMAs, particularly in marine areas, have restrictions that are seasonal in nature (they do not apply year-round). Wherever possible, these seasonal restrictions are based on Inuit seasonal cycles and systems, which are not similar to those in the rest of Canada. There are six (6) seasons in Nunavut, however, start and end dates differ from region to region. Figure 3 presents these six (6) seasons at a conceptual, generalized level. The dates to be used for these seasons by region are presented in Figure 4. Minor variances of up to two (2) weeks may be granted on these dates, to take into account variations between years.

It is prohibited to contravene any applicable seasonable restrictions in PAs and SMAs the under 74(f) of the NUPPAA.

Figure 3: Generalized Annual Snow, Ice, Water, and Light Cycles



Ukiuq is the coldest part of the year. Ice on lakes and the sea is very thick, and the days lengthen quickly.

Upingakaaq is characterized by long days. The land is snow-covered, and the ice on lakes and the sea is very thick. It is the brightest time of the year.

Upingaaq is the period of melting. The land is snow-free while the sea is still frozen, and the rivers begin to break up. Days are very long.

Aujaaq is summer, when the sea and the lakes are open and the land is usually warmest.

Ukiaksaaq heralds the coming of winter. The lakes freeze and the land is covered with snow, but the sea stays open. The length of the days is shortening rapidly.

And finally, *Ukiuq* is the darkest time of the year when the sun will not be seen in much of Nunavut. The sea freezes.

Figure 4: Seasonal Dates in Nunavut

Season →	UKIUQ Sea Ice; Sun Returning; Very Cold		UPINGAKSAAQ Sea Ice; Land Snow; Long Daylight		UPINGAAQ Sea Ice; Snow Free Land; Very Long Days		AUJIAQ Open Water		UKIAKSAQ Lake Ice; Snow on Land; Open Water		UKIAQ Sea Ice; Dark Days	
Region ↓												
North Baffin	F1-Mr31	Ap1-My31	Jn1-Jy31	Ag1-S30	O1-N30	D1-Jr31						
South Baffin	F1-Mr31	Ap1-My31	Jn1-Jy14	Jy15-S30	O1-N30	D1-Jr31						
Sanikiluaq	Jr15-Mr31	Ap1-Jn14	Jn15-Jy14	Jy15-S30	O1-D14	D15-Jr14						
North Kivalliq (Incl. Nauyasat & Southampton Island)	F15-A14	Ap15-Jn14	Jn15-Jy31	Ag1-S30	O1-N30	D1-F14						
South Kivalliq	F1-Mr31	Ap1-My31	Jn1-Jy31	Ag1-S30	O1-N30	D1-Jr31						
Aqunnik (East Kitikmeot & Melville Peninsula)	F16-Mr31	A1-My31	Jn1-Ag14	Ag15-S14	S15-O14	O15-F15						
West Kitikmeot	F16-Mr31	A1-My31	Jn1-Ag14	Ag15-S14	S15-O14	O15-F15						
Jr	→	January		Jy	→	July						
F	→	February		Ag	→	August						
Mr	→	March		S	→	September						
Ap	→	April		O	→	October						
My	→	May		N	→	November						
Jn	→	June		D	→	December						

1.7.7 Using the Nunavut Land Use Plan

The following steps can be used as a guide for proponents considering submitting Projects/Project Proposals to the NPC:

Step 1: Determine Land Use Designation for Project/Project Proposal location (for purpose of determining conformity)

Refer to Schedule A: Land Use Designations and, if applicable, Figure 4: Seasonal Dates in Nunavut

Step 2: Determine if the proposed land use is prohibited or is consistent with applicable Land Use Designation (for purpose of determining conformity)

Refer to Table 1

Step 3: Determine if any Conditions apply to location of Project/Project Proposal (for purpose of proceeding with activity or proceeding to regulatory stage)

Refer to Table 1

Step 4: Determine the VECs and VSECs that have been identified (for purpose of proceeding with activity or proceeding to regulatory stage)

Refer to Tables 3, 4 and 5, and Schedule B, for assistance in determining which factors in an area are of greatest interest to the affected communities (primarily for use in environmental assessment and water licensing).



Chapter 2

Protecting and Sustaining the Environment

The intent of the Protecting and Sustaining the Environment Goal is to conserve Nunavut’s air, land, and water, which is of critical importance to the sustainability of those living in the NSA. For long-term sustainability, the following factors should be taken into account:

- a) The natural resource base and existing patterns of natural resource use;
- b) Environmental considerations, including wildlife and wildlife habitat;
- c) Cultural factors and priorities, and;
- d) Special local, regional, and national considerations.
- e) The following areas and issues have been identified to support the NPC Goal of Protecting and Sustaining the Environment:
- f) Key migratory bird habitat sites;
- g) Caribou;
- h) Polar bear denning areas;
- i) Walrus haul-outs;
- j) Marine areas of importance;
- k) Transboundary considerations; and
- l) Climate change.

The Commission’s objectives are to:

- a) Protect, enhance, and restore environmental quality and provide for the sustainable utilization of natural resources;
- b) Manage land use in and around areas of biological importance, Conservation Areas, areas of significance to Inuit, Areas of Interest, or areas adjacent to National and Territorial Parks;
- c) Identify and provide protection for the natural environment, areas of biological importance, traditional land use activities and cultural landforms through the establishment of land use zones and terms outside of formal legislative processes, to protect, and where necessary, restore the environmental integrity of the NSA;
- d) Address the requirements for conservation, management and protection of aquatic resources, their habitats and ecosystems;
- e) Protect the integrity of ecosystems, flora, and wildlife habitats, paying special attention to species at risk, critical habitats, and inter-jurisdictional management of migratory animals;
- f) Utilize both science and IQ to maintain or enhance the biological diversity of Nunavut and to promote the restoration and revitalization of depleted wildlife populations; and
- g) Address the cumulative social, cultural, economic and environmental impacts of a broad range of land use activities (including transboundary impacts) on the environment, wildlife, and wildlife habitat.

2.1 Key Migratory Bird Habitat Sites

The NSA provides key habitat sites for a variety of migratory bird species known to nest in the area, with a number of these species entirely dependent on Canadian Arctic habitat. Many of these nesting species are colonial and are found in high densities at geographically distinct sites during their time in the Arctic.

Key Migratory Bird Habitat Sites have been identified for their importance to sustaining bird habitats in the NSA, and are grouped into two categories:

Highly risk intolerant sites:

- a) Support a percentage of a national species population equal to or greater than the percentage of ‘sustainable loss’ that the population can tolerate;
- b) Host more than five (5) percent of a national population of a species exhibiting population declines as of 2005; and
- c) Contain habitat likely to be identified as critical habitat for a migratory bird listed as ‘endangered’ or ‘threatened’ under the Species at Risk Act (SARA).

Moderately risk intolerant sites:

- a) Contain five (5) to ten (10) percent of the national population of one or more migratory bird species that are not exhibiting population declines as of 2005; or
- b) Contain one (1) to five (5) percent of the national population of one or more migratory bird species that are exhibiting population declines as of 2005.

Projects/Project Proposals must comply with the setbacks in Table 2 except for wildlife health, abundance, or distribution information research activities. For greater certainty, this condition does not apply to the Inuit right to unrestricted access for the purposes of harvesting pursuant to NLCA Section 5.7.16.

The Commission considers it important to manage these areas to maintain their value to birds.

Key Migratory Bird Habitat Sites considered to be highly risk intolerant have been assigned a Protected Area Land Use Designation that prohibits incompatible uses, and includes setback requirements.

[See Schedule A and Table 1 – Site # 2-6, 16-37]

Key Migratory Bird Habitat Sites considered to be moderately risk intolerant have been assigned a Special Management Area Land Use Designation that includes setback requirements.

[See Schedule A and Table 1 – Site # 1, 7-15]

Key Migratory Bird Habitat Sites not considered to be highly risk intolerant or moderately risk intolerant are known as VECs.

[See Schedule B]

2.2 Caribou

Supporting much of the tundra biodiversity, caribou are a keystone species within the northern ecosystem. Caribou are an essential resource providing food, supporting cultural heritage, and driving local economies. Caribou migrate across vast ranges of the mainland and high Arctic islands, and are harvested by residents of all communities in Nunavut.

Caribou are tremendously valuable to the health and well-being of Nunavummiut. The relationship and historical dependence on caribou is a fundamental part of Inuit identity.

In developing the NLUP, the NPC received detailed technical information and traditional Inuit knowledge on the types of Caribou in Nunavut, their seasonal ranges, and herds. This information was vital in informing the NLUP and establishing land use designations.

Where land uses may interact with or impact on caribou in Nunavut, including caribou that migrate to other jurisdictions, the NLUP recommends that users of the NLUP, including Institutions of Public Government, environmental assessment panels, and other Regulatory Authorities consult the Options and Recommendations document.

2.2.1 Designations on Caribou Habitat

Caribou-specific land use designations have been established only for Mainland herds due to insufficient information on other herds.

The NPC intends to initiate Plan Amendments when new information on caribou, affecting the Land Use Designations in Schedule A, is received.

2.2.1.1 Core Caribou Calving Areas

Core-calving areas are of critical importance for maintaining healthy caribou populations. They are also the place where caribou are most vulnerable to disturbance. The impacts of exploration and development cannot be effectively mitigated in core-calving areas.

2.2.1.2 Key Access Corridors

Key access corridors are regularly used pathways essential for providing access to core-calving areas. Development and/or disturbance along these routes presents a high risk of causing caribou to shift or abandon their calving areas.

2.2.1.3 Post-Calving Areas

Post-calving areas are used by caribou for the nursing of calves. Disturbance in these areas can lead to higher calf mortality due to a reduced nursing time, or cow-calf abandonment. Additionally, adults are affected by displacement from areas with high quality vegetation.

Core caribou calving areas, key access corridors, and post-calving areas are assigned a Protected Area Land Use Designation that prohibits incompatible uses. For clarity, this applies to areas that are shown as having high mineral potential in Schedule B.

[See Schedule A and Table 1 – Site #38-40]

2.2.1.4 Freshwater Caribou Crossings

Locations where caribou regularly cross freshwater during their migration are unique areas of limited geographic extent where caribou are very sensitive to disturbance. IQ places taboos on appropriate use, including visitation, of certain freshwater crossings in order to limit disturbance.

The freshwater caribou crossings include 20km buffers. For clarity, this Protected Area status is not intended to affect shipping between Baker Lake and Chesterfield Inlet during open water seasons.

Freshwater caribou crossings are assigned a Protected Area Land Use Designation that prohibits all uses, with the exception of marine shipping between Chesterfield Inlet and Baker Lake.

[See Schedule A and Table 1 – Site #159]

2.2.1.5 Caribou Sea Ice Crossings

Caribou that cross frozen sea-ice during their annual migrations are vulnerable to changing sea ice conditions and disturbance by ice breaking activities.

Icebreaking during times of migration will have significant negative impact on herd survival. Caribou will frequently attempt crossing icebreaker tracks, and expire through exhaustion, drowning, or freezing upon failure to remount the ice on the far side of the track. Those animals that do not attempt to cross will

have additional energy demands placed on them as they wait for refreezing to occur.

The Dolphin & Union Tundra Wintering herd is dependent on sea ice crossings for survival. This herd crosses from Victoria Island to the mainland upon freeze-up, typically between mid- late October and late November. The herd returns to Victoria Island before breakup, between mid-May and mid-June. However, freezing temperatures do not generally continue past late March. While there may be a concentration at the Dolphin & Union Strait and Dease Strait, collar data is inconclusive. As a result, the whole portion of the Northwest Passage between Victoria Island and the mainland is essential for survival.

The Somerset-Prince of Wales subgroup of Peary caribou relies on ice crossings between Somerset Island, Prince of Wales Island, and Boothia Peninsula. It is not known if particular times are more important for these caribou than others.

The Bathurst subgroup of Peary caribou relies on ice crossings between Bathurst Island and the numerous small islands near the northwest portion of Bathurst Island.

Many countries do not recognize Canadian sovereignty of the Northwest Passage. To protect these sea-ice crossings from foreign vessels, it is necessary to register them with international bodies.

Caribou Sea Ice Crossings are assigned a Special Management Area Land Use Designation that includes seasonal restrictions preventing any and all shipping during the seasons of Ukiaq and Upingaksaq.

[See Schedule A and Table 1 – Site # 152-154]

The NPC recommends that the Government of Canada consider registering Caribou Sea Ice-Crossing as Special Area, Particularly Sensitive Sea-Ice Area, or area to be avoided or a combination of these to ensure international vessels respect this closure.

2.2.1.6 Other Seasonal Ranges

Caribou seasonal ranges represent vast areas of Nunavut that are important for the survival and success of caribou herds. All are described as VECs in Schedule B, except Winter Ranges.

Caribou Rutting Areas and Migration Corridors are assigned a Mixed Use Designation, and are presented as areas of a known VEC.

[See Schedule B]

2.3 Polar Bear Denning Areas

Polar bears are an important part of Inuit culture, are integral to the marine ecosystem, and are the top predator within the food chain. They are designated as a species of special concern under the SARA.

Polar bear habitat is characterized as coastal and nearshore land, and offshore open water and ice environments, with sea ice being the primary influence of habitat use. Spending most of their life on sea ice, polar bears are susceptible to climate change. Polar bear denning areas are important coastal habitats where females give birth and feed their cubs. The majority of dens are located on land in thinly and randomly scattered areas over very large geographic areas.

Despite the SARA listing, the information provided to the NPC on polar bear denning areas was not sufficiently precise to allow the NPC to recommend land use designations in specific locations. However, consistent with NPC's commitment to regularly review the Plan, this will be reviewed as new information comes to light.

Polar Bear denning areas are assigned a Mixed Use Designation, and are presented as areas of a known VEC.

[See Schedule B]

2.4 Walrus Haul-Outs

The Atlantic walrus plays a major role in the ecological function of the Arctic marine ecosystem and is an important part of the traditional subsistence economy for the Inuit of Nunavut. There are four (4) distinct populations of Atlantic walrus in Canada, all of which reside in Nunavut.

Habitat requirements for walrus include sea ice and shallow water habitat in the winter, and low, rocky shores to congregate and "haul-out" in the summer and fall. Walrus return to known locations annually. Haul-outs are often small but heavily used areas. Traditional rules for the timing and method of approaching haul-outs are known to nearby Inuit communities.

Walrus Haul-Outs are assigned a Protected Area Land Use Designation that prohibits incompatible uses and includes setback requirements of up to 5km.

[See Schedules A and Table 1 – Site # 41]

2.5 Beluga Calving Grounds

Habitat requirements for beluga whales are seasonal, and they frequently return to the same locations each year. In the summer, belugas concentrate in shallow estuaries and coastline environments, and at this time they are sensitive to disturbance.

The calving season in Hudson Bay is June and July, which translates to the Inuit season of Aujuq.

Beluga Calving Grounds are assigned a Special Management Area Land Use Designation that includes seasonal restrictions during Aujuq.

[See Schedule A and Table 1 – Site # 161]

2.6 Marine Areas of Importance

The NSA contains diverse and productive marine ecosystems that host a variety of unique wildlife species. Almost all Nunavut communities are located on the coast, and Inuit have long relied on marine environments to provide essential food sources.

2.6.1 Ecologically and Biologically Significant Areas

Ecologically and Biologically Significant Areas have been identified for the marine areas of the NSA. Due to limitations in available information, these areas have been identified at large spatial scales. They are considered as compendiums of different VECs. It is anticipated that as available science, traditional knowledge, and understanding of these areas improves, future planning at finer scales may identify more specific management requirements.

Ecologically and Biologically Significant Areas are assigned a Mixed Use Designation, and are presented as areas of a known VEC.

[See Schedule B]

2.6.2 Polynyas

Polynyas are areas of persistent open water surrounded by sea ice. They are created where strong upwelling or currents prevent freezing. Polynyas are important areas for wildlife as they provide access between the ocean and the atmosphere for many species and are nutrient rich, biologically productive areas. Icebreaking in or through polynyas can have negative impacts on their structure or other characteristics. The location of polynyas may change over time due to climate change and other

environmental factors, and may exhibit different characteristics in terms of stability and environmental importance.

Two polynyas have attracted the most public concern because of their importance to a wide variety of VECs. The Lancaster Sound polynya is an essential component of a proposed National Marine Conservation Area. The North Water polynya, also called Pikialaorsuaq, located between Ellesmere Island and Greenland, is the most northerly polynya in North America. It is considered essential to the survival of several marine mammal species in the High Arctic, and is the subject of research and consultation by the Inuit Circumpolar Commission.

The Lancaster Sound and North Water (Pikialaorsuaq) Polynyas are assigned a Special Management Area with seasonal restrictions and are shown in Schedule A.

[See Schedule A and Table 1 – Site # 157, 158]

All other polynyas, which are not well understood, or for which communities have not expressed as strong a set of concerns, are presented as VECs.

[See Schedule B]

2.6.3 Floe Edges

Floe edges are created at the end of winter and into spring as non-land-fixed ice breaks away from land-fixed ice. Floe edges are lines of thick land-fixed ice meeting fully or partially open water. The pattern in eastern Nunavut tends to be that sequential floe edges will form in fjords and straits as the icepack gradually retreats.

Floe edges are used by polar bears and people for hunting, serve many ecological purposes, and are important to community life. Depending on the season, icebreaking can prevent the formation of floe edges by structurally damaging the ice pack, or can cause early break-up. The latter may create floating ice islands at unpredictable times, trapping hunters.

The standard locations of floe edges are presented in Schedule B as VECs. The marine on-ice transportation routes used by communities to access the floe edges are presented in Schedule A, and are discussed in Chapter 5.

Floe edges are assigned a Mixed Use Designation, and are presented as areas of a known VEC.

[See Schedule B]

2.7 Transboundary Considerations

The Commission's Objective is to encourage the inter-jurisdictional management of land, air, and water resources, including marine and fresh water.

Activities occurring in the NSA may impact areas beyond its boundary. The Great Bear Lake Watershed (Watershed) has been identified as an important area with transboundary considerations because it is located between the Sahtu region of the Northwest Territories and the NSA. The Commission acknowledges the potential impact of Projects/Project Proposals and development activities in the Watershed and recognizes opportunities for the inter-jurisdictional management of the area.

The NLCA and NUPPAA set out how transboundary reviews are to be undertaken or triggered.

The portion of the Great Bear Lake Watershed within the NSA is presented as an area of a VEC.

[See Schedule B]

2.7.1 Atlantic Cod Lakes

At one point in time, a number of lakes on the Cumberland Peninsula of Baffin Island became isolated from the sea, and a unique freshwater subspecies of Atlantic Cod evolved in these lakes.

Atlantic Cod Lakes are assigned a Mixed Use Designation, and are presented as areas of a known VEC.

[See Schedule B]

2.7.2 Char Areas of Abundance

Fisheries and Oceans Canada (DFO) has identified areas where char are commonly found. Char are anadromous, therefore these areas include both marine areas and adjacent freshwater streams.

Char Areas of Abundance are assigned a Mixed Use Designation, and are presented as areas of a known VSEC.

[See Schedule B]

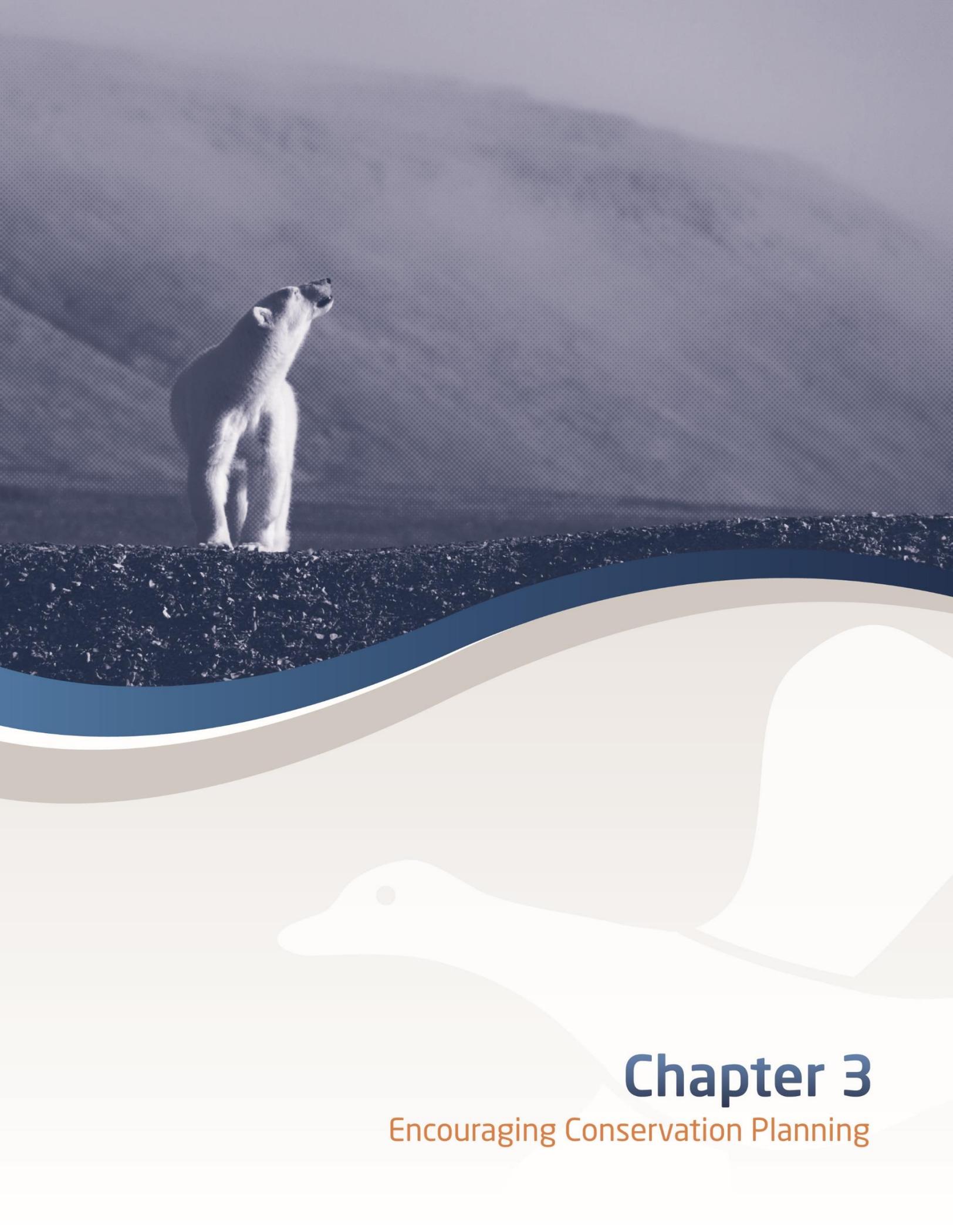
2.8 Climate Change

The Commission supports control and minimization of greenhouse gas emissions, monitoring climate change impact, and recommends consideration of issues relating to changes in the landscapes due to climate change, such as the loss of glaciated terrain and permanent snow.

The Commission considers climate change to be an important issue in the NSA. Changing ice conditions may have an impact on residents' use of the land, and many wildlife populations can be affected by changes to the unique habitat that they rely on. Transportation and infrastructure are also susceptible to impacts from changing ice and permafrost conditions (see Section 5.2).

Climate change is a planning objective to be used by the Commission in developing and updating the NLUP in the future.

The NPC recommends that in implementing the NLUP, federal or territorial ministers, departments and agencies; municipalities; the National Energy Board; Institutions of Public Government; federal environmental assessment panels; and other Regulatory Authorities ensure Proponents give reasonable consideration to minimizing their contribution to climate change, plan for, and where necessary or desirable, take reasonable steps to mitigate anticipated effects of climate change.



Chapter 3

Encouraging Conservation Planning

The following areas and issues have been identified to support the NPC Goal of Encouraging Conservation Planning:

- a) Parks Awaiting Full Establishment;
- b) Proposed Parks;
- c) Proposed National Marine Conservation Areas;
- d) Thelon Wildlife Sanctuary;
- e) Migratory Bird Sanctuaries;
- f) National Wildlife Areas;
- g) Historic Sites, and;
- h) Heritage Rivers.

While land use plans developed by NPC do not apply within established Parks, NPC has a role in supporting the identification and establishment of Parks in the NSA.

It is recommended that Government include the NPC in planning for future Parks, National Marine Conservation Areas, and Conservation Areas to help ensure consistency with other factors and issues in Nunavut and to help fulfil NPC's mandate in Article 11 of the NLCA.

3.1 Parks

3.1.1 National Parks Awaiting Full Establishment

National Parks provide a country-wide system of representative protected areas. At the time of writing there is one Park awaiting full establishment under the *Canada National Parks Act* in Nunavut.

National Parks Awaiting Full Establishment (Ward Hunt Island) are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 42]

3.1.2 Proposed National Parks

There are no proposed National Parks in Nunavut. Two natural regions, Southampton Plain and Ungava Tundra Plateau, are not represented in the National Park system plan.

The area adjacent to, and east of, Qausuittuq National Park has been identified as important for the survival of the Peary caribou on Bathurst Island, which are listed as endangered under SARA. A Protected Area is established adjacent to this Park to support the ecosystemic functions of the Park.

The area adjacent to the Qausuittuq National Park on north-eastern Bathurst Island is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 59]

A land withdrawal (no staking, exploration, or development is allowed to occur, and no new permits, licences, or leases can be issued) was in place for a proposed new National Park adjacent to the existing Tuktu Nogait National Park, however the withdrawal has lapsed. Interim management measures are not considered necessary by any planning partner.

3.1.3 Territorial Parks Awaiting Full Establishment

There are currently 12 Territorial Parks Awaiting Full Establishment in Nunavut. Approved Parks that have not yet been designated under the *Territorial Parks Act* require interim management until they are established.

Territorial Parks Awaiting Full Establishment are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 137-146]

3.1.4 Proposed Territorial Parks

There are several proposed Territorial Parks within the NSA that have not yet received final approval. Until these Territorial Parks are established and a boundary is agreed upon, the areas require interim management.

Proposed Territorial Parks are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 147-151]

3.2 Proposed National Marine Conservation Areas

National Marine Conservation Areas provide a network of representative protected areas, and the Commission recognizes the desirability of establishing these Areas in the NSA. While land use plans developed by the Commission do not apply within established National Marine Conservation Areas, the Commission has a role in supporting the identification and formation of them.

Canada's National Marine Conservation Areas System Plan identifies nine (9) marine regions within the NSA:

- a) Lancaster Sound;
- b) Hudson Bay;
- c) Arctic Basin;
- d) Baffin Island Shelf;
- e) Foxe basin;
- f) Queen Maud Gulf;
- g) Hudson Strait;
- h) James Bay; and
- i) Arctic Archipelago

None of these regions are represented through an established National Marine Conservation Area (NMCA). Lancaster Sound is acknowledged as one of the most important marine areas in the Arctic. An effort is underway to establish Lancaster Sound as a NMCA. Until Lancaster Sound is established and a boundary is agreed upon, the area requires interim management. The proposal to develop Lancaster Sound as a National Marine Conservation Area is in the advanced stage.

No shipping restrictions are recommended in relation to the proposed Marine Conservation Area, however shipping restrictions exist for the Lancaster Sound Polynya and existing on-ice transportation routes (see Chapters 2 and 5).

The proposed National Marine Conservation Area in Lancaster Sound is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 44]

3.3 Conservation Areas

The Commission recognizes the importance of Conservation Areas in the NSA, as defined under Article 9 of the NLCA, and supports their establishment and continued management as areas of particular significance.

3.3.1 Thelon Wildlife Sanctuary

The Thelon Wildlife Sanctuary, established in 1927 to conserve muskox populations, straddles the border between Nunavut and the Northwest Territories. The sanctuary supports a wide variety of wildlife, including populations of muskox, caribou, moose, wolves, grizzly bears, and migratory birds. The high biodiversity is a result of the Thelon River valley, which provides a unique extension of boreal forest habitat hundreds of kilometres north of the tree line. Because of this unique habitat, the sanctuary is an important corridor for many species expanding their ranges northward.

The Thelon Wildlife Sanctuary is assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 45]

3.3.2 Migratory Bird Sanctuaries

Migratory Bird Sanctuaries are established to protect migratory birds, their nests, eggs, and habitat. These Sanctuaries are established and managed on federal and/or private lands under the authority of the *Migratory Birds Convention Act* and the *Migratory Bird Sanctuary Regulations*. The *Migratory Bird Sanctuary Regulations* prohibit activities that are harmful to migratory birds, nests, eggs, and habitat, except under authority of a permit. There are currently eight (8) Migratory Bird Sanctuaries in Nunavut.

Figure 5: Migratory Bird Sanctuaries of Nunavut

Migratory Bird Sanctuary	Nearest Community
Bylot Island	Pond Inlet
Dewey Soper	Cape Dorset
East Bay	Coral Harbour
Harry Gibbons	Coral Harbour
McConnell	Arviat
Prince Leopold Island	Resolute
Queen Maud Island	Cambridge Bay
Seymour Island	Resolute

Migratory Bird Sanctuaries are assigned a Protected Area Land Use Designation that prohibits incompatible uses, and includes setback requirements.

[See Schedule A and Table 1 – Site # 46-53]

3.3.3 National Wildlife Areas

National Wildlife Areas are established under the authority of the *Canada Wildlife Act* to protect wildlife and wildlife habitat for the purposes of conservation, research, and interpretation. The *Wildlife Area Regulations* identify activities that are prohibited within National Wildlife Areas without a permit. In Nunavut, subsurface rights have been withdrawn for some, but not all, Wildlife Areas. There are currently five (5) National Wildlife Areas in Nunavut.

Figure 6: National Wildlife Areas of Nunavut

National Wildlife Area	Nearest Community
Akpait (Reid Bay)	Qikiqtarjuaq
Coburg Island	Grise Fiord
Ninginganiq (Isabella Bay)	Clyde River
Polar Bear Pass	Resolute
Qaquiluit (Cape Searle)	Qikiqtarjuaq

National Wildlife Areas are assigned a Protected Area Land Use Designation that prohibits incompatible uses, and includes setback requirements.

[See Schedule A and Table 1 – Site # 54-58]

3.4 Historic Sites

3.4.1 National Historic Sites

A National Historic Site is a site, building, or other place of national interest or significance that has been commemorated by the Minister responsible for Parks Canada, under the *Historic Sites and Monuments Act*. Land use plans developed by the Commission do not apply within National Historic sites administered by Parks Canada. There are 12 National Historic Sites in the NSA, none of which are administered by Parks Canada.

Figure 7: National Historic Sites of Nunavut

National Historic Site	General Location
Arvia’juaq and Qikiqtaarjuk	Arviat and Sentry Island (Hudson Bay)
Beechey Island Sites	Beechey & Devon Island
Blacklead Island Whaling Station	Blacklead Island (Cumberland Sound)
Bloody Falls (Territorial Park)	Kugluktuk
Fall Caribou Crossing	Kazan River, Kivalliq
Igloolik Island Archaeological Sites	Igloolik Island
Inuksuk	Foxe Peninsula
Kekerten Island Whaling Station	Cumberland Sound
Kodlunam Island	Frobisher Bay
Port Refuge	Grinnell Peninsula
Wreck of HMS Breadalbane	Beechey Island
Wreck of HMS Erebus and HMS Terror	Queen Maud Gulf

National Historic Sites are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 59-66]

3.4.2 Territorial Historic Sites

A Territorial Historic Site is a site that has been declared to be of historical significance to the territories according to the *Historic Resources Act*.

There are four (4) Territorial Historic Sites in the NSA:

- Dealy Island
- Beechey Island
- Fort Conger
- Marble Island

Territorial Historic Sites are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 67-69]

3.5 Heritage Rivers

The Canadian Heritage Rivers System is Canada’s national river conservation program. It promotes, protects, and enhances Canada’s river heritage, and ensures that Canada’s leading rivers are managed in a sustainable manner. The Commission supports the intent of the Canadian Heritage Rivers System.

There are three (3) designated Canadian Heritage Rivers within the NSA, each with its own management plan: Thelon, Kazan and Soper. The management plans articulate how the heritage values of the rivers will be conserved. For the Thelon and Kazan Rivers, the management plans focus on a corridor extending one (1) km from the river bank. The management plan for the Soper River considers the watershed of the river, where a significant portion is included within Katannilik Territorial Park.

Portions of the Soper River watershed, outside Katannilik Territorial Park, are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 70]

The Thelon River and Kazan River are presented as areas of importance to VSECs, with a focus on cultural heritage and tourism potential.

[See Schedule B]

Small areas of significance identified in the respective management plans for the Thelon and Kazan Heritage Rivers are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 155, 156]



Chapter 4

Building Healthier Communities

The promotion and strengthening of Inuit culture and heritage is integral to the NPC Goal of Building Healthier Communities. Protection and promotion of the well-being of Nunavut’s residents and communities is the primary purpose of land use planning under Article 11 of the NLCA, is implicit in other NLCA provisions, and is an inherent goal in land use related territorial and federal statutes and policies.

The intent of this goal is to support community needs and cultural priorities, taking into account factors such as the following:

- a) Energy requirements, sources and availability;
- b) Community infrastructural requirements, including health, housing, education, and other social services;
- c) Cultural factors and priorities; and
- d) Special local, regional, and national considerations.

The following areas and issues have been identified to support the NPC Goal of Building Healthier Communities:

- a) Community areas of interest;
- b) Community Priorities and Values;
- c) Community Land Use;
- d) Areas of Equal Use and Occupancy;
- e) Denesuline Areas of Asserted Title Claim;
- f) Unincorporated communities;
- g) Alternative energy sources;
- h) Community drinking water supplies;
- i) Land remediation;
- j) Waste Sites;
- k) DND Establishments, and;
- l) North Warning System sites.

The Commission’s Objectives are to:

- a) Focus on the rights and interests of Inuit;
- b) Ensure that the social, cultural, economic, and environmental endeavours of the human community are central to land use planning and implementation;
- c) Protect and preserve human remains and archaeological sites; and
- d) Protect and preserve Nunavut’s heritage resources.

4.1 Areas Identified by Communities

4.1.1 Community Areas of Interest

In the absence of legislation, the NPC supports the identification and management of community areas of interest through land use planning. These areas include:

Figure 8: Community Areas of Interest

Community Areas of Interest	General Location
Hiukitak River	Bathurst Inlet and Umingmaktok
Duke of York Bay	Coral Harbour and Naujaat
Foxe Basin Marine Area of Interest	Igloolik
Moffatt Inlet	Arctic Bay
Essential char fishing rivers on Southampton Island	Coral Harbour
Diana River	Rankin Inlet
Nettiling Lake	Cape Dorset and Pangnirtung
Walrus Island	Coral Harbour

Community Areas of Interest are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 71-76, 160, 171]

Other locations identified by communities were not assigned a Protected Area status due to informational uncertainty. They are discussed in detail in the Options and Recommendations document.

4.1.2 Community Priorities and Values

During consultations, communities identified numerous Priorities and Values that have been taken into account in all areas considered in this NLUP. The Commission believes that further consideration of these Priorities and Values in the regulatory process will enhance decision making and support communities.

Information on VECs and VSECs are given to Regulatory Authorities, and the Commission recommends that where appropriate, they take necessary steps to mitigate negative impacts on the Priorities and Values identified by communities.

[See Table 3 and 4]

4.1.3 Community Land Use

Nunavummiut rely on migrating species for subsistence, and as a result, have a long established history of land use across much of the NSA; the Commission has been working towards mapping this history.

Information on VECs and VSECs are given to Regulatory Authorities, and the Commission recommends that where appropriate, they take the necessary steps to mitigate negative impacts on community land use.

[See Table 5]

4.1.4 Areas of Equal Use and Occupancy

Areas of Equal Use and Occupancy are areas within the NSA where certain lands are jointly owned and managed by the Inuit of Northern Quebec (Nunavik) as represented by Makivik and the Inuit of Nunavut represented by NTI as illustrated under Article 40 of the NLCA. Support for these agencies for the proposed designations on Areas of Equal Use and Occupancy helps ensure success of the NLUP in these locations. These areas are located around the Salisbury and Nottingham Islands in the Hudson Strait, and the Bakers Dozen, King George, and Sleeper Islands in the Hudson Bay.

Under the NLCA, Makivik appoints members to the NPC to replace members appointed or nominated by a Designated Inuit Organization to enable the NPC to carry out its mandate in respect of Areas of Equal Use and Occupancy. NPC allows full standing to Makivik to make representations respecting the interests of Nunavik in relation to those areas.

Areas of Equal Use and Occupancy are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 77]

4.1.5 Denesuline Areas of Asserted Title Claim

Denesuline living in northern Manitoba and northern Saskatchewan have a vested interest in the southern Kivalliq region because they traditionally used, and continue to use, these lands. There are two areas of asserted title claim currently under negotiation: the Athabasca Denesuline Area of Asserted Title Claim under the Benoanie Litigation, and the Manitoba Denesuline Area of Asserted Title Claim under Samuel/Thorassie Litigation.

The Benoanie litigation commenced in 1991 and has been in abeyance since August 2000 to enable the Athabasca Denesuline and Canada to fully and finally settle, through an active and ongoing negotiation process, the treaty and aboriginal rights and title issues in Nunavut raised in the litigation.

Since June 1999, the Samuel/Thorassie litigation has been in abeyance. Manitoba Denesuline and Government are actively negotiating resolution of the issues raised in the litigation including Manitoba Denesuline Aboriginal and Treaty rights in Nunavut and Manitoba Denesuline Aboriginal title in Nunavut.

Both the Athabasca and Manitoba Denesuline signed an agreement in the form of a Memorandum of Understanding with Canada to begin discussions on an out-of-court settlement.

An overlap agreement among the Manitoba Denesuline, Athabasca Denesuline and the NTI/Kivalliq Inuit Association was reached on September 5, 2007, regarding matters of mutual interest north of 60° latitude. The agreement is confidential at this time.

These lands are designated Mixed Use and information on VECs and VSECs is provided in the Areas of Asserted Title Claim.

[See Table 3 and Schedule B]

4.2 Unincorporated Communities

Bathurst Inlet and Umingmaktok are unincorporated communities that are not recognized by the Government of Nunavut as municipalities. Because these unincorporated communities are not managed through municipal planning, there is a need to guide land use near the residential base of the communities.

Bathurst Inlet and Umingmaktok are assigned a Protected Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 78, 79]

4.3 Alternative Energy Sources

NPC's Objective is to recognize the need for conservation and reduction in the use of energy and the need to identify alternatives to diesel fuel for electricity generation.

Energy generation in Nunavut is almost completely dependent on the burning of fossil fuels. There is a need to reduce reliance on imported fossil fuels and diversify the energy supply to include alternative energy sources. Alternative energy sources in Nunavut include water, wind, and solar.

Sites have been identified for hydro-electric generation opportunities for the Kivalliq Region (along the Thelon and Quoiich Rivers) and for Iqaluit (near Jaynes Inlet: Qikiqjivik).

These sites would benefit from management to ensure that the potential of the sites is maintained.

High potential sites for hydro-electrical generation are assigned a Special Management Area Land Use Designation.

[See Schedule A and Table 1 – Site # 80-82]

4.4 Health and Safety

NPC's Objectives are to:

- a) Ensure land use activities and processes are not detrimental to the health, well-being, and safety of Nunavut's residents and visitors;
- b) Promote human and environmental health, paying particular attention to protecting community water sources; and
- c) Support the responsible management and remediation of existing waste sites.

4.4.1 Community Drinking Water Supplies

Clean drinking water supplies are an essential component of healthy communities. The quality and quantity of drinking water may be affected by land use activities within the entire watershed or catchment area of the water source.

The Commission has identified the watersheds for all current water sources based on the best available information. Work is ongoing to identify future and alternative water sources for each community. This information will be considered as it becomes available.

4.4.1.1 Community Drinking Water Supplies within Municipal Boundaries

Many communities in the NSA draw drinking water from small lakes and catchment areas where the entire watershed is within the municipal boundary. In these instances, the municipal land use plans are able to provide direction on how land should be used to maintain the quality and quantity of drinking water.

Community water supply watersheds within Municipal Boundaries, with the exception of Baker Lake and Kugluktuk, are assigned a Protected Area Land Use Designation.

[See Schedule A and Table 1 – Site # 162-170]

4.4.1.2 Community Drinking Water Supplies outside of Municipal Boundaries

Drinking water may also come from watersheds that extend outside the municipal boundaries. In these instances, this

NLUP can support municipal efforts to manage land use within community drinking water supply watersheds.

Baker Lake and Kugluktuk community water supply watersheds are assigned as VSECs.

[See Schedule B]

Within five (5) years of the approval of the first-generation NLUP, municipalities must identify for the NPC the boundaries of the watershed of their existing and future drinking water supply.

The NPC recommends that in implementing the Nunavut Land Use NLUP, federal or territorial ministers, department agencies, municipalities, Institutions of Public Government, the National Energy Board, federal environmental assessment panels, and other Regulatory Authorities ensure Proponents give reasonable consideration to ensure the protection of communities' drinking water supplies.

4.4.2 Land Remediation

The former Distant Early Warning Line was a system of radar stations built in 1954 across the Arctic as the primary line of air defence warning for the North American continent. Currently, the sites are administered by INAC and DND. Each of these sites are at different stages of remediation. In Nunavut, there are seven (7) long range radar sites and 24 short range radar sites.

4.4.3 Waste Sites

4.4.3.1 Overview of Current Situation

The Treasury Board Secretariat of Canada maintains the Federal Waste Sites Inventory that includes a detailed list of sites under federal responsibility. INAC is the custodian of most federal lands in the North and is committed to managing a number of waste sites identified through its Northern Contaminated Sites Program.

Since April 1999, the Nunavut Department of Environment has published and updated an Environmental Guideline for Contaminated Site Remediation (last revised December 2014) "to provide general guidance on assessment and remediation of contaminated sites and assist in their management." In addition, section 34 of the *Nunavut Environmental Protection Act* considers an array of regulations that would assist with the identification and management of Contaminated Sites under territorial jurisdiction.

4.4.3.2 Objectives

Within the North Baffin Regional Land Use Plan (NBRLUP), the NPC developed a process (Annex D) to identify priority sites for remediation. In this current plan, the NPC will be revising the process based on up to date information and will develop an updated list of priority sites for remediation.

The NLUP supports the NCSP's intent on "open use of land." Remediated sites, even though still listed as Waste Sites, will be open to future uses, although direct drilling, camps, and large landing pads on landfills will be prohibited.

The NPC recommends that the Government of Nunavut consider formalizing their existing Environmental Guideline for Contaminated Site Remediation into regulations.

The NPC recommends that where it is possible to identify the person, company or agency responsible for creating an abandoned or inactive Waste Site, Regulatory Authorities apply, to the extent of their authority, the "polluter pay" principle to make the person, company or agency absolutely and retroactively liable for the remediation. If identification of the polluter is not possible the NPC recommends the Regulatory Authorities that had responsibility for the site at the time it was active shall be responsible for remediation of the Waste Site."

Contaminated Sites are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 85-98]

4.5 Sovereignty

The Commission's Objective is to respect and provide for Canada's sovereignty over Canadian Arctic Waters.

4.5.1 Department of National Defence Establishments

DND establishments in the NSA contribute to national security. These facilities include:

- a) Canadian Armed Forces station Alert is situated on the north eastern tip of Ellesmere Island. It is the most northerly permanent military facility and occupies 25,680ha. Its role is to support Canadian military operations.

- b) Eureka is a site shared by multiple Federal Departments including Environment and Climate Change Canada, Natural Resources Canada, and DND.
- c) Nanisivik, near Arctic Bay, is the future site of the deep-water naval facility and helipad. Once complete, the naval facility will support the Royal Canadian Navy and other Government operations.
- d) The High Arctic Data Communication System is a chain of six (6) microwave repeaters used for communication purposes.
- e) DND establishments are also present at Resolute Bay, Wrangel Bay, and Lincoln Bay.

DND Establishments are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

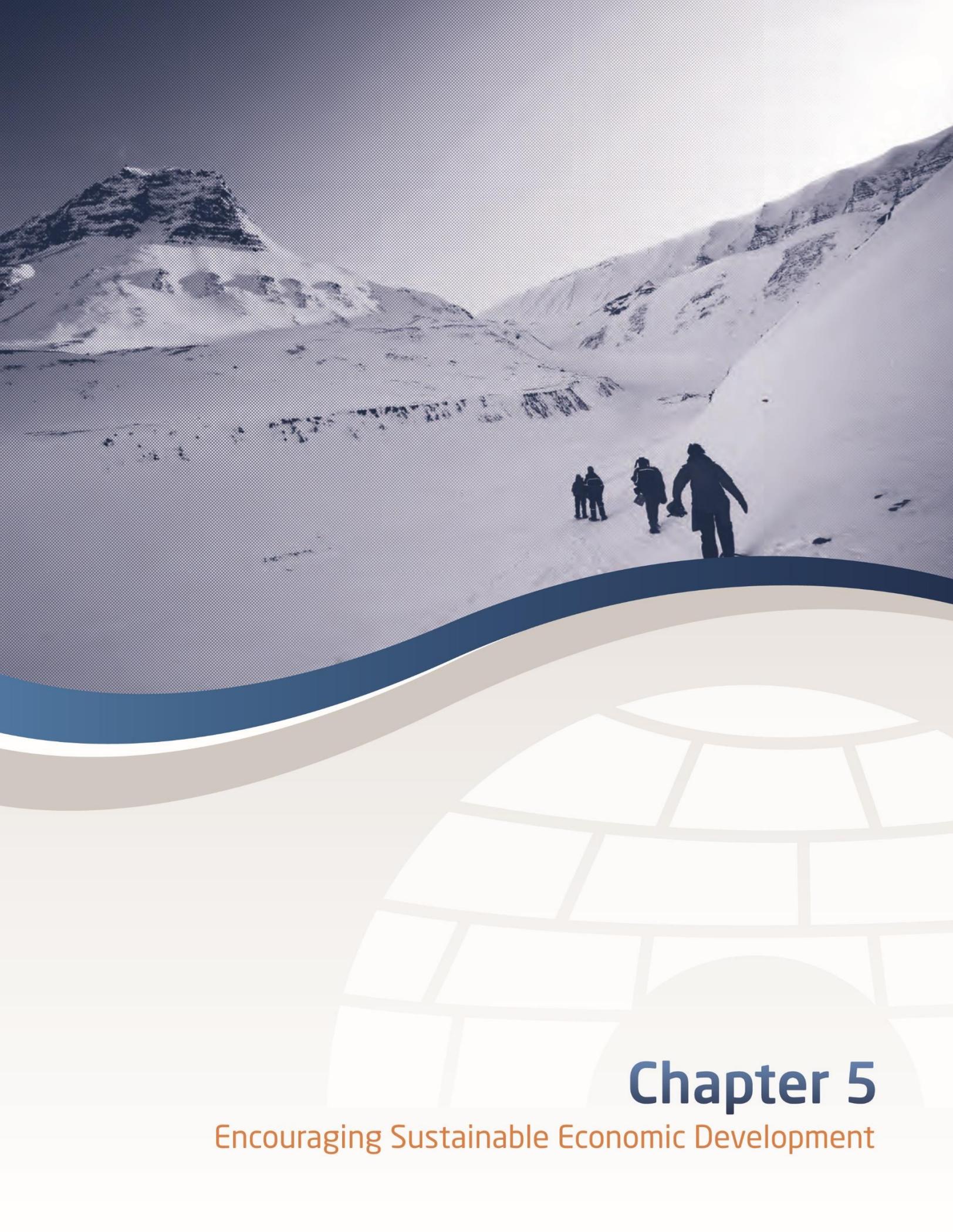
[See Schedule A and Table 1 – Site # 99-105]

4.5.2 North Warning System Sites

The North Warning System replaced the former Distant Early Warning Line following a modernization program in the late 1980s and 1990s. The role of the North Warning System is to provide surveillance of North American airspace. In Nunavut, there are seven (7) long range radar sites and 24 short range radar sites. These sites are vulnerable to activities that generate electromagnetic interference.

The North Warning System Sites are assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 106-135]



Chapter 5

Encouraging Sustainable Economic Development

Sustainable economic development is generally defined as the management of human relationships to the natural environment in such a way that economic, social and cultural needs are met and ecological processes and natural diversity are maintained well into the future.

The notion of sustainable development is not new to Nunavummiut. Rather, it builds upon ancient knowledge of how to live in relation to the world. For example, the Inuktitut translation of “sustainable” is based on the word Ikupik. The meaning of Ikupik is to conserve and not take all at once; what is brought in from a hunt. Everyone takes a piece for their family, ensuring there is enough to go around. Inuit would call this Ikupingniq. Sustainable development is not a fixed understanding. As communities change, their relationship with the land and with each other will continue to develop and evolve.

The NPC’s Goal of achieving the economic well-being of communities underlies many of the articles and provisions of the NLCA. It is inherent in the NLCA’s objective to encourage self-reliance and diverse economic opportunities for Nunavummiut and all Canadians, which arises from a long-term, healthy, sustainable, renewable and non-renewable resource economy.

The intent of the Encouraging Sustainable Economic Development Goal is to support economic opportunities and needs, taking into account factors such as the following:

- a) The natural resource base and existing patterns of natural resource use;
- b) Transportation and communication services and corridors;
- c) Tourism;
- d) Energy requirements, sources and availability; and
- e) Special local, regional, and national considerations.

5.1 Diversified Economic Development

The following areas and issues have been identified to support the NPC Goal of Encouraging Sustainable Economic Development (not listed in order of priority):

- a) Preserving a ‘mixed’ economy;
- b) Mineral potential;
- c) Oil and gas potential;
- d) Commercial fisheries; and

- e) Developing new infrastructure responsibly and efficiently.

Benefits that encourage the Commission’s Objective for diversified economic development include, but are not limited to:

- a) Commercial harvesting of marine and terrestrial animals in a sustainable manner, consistent with the goals of the Nunavut Wildlife Management Board (NWMB), Hunters and Trappers Organizations, and Government;
- b) Sustainable tourism and outfitting development;
- c) Long term strategies for mineral and petroleum resource development;
- d) The arts sector, by ensuring access to known sources of carving stone, flora, and other natural materials used by artisans;
- e) Sustainable fisheries;
- f) If possible, animal husbandry;
- g) Energy generation, supply and conservation, including alternative energy systems and renewable energy systems;
- h) Spin-off, value added, cottage industries, and other related businesses;
- i) Promote sustainable economic development;
- j) Recognize the economic goals, opportunities, and needs of communities specifically, and the NSA generally;
- k) Promote research to improve and advance sustainable resource development in Nunavut;
- l) Maximize economic and social benefits to Nunavut communities and Inuit from development;
- m) Take into account geographic areas of value for non-renewable resources or other commercial values and identify development opportunities associated with those areas;
- n) Ensure that the goals of any proposed restrictions on land use are achieved with the least possible impact on undiscovered mineral resources, while taking into account environmental and social objectives; and
- o) Provide optimum protection to the renewable resource economy and maintain vital, healthy wildlife populations, capable of sustaining harvest.

5.1.1 Preserving a Mixed Economy

The Inuit economy is ‘mixed’ because it has two components: harvesting from the land and wage employment. Hunting provides food, which, among other benefits, replaces expensive imported items. Wage earnings are used to supplement hunting activities. This pairing has defined the

Inuit economy for years, however, is threatened due to a decreased population of wildlife.

As part of conformity determination, all land users shall agree to mitigate, to the extent possible, harm to wildlife and wildlife habitat, and damage to community travel routes. This can be achieved by appropriately timing operations, careful selection of camps and travel routes, and other precautionary measures.

5.2 Mineral Potential

Nunavut is recognized as one of Canada's most attractive jurisdictions for mineral exploration and investment. A number of areas in the territory are being explored for uranium, diamonds, gold and precious metals, base metals, iron, coal, and gemstones. Nunavut currently has two operating mines, and there are several significant projects anticipated to begin operations in the near future.

Areas of high mineral potential have been identified in Schedule B based on a number of factors: the locations of selected mineral occurrences, an examination of historical mineral tenure held in the territory, the extent of favourable geological units based on limited mapping, locations of current and past-producing mines, locations of advanced exploration projects, and projects currently in the review and permitting stages.

For clarity, in the event of a conflict between areas of mineral potential and PAs, the prohibitions in PAs apply regardless of mineral potential.

The mining industry is a key contributor to Nunavut's economy providing jobs, infrastructure, education, skills, career development, and local business opportunities. The land use planning and environmental assessment processes in Nunavut have been established to proactively resolve potential conflicts between mineral exploration parties requiring access to land, and wildlife and community uses.

The Commission is committed to supporting further development of the mining industry and enabling its continued growth.

Areas of known mineral potential are described in Schedule B. Proposals for tourism facilities or conservation should be considered against the economic development potential in these areas.

5.2.1 Strategic Environmental Assessments

A strategic environmental assessment is a systematic decision support process, aiming to ensure that environmental and other sustainability aspects are considered effectively in policy, plan and programme making. An effective SEA works to support more effective and efficient decision-making for sustainable development and improved governance. It is evidence-based, inclusive of science and IQ, and helps to identify and clarify issues and alternatives to be considered in developing policy and plans. Strategic environmental assessments should be undertaken proactively when:

- A number of independent projects are known or reasonably expected in a certain geographic area, and,
- The geographic area has one or more VEC or VSEC which could reasonably be expected to experience cumulative effects as additional projects become operational.

Strategic environmental assessments support land use planning by:

- Pooling resources from government and industry to increase knowledge of the VECs or VSECs in the region, in advance of projects;
- Helping to inform and develop appropriate and effective mitigation measures to prevent significant and/or irreparable changes to VECs and VSECs; and
- Providing sound data for the development of planning policies, including best practices.

The NPC recommends Government provide additional funding to the NPC and NIRB to co-lead strategic environmental assessments in areas considered to have high mineral potential.

NPC may lead SEAs or may co-lead jointly with NIRB or other parties subject to agreed-upon governance and procedure. A SEA requires a comprehensive list of participants and a structured, transparent process in order to be successful.

5.3 Oil and Gas Potential

Nunavut has proven oil and gas potential, notably in the Sverdrup basin, where there are several existing significant discovery licences. Baffin Bay also has potential, but the area remains relatively unexplored. Significant discovery licences

are issued for proven discoveries and is one of three oil and gas licences. Other licences include exploration and production licences. At this time, only significant discovery licences have been issued in Nunavut.

It is expected that the oil and gas sector in Nunavut will grow if there are sustained high oil and gas prices and/or supply shortages. This sector has the potential to be a very lucrative economic activity in the NSA. The NPC has identified that there are presently no oil spill containment and clean-up technologies specifically designed for ice-laden waters.

Areas of oil and gas potential, indicated by a significant discovery licence, are identified as VSECs.

[See Schedule B]

5.4 Commercial Fisheries

The Commission recognizes the commercial fishing industry is important for a diversified and sustainable economy. Commercial fisheries are an emerging sector in Nunavut's economy, with turbot, char, and shrimp presently harvested. Activity in Nunavut's commercial fishing industry will likely grow.

While there are many areas of the NSA that currently support commercial fisheries, the Cumberland Sound Turbot Management Area has been identified as a particularly important turbot fishing area for the community of Pangnirtung.

The Cumberland Sound Turbot Management Area is assigned a Special Management Area Land Use Designation that prohibits incompatible uses.

[See Schedule A and Table 1 – Site # 136]

Char and turbot areas of abundance are assigned a Mixed Use Designation, and are presented as areas of a known VSEC.

[See Schedule B]

5.5 Transportation & Communications

The Commission's Objectives are to:

1. Take into account the development and maintenance of territorial and community infrastructure outside of municipal boundaries, including existing and future

energy sources, transportation, and communication infrastructure;

2. Address environmental, economic, Inuit cultural and social concerns regarding transportation corridors, including all-season roads and marine shipping routes, and ship-to-shore activities; and
3. Recognize that the development of resources requires efficient and safe transportation infrastructure and corridors.

5.5.1 Terrestrial Linear Infrastructure

Complete definitions for all terms used here are described under sub-heading "Definitions: Transportation and Communications" in the "Definitions" section.

Note that the term "corridor" refers to the strip of land linear infrastructure is situated on, and not the infrastructure itself. The environmental assessment and water licensing processes, through NIRB and NWB, will look at the works and activities involved in creating a corridor in Nunavut.

5.5.1.1 Planning for Linear Infrastructure

Due to the scale of the region, environmental factors, and ever-changing economic circumstances, there is considerable uncertainty in predicting the most appropriate siting for linear infrastructure. Linear infrastructure that has been proposed in the past is shown in Schedule B.

The NLUP lays out a series of considerations that are used to assess LIC proposals prior to proceeding to EA by the NIRB. These considerations are based on fundamental objectives, that new linear infrastructure in Nunavut:

1. Works towards an efficient network: Strategically take into account the development and maintenance of territorial and community infrastructure outside municipal boundaries, including existing and future energy sources, transportation and communication infrastructure;
2. Addresses environmental, economic, Inuit cultural and social concerns regarding transportation corridors, including all-season roads;
3. Recognizes that the development of resources requires efficient and safe transportation infrastructure and corridors;
4. Encourages territorial energy self-sufficiency;

5. Takes advantage of opportunities to improve telecommunications;
6. Supports Canada’s sovereignty in the North;
7. Encourages development that is suitable to Nunavut and Canada’s North, by facilitating appropriate consideration of all realistic options, and coordination of all infrastructure investment; and
8. Recognizes that the Arctic Archipelago, within Nunavut, will have considerably increased activity in coming decades.

5.5.1.2 Terrestrial Transportation, Communication, and Other Linear Infrastructure Corridors

Linear infrastructure is a key element in accessing the natural resources of the NSA and encouraging economic development. Current transportation infrastructure in Nunavut includes a system of airports and seasonal sealifts. There are no roads or rail lines connecting communities within Nunavut or to other provinces and territories as a result of high construction costs. Nunavut communities would benefit from improved communication, particularly Internet access. In some locations, power lines, either from the South or from potential renewable energy production locations, would improve its power supply.

Winter roads and **winter skid tracks**, as defined previously, are permitted across the territory, subject to other licences, permits, and regulations.

Linear infrastructure intended for use in all seasons is not permitted in the Protected Area designation, but is permitted within the Mixed Use designation. Individual SMAs may have different stipulations for linear infrastructure, as shown in Table 1. This is inclusive of:

- Communication and/or Telephone Lines
- Highways
- Mine Bulk Hauling Roads
- Mine Servicing Roads
- Public Roads
- Pipelines
- Power lines
- Private Roads
- Railways

Proponents are required, for any all-season linear infrastructure, to present a robust alternatives assessment (which may also be thought of as a process of elimination), demonstrating that the optimal route(s) and mode(s) of linear infrastructure have been proposed. NPC will consider the

needs that linear infrastructure is intended to address, the Values and Priorities for the affected areas, and whether a case is objectively and robustly provided explaining why that route or mode is the most suitable.

Figure 8 describes the process NPC will use to ensure that LIC proposals are complete. The factors that will be used by NPC to determine if these alternatives assessments are “robust” are listed in Annex A.

Note that both alternatives assessment tests are to be treated at a more general planning level, as the NIRB will ask similar questions requiring more detail.

The following hypothetical example is provided to help describe this difference:

A company wishes to construct a road to access a mine, which is located midway between the end of an existing road and the coast.

The NPC Alternative Assessment Test on Routing will conduct a high-level assessment to review the pros and cons of extending the existing road vs. building a road to the coast, and include high level environmental and cost factors. The NIRB screening will look more specifically at the details of the proposed route, or the materials used to construct the road.

The NPC Alternative Assessment Test on Modality conduct a high-level assessment on other forms of transport, for example, use of winter road or railway vs. all-season road. The NIRB screening will consider factors including scheduling usage of the new infrastructure into convoys, the most appropriate width of the road, etc.

Corridors will be considered in their entirety and not in individual segments. For example, if a proposed public road-and-pipeline corridor is to be located on Mixed Use and Protected Area Land Use Designations, the plan amendment process will consider the full length of the corridor.

Once permitted, the mode or modes of linear infrastructure permitted in the LIC will be listed by the NPC conformity determination. A change from one mode to another allowed mode will require a new Project/Project Proposal to the NPC for conformity review. Any application for an unlisted mode, will require the submission of a Plan Amendment to the NPC.

Applications for corridors that are wholly on appropriate Land Use Designations will undergo a conformity determination process without plan amendment. The exception is that all applications for highways and railways will require a plan

amendment, due to a high potential for significant socio-economic effects from connecting communities.

A public review of a plan amendment may be appropriate in some situations. In all public reviews of amendments to allow construction of a Linear Infrastructure the NPC shall give full standing to the NIRB as a participant.

5.5.1.3 Speculative and Proposed Linear Infrastructure Corridors

In some parts of Nunavut, investment has been made in feasibility studies on speculative LICs. Proposed routes are defined as those for which an application to construct has been submitted. Speculative routes are defined as those for which some feasibility work has been done but no application to construct has been submitted. These proposed and speculative routes are shown in Schedule B as VSEC areas.

Proposed and speculative LICs, which are not approved but have undergone feasibility studies, are presented as VSECs, with a focus on economic development.

[See Schedule B]

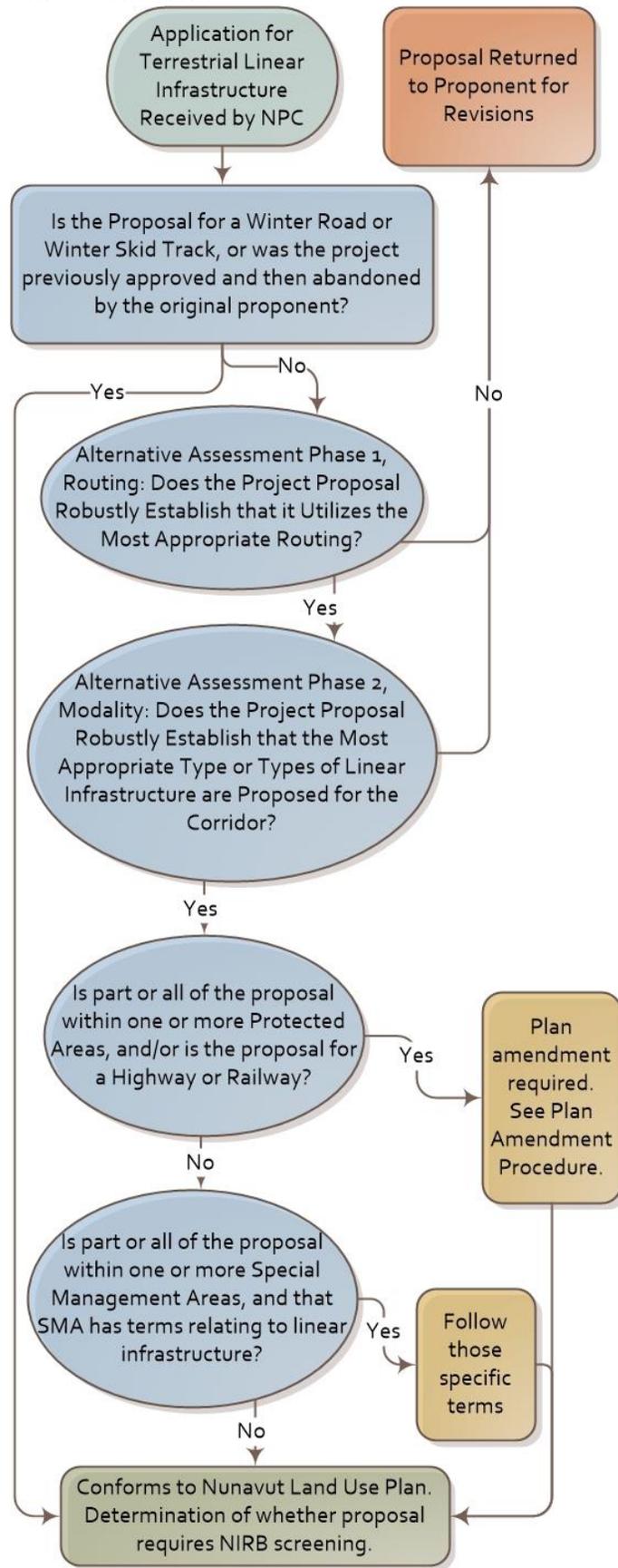
5.5.1.4 Role of NPC in Long-Range Terrestrial Linear Infrastructure Planning

Drawing from Sections 11.2 and 11.3 of the NLCA, responsible authorities will include the NPC in ongoing and future planning processes for major infrastructure investments. Responsible authorities can use the data and expertise available from the NPC as well as assist in providing updates to future amendments of the NLUP (see 5.2.4).

In the future, linear infrastructure may approach communities and provide the opportunity to be connected by fixed link to other places in Nunavut, or to the Canadian network. However, connecting communities may not be a desirable option to those residing in these areas. As part of the on-going program of periodically revising the NLUP, the NPC will ask communities the following question:

“If the opportunity arose for your community to be connected to another community or southern Canada by winter road, all-season road, or railway, would your community support establishment of that connection?”

Figure 8: Terrestrial Linear Infrastructure Corridor Conformity Determination Process



5.5.2 Marine Shipping

Marine shipping is an important component of future development in Nunavut. As the climate continues to warm and open up the seaways for longer periods of time, the opportunity for marine shipping in the Canadian Arctic is gaining international attention.

As the variability of the sea ice continues to change, goods and tourism will increasingly continue navigating through the waters of Nunavut. Major resource development will rely on the heavy lift capacity of marine transport to move mined and extracted materials to desired locations.

Communities, governments, and interest groups are concerned about potential effects on wildlife resulting from marine shipping:

1. The effects of noise, which may alter the behaviour and distribution of some marine mammals;
2. The direct mortality of marine mammals - e.g. the flooding of seal dens near ship tracks;
3. The cumulative effects on ecosystems from various shipping activities, including those associated with ports or ship-to-shore activities;
4. Oil spilled from ships and its effects on habitat, seabirds and marine mammals; and
5. Premature break-up of fast ice and the floe edges with possible changes in wildlife movements.

Communities are concerned about the adverse effects of icebreaking on harvesting activities, including:

1. Inconvenience and risk to hunters crossing ship tracks;
2. Loss of equipment through broken ice by ships; and
3. Premature break-up of fast ice and the floe edge, which are essential to the spring harvest.

For all types of marine corridors, there are seasonal setbacks listed in Table 1 for the ecological and cultural heritage sites. These setbacks have supporting references that can be found in Tables 2 and 4. Vessels must obey these setbacks, subject to safe navigation, as per NUPPAA.

NPC recommends that Responsible Authorities work to support the goals of the stated marine setbacks by:

1. Developing an appropriate Notice to Mariners and/or Vessel Traffic Service Zones and/or Marine Protected Areas, or other Canadian tools or regulations, for the ecological and cultural heritage sites mentioned in Tables 1 and 2; and
2. As appropriate, registering the ecological and cultural heritage sites in question with the IMO as Special Areas,

Particularly Sensitive Sea Areas, or Areas To Be Avoided, or a combination of these.

5.5.2.1 Identifying Locations of Highest Risks for Marine Safety

Most of the Arctic Archipelago, and the entirety of the Northwest Passage, lies within Nunavut. There are many possible routes, most relatively deep with unpredictable floating ice in the summer months.

Through the Northern Marine Transportation Corridors Initiative, the CCG identified the most heavily used marine corridors in Nunavut, as well as the corridors most likely to see increased shipping as the climate warms.

Results from Initiative indicated six (6) locations along the primary shipping corridors that should be prioritized for improved charting and Marine Infrastructure as they are the most dangerous for being too narrow, shallow, and constrained geographically. It is notable that routes to most of the communities of Nunavut, or any of the harbours, have not been appropriately charted.

It is recommended that CCG consider the needs of communities in the Nunavut Settlement Area when prioritizing and funding of work related to hydrographic surveys and associated charting, new or upgraded navigational aids, and emergency and/or spill response infrastructure.

It is recommended that DFO prioritize nautical charting on those marine shipping corridors marked as Priority 1, 2, or 3 by the Northern Marine Transportation Corridors Initiative that are 50 metres deep or less. NPC recommends that Responsible Authorities work collaboratively in developing: alternative routes for ships around islands or through straits accounting for a variety of ice and weather conditions; a better understanding of the impacts of ships travelling in convoys; and standardized best procedures for spill containment in loose ice conditions.

5.5.2.2 Ecological Restrictions on Marine Shipping

Marine shipping is permitted throughout most of Nunavut, with some ecological setbacks listed in Chapter 2 (see appropriate sections such as for Polynyas, Caribou Sea-Ice Crossings, Key Bird Habitats, and others for restrictions).

Communities have listed Moffatt Inlet and Foxe Basin as being essential for a variety of ecological purposes, and have asked that these two (2) locations be closed to all non-Inuit vessels.

No project/project proposal is permitted in Nunavut that would include or involve any shipping during any time of the year in Moffatt Inlet or Foxe Basin, which are assigned Protected Area Land Use Designation.

[See Schedule A and Table 1 – Site # 73, 74]

5.5.2.3 Marine On-Ice Transportation Corridors

There are no restrictions to on-ice transportation in the marine areas of the NSA and the Outer Land Fast Ice Zone. A number of on-ice transportation corridors exist in Nunavut, and have been presented in the Marine Environmental Handbook, published by DFO, since 1999. These routes are not known to change, or change very little, year to year.

In order to protect established (albeit informal) on-ice transportation routes between communities, and from communities to harvesting areas (except where subject to safe navigation), no marine vessel may cross any marine on-ice transportation corridor presented on Schedule A during the seasons of Ukiq, Ukiq, Upiq, and Upiq, without first presenting a robust plan to maintain and assist existing on-ice transportation. The presentation of this robust plan to build ice bridges, is required to achieve conformity with the NLUP.

The factors that will be used by NPC to determine if ice bridging plans are “robust” are listed in Annex B.

All proposals for icebreaking that will cross on-ice transportation corridors will be referred to NIRB for screening.

On-Ice Transportation Corridors are assigned a Special Management Area which requires, subject to safe navigation, that no shipping may occur that crosses any On-Ice Transportation Corridor presented in Schedule A during the seasons of Ukiq, Ukiq, Upiq, and Upiq, without first presenting a robust ice bridging plan.

[See Schedule A, Table 1, and Annex B]

5.5.2.4 Undersea Utility Corridors

Marine Undersea Utility Corridors are permitted throughout Nunavut; however access by construction and maintenance vessels must, subject to safe navigation, respect the setbacks and any applicable seasonal restrictions listed for marine areas.

5.5.2.5 Role of NPC in Long-Range Marine Transportation Planning

As per Sections 11.1.4, 11.2, 11.4.4(c), and 15.4.1 of the NLCA, responsible authorities will include the Nunavut Marine Council in ongoing and future planning processes for major infrastructure investments. Responsible authorities can use the data and expertise available from the Council as well as assist in providing updates to future amendments of the NLUP (see 5.2).



Chapter 6

Implementation Strategy



6.1 Responsibilities for Nunavut Land Use Plan Implementation

6.1.1 The NPC

Under the NUPPAA, the NPC is the gatekeeper of an integrated regulatory system in the NSA. As a public land use planning agency, the NPC generally undertakes the following tasks to implement the plan:

1. Determine whether “Projects/Project Proposals” conform with the NLUP;
2. For a Project/Project Proposal that does conform, determine if it should be screened by the NIRB on the basis of criteria outlined in:
 - Schedule 12-1 of NLCA,
 - NUPPAA or the NLCA (as may be applicable), or,
 - On the basis of cumulative effects concerns informed in part by information in Schedule B.
3. For a Project/Project Proposal that does not conform, consider Minor Variances when the NLUP makes provision to do so;
4. For a Project/Project Proposal that does not conform and for which no Minor Variance can be applied, consider requests for a Plan Amendment;
5. Monitor Projects/Project Proposals to ensure they are in conformity with the plan;
6. Conduct periodic reviews of the NLUP content;
7. Undertake, guide, coordinate, or advise on land use planning studies that will help further inform and implement the Broad Planning Policies, Objectives and Goals, and;
8. Maintain a Public Registry as per the requirements in NUPPAA.

6.1.2 Regulatory Authorities

In accordance with the NUPPAA and NLCA, federal and territorial government departments and agencies must conduct their activities and operations in accordance with the NLUP as approved and Regulatory Authorities must ensure that licences, permits, or other authorizations implement applicable requirement of the NLUP.

Under Section 69(6) of the NUPPAA a Regulatory Authority may consult the Commission to determine the most effective means of complying with its obligation to implement the requirements of the NLUP and may, for that purpose, send a draft licence, permit, or other authorization to the Commission in order to obtain its comments and recommendations.

Central to the implementation of the NLUP are the IPGs. Established under the NLCA, IPGs share responsibility for regulating and monitoring land use in Nunavut. The NIRB is responsible for screening, determining the scope of the project and when appropriate, reviewing the ecosystemic and socio-economic impacts of Project/Project Proposals. The NWB has responsibility and powers over the regulation, use, and management of in-land water in the NSA. NWMB is the main instrument of wildlife management and regulator of access to wildlife in the NSA. The NWMB may also identify wildlife management zones and areas of high biological productivity and provide recommendations to the NPC with respect to planning in those areas. The Nunavut Surface Rights Tribunal was established for the purpose of providing an independent mechanism for the resolution of disputes arising from:

- Access to surface land in Nunavut;
- Claims for compensation from loss or damage to wildlife, carving stone, and other specified substances from development in Nunavut.

6.2 Project/Project Proposal Submissions

A proponent that wishes to conduct a work or activity in the NSA must submit a Project/Project Proposal to the NPC in accordance with the NUPPAA and NLCA. Projects/Project Proposals are submitted to the NPC through an online proponent portal available at www.nunavut.ca. In general, and further to any applicable requirements in the NUPPAA or NLCA, and any by-laws or rules made by the NPC in accordance with subsection 17(1)(e) of the NUPPAA, a Project/Project Proposal consists of: a description of the proposed activity; its nature and location, and; any supporting information.

6.3 Operational Roles of NPC

See Section 6.9 for a flow chart on these processes.

6.3.1 Conformity Determinations

The NPC is the authority responsible for determining whether a Project/Project Proposal carried out in the NSA conforms to the provisions of the NLUP. The process by which the NPC makes this decision is referred to as a Conformity Determination. The NUPPAA and NLCA exempt some works and activities from review by the NPC based on their definitions of “project” and “project proposal” respectively. Due to inconsistent wording between the two definitions, the NLCA requires the NPC to continue reviewing any works and activities that satisfy the definition of “project proposal” in section 1.1.1 of the NLCA, even if it is exempt from the meaning of “project” in the NUPPAA.

If the Project/Project Proposal is not prohibited and complies with all applicable Conditions, it will conform to the NLUP and be handled in accordance with the NLCA or NUPPAA as the case may be.

If the Project/Project Proposal is prohibited or is unable to comply with relevant Conditions, it will not be in conformity with the NLUP, and the NPC must verify whether the specific Project/Project Proposal is eligible for a Minor Variance in accordance with section 6.3.3 of this NLUP. If the Project/Project Proposal is not eligible for a Minor Variance, the proponent may:

1. Modify and resubmit the Project Proposal;
2. Request Ministerial Exemption from the requirements of the NLUP;
3. Apply for a Plan Amendment; or
4. Abandon the Project/Project Proposal.

6.3.2 Consideration of Cumulative Impacts

Where a Project/Project Proposal is exempt from screening by NIRB under the NUPPAA and NLCA, the NPC has authority to refer the Project/Project Proposal to NIRB for screening on the basis of cumulative impact concerns. Cumulative Impacts may result from the interaction of a Project/Project Proposal’s expected impacts with those of other development.

Projects/Project Proposals exempt from screening that may present cumulative impact concerns are referred to NIRB. The NPC may develop policies and procedures including a list of factors to be considered to determine the likelihood and

severity of Cumulative Impacts for the purpose of determining whether a Project/Project Proposal should be screened by the NIRB, notwithstanding an exemption.

6.3.2.1 No Cumulative Impacts Concerns

If a Project/Project Proposal is exempt from screening by the NIRB, and the NPC does not have concerns for Cumulative Impacts, the NPC will indicate in its decision that the assessment of the Project/Project Proposal is complete. The proponent may carry out the Project/Project Proposal, in accordance with any requirements of the NLUP and proceed to apply for any required licences, permits, or other authorizations.

6.3.3 Minor Variance

A Minor Variance is a small change to a Term in the NLUP. An application for a Minor Variance will be considered when the NPC determines that a Project/Project Proposal does not conform to the NLUP, but is eligible to be considered for a Minor Variance.

A request for a minor variance will only be considered in respect of Conditions that include setbacks or seasonal restrictions.

The conditions that will be considered to determine if a Project/Project Proposal is eligible for a Minor Variance are:

- (a) The proposed Minor Variance is necessitated by unique physical features or limitations of the Project/Project Proposal location, such as those related to topography and vegetation;
- (b) The granting of the proposed Minor Variance will not cause the Project/Project Proposal to have incompatible or Obnoxious Land Use ;
- (c) The granting of the proposed Minor Variance will not be inconsistent with similar Minor Variances previously granted by the NPC.
- (d) Reasonable, given the geographic location and existing conditions;
- (e) In accordance with the general intent and purposes of the Draft Nunavut Land Use Plan (DNLUP);
- (f) Appropriate in the context of surrounding land uses and designations;
- (g) Does not set an undesirable precedent, and;
- (h) Granting the Minor Variance does not cause unacceptable adverse impacts to persons, projects, wildlife, or the environment.

6.3.4 Plan Amendment

Plan Amendments will be considered for major changes to the NLUP such as, but not limited to:

- (a) Formal updates to the NLUP content;
- (b) Changes to uses considered to conform or are listed as prohibited under Land Use Designations, or;
- (c) Changes to the application of Conditions and Information on VECs and VSECs.

In accordance with the NUPPAA and NLCA, an Amendment to the NLUP may be proposed at any time.

6.3.5 Periodic Review and Monitoring

The Commission may review the NLUP periodically to verify whether, and the extent to which, it continues to:

1. Achieve the purpose of land use plans set out in the NLCA and NUPPAA;
2. Support the implementation of the Commission's Broad Planning Policies, Objectives and Goals; and
3. Provide for the conservation and use of land and guide and direct resource use and development.

The NPC is committed to ensuring the NLUP continues to reflect the changing needs and environment of the NSA and its residents. As part of this commitment, the NPC will review and monitor the provisions of the NLUP and rely on Plan Amendments over a short term to keep the NLUP current and address Planning Partner concerns.

As set out in paragraph 14(a) of the NUPPAA and section 11.4.4(l) of the NLCA, the NPC will monitor projects to determine whether they are operating in conformity with the Plan. Annual reports to the Ministers and Designated Inuit Organizations regarding the implementation of the NLUP will be prepared in accordance with paragraph 14(b) of the NUPPAA and section 11.4.4(m) of the NLCA.

Periodic Reviews of the NLUP may include consideration of questions in relation of the NLUP content such as:

- (a) Are the requirements of the NLCA being achieved?
- (b) Have specific planning objectives and planning variables identified for the planning regions been met?
- (c) Are Inuit objectives for Inuit Owned Land being achieved?
- (d) Does the NLUP efficiently guide and direct resource use and development?
- (e) Is the NLUP effectively providing for the conservation and use of land?

- (f) Have Plan Amendments incorporated the results from research and additional planning studies to improve decision making?
- (g) Do the results of the annual reporting on plan implementation and project monitoring identify matters that require substantial changes to the NLUP?
- (h) What is the level of Planning Partner satisfaction with the NLUP?

The Commission will evaluate the results of its annual reports and periodic reviews to determine the timing or need for a comprehensive review and revision of the entire NLUP content.

For clarity, both IQ and community feedback can act as triggers for commencing a plan review.

6.3.6 Public Registry

The NPC maintains an on-line Public Registry to support implementation of the NLUP. The NPC on-line Public Registry is located at www.nunavut.ca.

In accordance with the NUPPAA the Registry contains information such as, but not limited to:

1. Notices of receipt of Project/Project Proposals and a summary of the works/activities, including a description of its nature and an indication of where it is to be carried out, and the proponent's name;
2. Annual reports related to the implementation of land use plans;
3. Reports related to the results of public hearings to review draft plans, Plan Amendments, Minor Variances or Project/Project Proposals undertaken in cases of emergencies;
4. Notices of public hearings;
5. Approved by-laws and rules;
6. Past DNLUPs and comments received on its content, and;
7. Any decisions the NPC makes in relation to Conformity Determinations, Plan Amendments, Minor Variances, and land use plans.

Interested parties may subscribe to receive a notification when Projects/Project Proposals are submitted or approved on the NPC on-line Public Registry.

6.4 Generally Permitted Uses

Unless an activity is specifically prohibited within a specific Land Use Designation, all land and water uses associated with Project/Project Proposals are considered to conform to the NLUP and may proceed to the regulatory stage.

The following Project/Project Proposals are generally considered to conform to the NLUP and typically may occur in any Land Use Designation:

1. Remediation and Reclamation.
2. Non-exploitive scientific research.
3. Establishment of National Historic Sites administered by Parks Canada.
4. Commemoration of National Historic Sites.

It should be noted however, that exceptions may be noted where or during times where vulnerable VECs and VSECs have been identified. Proponents should contact the NPC to advise of planned activities.

6.5 Grandfathering of Existing Rights in respect of Projects/Project Proposals

The NLUP and any future Plan Amendments may apply to some Projects/Project Proposals that had Existing Rights before the approval the NLUP. Users are encouraged to refer to the NUPPAA for guidance on whether the NLUP applies in specific circumstances.

NUPPAA requires a Project/Project Proposal to be submitted for a Conformity Determination if there is a “significant modification” to a Project/Project Proposal with Existing Rights. Significant modifications may include but are not limited to a change in scale or intensity of the Project/Project Proposal, new or modified works, activities, or components that were not included in the original Project/Project Proposal carried out prior to the approval of the NLUP as well as the following examples of significant modifications:

1. Any change to the location of the work or activity;
2. Any change to the type of land use;

3. Any change to the timing of the work or activity (e.g. seasonal changes), and;
4. An increase or modification in a work or activity that, for example, requires changes to a land use.

This list is non-exhaustive and simply illustrates what the NPC may consider to be “significant modifications” from a planning perspective.

6.5.1 Existing Rights - Minerals

In the mining sector, the notion of grandfathering is complex, as projects move through a number of fairly distinct stages, presented in Figure 9. NPC considers there to be seven (7) distinct stages in Mineral Exploration and Development. A Project/Project Proposal, as it was approved or accepted as a completed submission, prior to approval of the NLUP, may be considered grandfathered under the NUPPAA for the purposes of Conformity Determination. However, the transition from one stage of Mineral Exploration and Development to another may require a new Conformity Determination.

Note that the terms in Figure 9 above are defined in the Definitions section. Transitioning from one stage to another may be considered a significant modification and could require a Conformity Determination.

6.6 Ministerial Exemption

If the NPC determines that the Project/Project Proposal is not in conformity with the NLUP, the proponent may request an exemption from the federal Minister or the territorial Minister, or both, taking into account their respective jurisdictions, in accordance with the NLCA and NUPPAA.

6.7 Enforcement

For the purposes of compliance under the NUPPAA, any Project/Project Proposal that contravenes the requirements of Table 1 is considered to be a prohibited use under Section 74(f) of the NUPPAA.



6.8 Recommendations for Additional Research and Studies

The North is undergoing rapid changes from the impacts of climate change. To mitigate and improve predictions on changes to hunting areas, wildlife habitat, and migration patterns, strategic and coordinated research and monitoring is needed. Future generations of the NLUP should include information on VECs and VSECs not represented in this version.

The Canadian High Arctic Research Station is a large research body situated in the North, with connections to academia through the Canadian Network of Northern Research Operators.

The NPC recommends that the Canadian High Arctic Research Station and the Nunavut General Monitoring Plan, presently under the administration of INAC, work cooperatively to ensure that research of the highest priority is occurring, and in a cost-effective manner. NPC is able to assist in this either directly or through its role on the Nunavut General Monitoring Plan Steering Committee.

As stated in Chapter 5, NPC recommends that SEAs be undertaken, in order of priority, in mainland West Kitikmeot, and central Kivalliq. NPC supports the recommendation by the Nunavut Marine Council to undertake studies on baselines and thresholds of VECs in the Baffin Bay area.

At this time, the NPC believes that funding should be focused on answering resource management questions related to the following research priorities, in no particular order:

- Use and Occupancy Mapping
- Caribou
- Climate Change
- Char
- Cumulative Impacts
- Oil Exploration, Development and Transportation
- Marine Mammals
- Municipal Infrastructure/Energy Production
- Well-Being
- Traditional Activities & Traditional Use Areas
- Animal Husbandry
- Other

These research priorities are described in greater detail below.

6.8.1 Use and Occupancy Mapping

The Commission recommends on-going use and occupancy research to collect information from residents to understand trends and patterns in Inuit land use and areas of importance during community consultation workshops. Particular questions include:

- 1) How can traditional activities be structured into the everyday life of Nunavummiut? How would this inform employers?
- 2) What are the areas of concentration of traditional uses, and during which seasons?

6.8.2 Caribou

- 1) Where and when do caribou habitat areas need to be protected or closely managed?
- 2) What impact would proposed new roadways have on harvest patterns?
- 3) Are there areal, linear, and/or temporal thresholds that can be established in areas of heavy development in order to control cumulative effects? If not, what are the factors that must be understood to develop an efficient and effective adaptive management system?
- 4) Identify acceptable noise levels to minimize disturbance on caribou from industrial Projects/Project Proposals and low flying aircraft during calving and post-calving, and regular seasonal activities.

6.8.3 Climate Change

- 1) Identify how increases in the amount of freshwater entering the marine environment will impact salinity levels and temperature of marine habitats over time.
- 2) Identify how changing salinity levels and temperature will affect food sources of sea mammals.
- 3) Identify how varying salinity levels and temperature may cause changes in the location of historic hunting grounds for sea mammals and location of floe edges and polynyas.

6.8.4 Arctic Char

What are the harvesting patterns that would enable a sustainable and reliable fishery (commercial and domestic)?

6.8.5 Cumulative Impacts

Identify acceptable thresholds and baseline indicators to manage the impacts from commercial and industrial

Project/Project Proposals on:

- 1) Fresh water quality within Nunavut's water management areas and smaller watersheds under development pressures;
- 2) Marine mammals from commercial shipping;
- 3) Important habitat relied upon by walrus, polar bear, seals, whales, caribou, and migratory bird species.

6.8.6 Polar Bears

- 1) Further research into critical polar bear habitat;
- 2) Continued research into polar bear health.

6.8.7 Oil Exploration, Development and Transportation

- 1) Identify how seismic surveying impacts sea mammals.
- 2) What would be the social, demographic, and economic impacts of a proposed road and/or railway in mainland Nunavut?
- 3) What will the comparative effects be on caribou and polar bear from a road or rail to mainland Nunavut?
- 4) Will road or rail have a larger economic multiplier effect, especially in consideration of operability during blizzards?

6.8.8 Heritage Rivers

Research the quantity and quality of flow in the Soper, Kazan, Thelon, and Coppermine Rivers with intent to develop specific normative quality guidelines for future watershed management.

6.8.9 Marine Mammals

- 1) Identify acceptable noise levels to minimize disturbance on walrus when on sensitive walrus haul outs from commercial and industrial Projects/Project Proposals.
- 2) Identify acceptable noise levels to minimize disturbance from ocean shipping on walrus, seal, and whales.
- 3) Consider the impacts proposed roadways would have on the harvest patterns of polar bears.
- 4) Develop an improved understanding of where, and when, seal whelping occurs.
- 5) Develop an improved understanding of whale calving, and when nursing cow whales and their young are most sensitive.

6.8.10 Municipal Infrastructure / Energy Production

- 1) Can we present Nunavut communities with packages of tested and proven climate-appropriate renewable energy production and storage technologies that may confidently allow the transition away from diesel electric?
- 2) Detailed quantitative measures and thresholds for measuring the quality of water sources for the communities are needed.

It is recommended that Government research community water standards for eventual inclusion in future versions of the NLUP.

6.8.11 Well-Being

What factors indicate success in connecting financial wealth to family well-being and improved wellness? What policy applications are warranted?

6.8.12 Areas of High Mineral Potential

Areas considered to have high mineral potential should be revised as geological information and economic assessments are updated.

6.8.13 Animal Husbandry

Are there areas of Nunavut that are potentially suitable for animal husbandry? If so where, and what land arrangements would be most suitable? What mitigating factors would need to be considered?

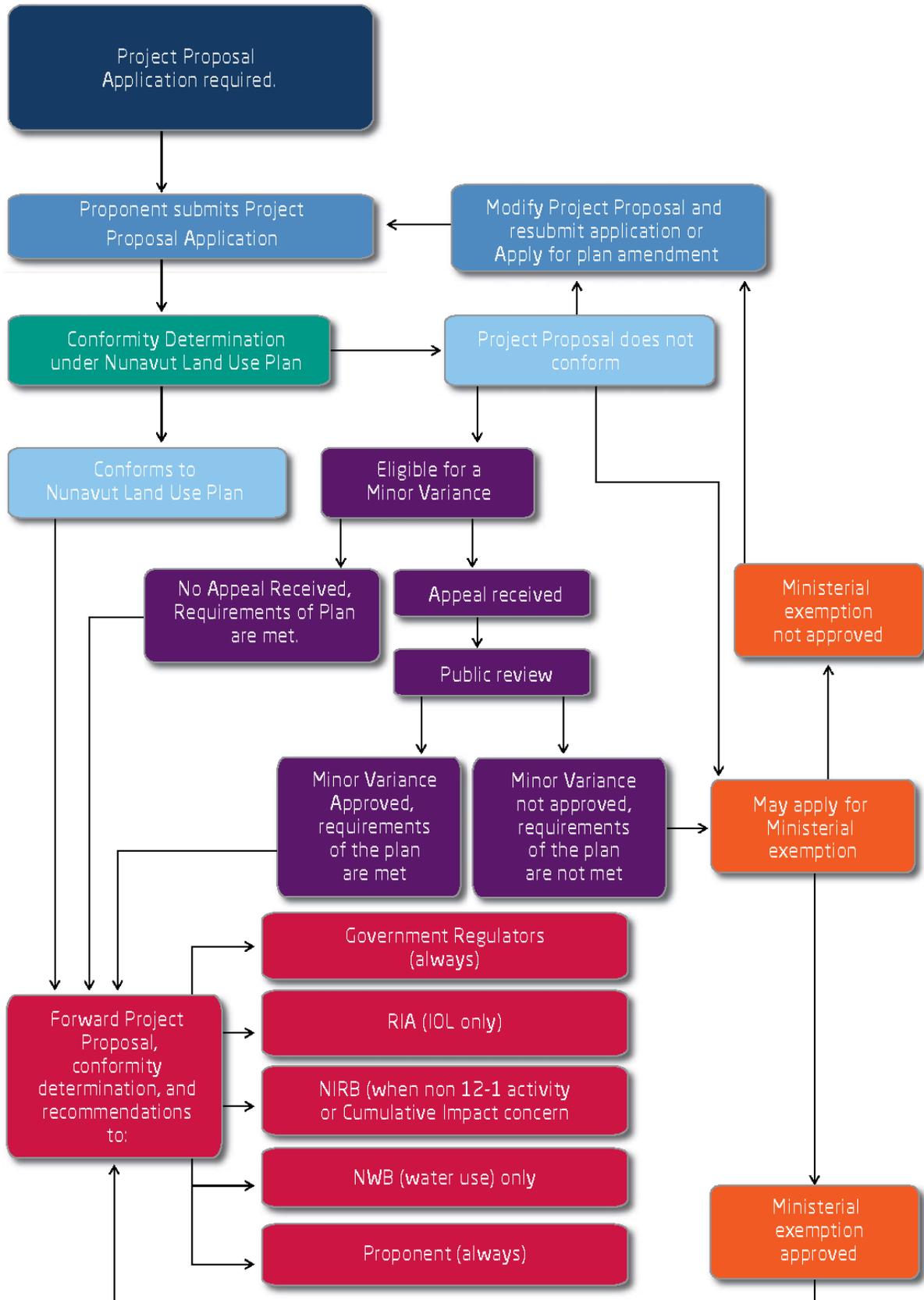
6.8.14 Belcher Islands

- 1) How would mining activity on the Belcher Islands impact fresh water and cultural values?
- 2) What are the transboundary impacts from hydro development in Quebec and Ontario on marine mammals and Eider duck bird habitat near the Belcher Islands?

6.8.15 Other

- 1) What are the Cumulative Impacts of research projects undertaken in the high Arctic and Ellesmere Island?
- 2) How, and should, ecosystem modification biotechnologies be used in Nunavut?

6.9 NPC Flowchart For Review Of Project Proposals Under Nunavut Planning And Project Assessment Act





Chapter 7

Annexes



7.1 Annex A1: Factors to Determine if the Alternatives Assessment on the Routing of a Proposed Linear Infrastructure Corridor are Robust

Applications for LICs in Nunavut must provide the following information before they may be considered complete. Responses should be commensurate with the size and complexity of the proposed project. In some cases, some alternatives may rank nearly equally.

The purpose of this information requirement is to assist proponents in defining what the proposed LIC is intended to achieve, and then determining if the route selected is the best fit those objectives. The key question are:

1. Is it clear where the LIC needs to originate? *This question refers to where the LIC needs to start from, or if there is more than one potential point of origin.*
2. Is it clear where the LIC needs to terminate? *This question refers to where the LIC needs to go to, or if there is more than one required or possible final destination. For example, for proposed mines requiring a port facility, usually there will be more than one potential location to construct a port. As an alternative example, for projects intended to extend the electricity grid, several communities may be potential destinations for the new power lines.*
3. What are the potential routes between the point of origin and all possible destinations? *This question is seeking an understanding of the possible routes between the point of origin and all possible destinations.*
4. What is the process of elimination of all possible routes to all possible destinations? **Response should be commensurate in detail to the scale and scope of the proposed LIC**, and may include such factors as:
 - a. Significant topography that limits potential routes. *For example, if the only possible LIC is a railway, the number of possible routes will be limited by topography. Alternatively, if the proposal is for a linear line of solar-powered communication relay towers, topography would have a little or no import to the possible routing.*
 - b. Limitations on the mode or modes of LIC that are appropriate or potentially appropriate to the project (see Annex A2).
 - c. Order of magnitude costing.
 - d. Avoidance of Parks, Conservation Areas, Protected Areas, Special Management Areas, or other areas important to particular VECs and VSECs. Where such avoidance is unavoidable, provide a qualitative discussion of the impact of the proposed LIC on VECs and VSECs that may be affected.
 - e. Existing, proposed, or speculative LIC's in the area that could support or be supported by the proposal in establishing a network.
 - f. If a port is involved, factors or import to the marine shipping and Marine Infrastructure that would occur.
5. Will the LIC be permanent or temporary?
 - a. If temporary, is a remediation plan with costing estimate available?
 - b. If permanent, are approximate operation and maintenance expenses available, and has funding for these expenses been committed to by the agency, corporation, or other party that will be responsible for operations and maintenance? *Operational expenses refer to such factors as emergency response, inspections, etc. Maintenance expenses refer to such factors as testing, repairs, amortized replacement costs, replacement schedule, etc.*
6. If the proposal is for a road, will the road be private or public?
 - a. If private, how will public access be limited?
 - b. If public, are approximate operations and maintenance expenses available, and has funding for these expenses been committed to by the public agency or agencies that will be responsible? *Operational expenses refer to such factors as emergency response, inspections, patrols, distribution of information on road and weather conditions, etc. Maintenance expenses refer to such factors as grading, bridge maintenance and amortized replacement costs, bridge replacement schedule, repaving schedule, pothole repair, repaving if needed before scheduled repaving, line repainting, etc.*

7.2 Annex A2: Factors to Determine if the Alternatives Assessment on the Modality of a Proposed Linear Infrastructure Corridor (LIC) Corridor is Robust

Applications for LIC's in Nunavut must provide the following information before they may be considered complete. Responses should be commensurate with the size and complexity of the proposed project. In some cases, some alternatives may rank nearly equally.

The purpose of this information requirement is to assist proponents in defining what the proposed LIC is intended to achieve, and then determining if the mode or modes selected are the best fit those objectives. The key question is:

1. Are the different potential LIC modes, as listed in the definitions, explicitly compared to the objectives of the proposed project, or effectively consider potential impacts to VECs and VSECs? This might be accomplished through use of an alternatives assessment comparison table, an example of which is provided below.

Figure 10: Example of an Alternatives Assessment of Potential Modality of a Linear Infrastructure Corridor Proposal

Options	Factors (examples)									
	Haulage Quantity & Frequency	Passenger Numbers & Frequency	Transmission Needs	VECs impacted	VSECs impacted	Order-of-Magnitude Costing (Construction and/or O&M)	Capacity for Emergency Response	Difficulty of Patrol or Security (if applicable)	Operability During Severe Weather	etc.
Communication Line										
Highway										
Mine Servicing Road										
Mine Bulk Hauling Road										
Pipeline										
Railway										
Power line										
Undersea Corridor										
Winter Highway										
Winter Mine Servicing Road										
Winter Mine Bulk Hauling Road										
Winter Skid Track										

7.3 Annex B: Factors to Determine if an Icebridging Plan, Applicable when an Icebreaker is Proposed to Cross a Recognized On-Ice Transportation Route, is Robust

Applications to break sea ice on routes that cross recognized on-ice transportation corridors in Nunavut must provide the following information before they may be considered complete.

The purpose of this information requirement is to assure communities that their essential on-ice transportation routes will be safeguarded during the Ukiuq, Upingaksaaq, and Upingaaq seasons. The proposal to break ice must respond, in a realistic manner commensurate with the season, location, and frequency of the proposed icebreaking, to the following questions. This information will be forwarded to NIRB following any NPC approval.

1. Is it clear where any on-ice travel routes, as shown on NLUP, will be crossed by the proposed icebreaking track?
2. Where safe navigation may require an icebreaker to take an alternative route, will other on-ice travel route besides those described in point 1. above be affected? If so, where?
3. Will this be a single passage or multiple? If multiple, what is the proposed frequency of passage of icebreakers, by week, month, or season?
4. Are tide and current patterns, or other factors, likely to create complex on-ice conditions after passage of the icebreaker?
5. What are the probable refreezing rates along the icebreaker track? Have field tests been made?
6. What techniques besides refreezing proposed to allow for bridging over the icebreaker track? Have they been tested in real-world conditions at or near the proposed icebreaking route?
7. Can a detailed community notification plan be presented? Provide details on how the community will know when icebreakers will go, where the bridge will be, how travelers on the ice will find it, how long after the passage of an icebreaker it will be ready, etc. *Note that response to this inquiry is understood to be a first step, and community consultation may be required during the impact assessment process under NIRB.*
8. Does the proposed ice-bridging plan take measures to avoid unnecessarily circuitous routes by on-ice vehicles? *Clarify if the proposed icebridge would require rerouting of the typical on-ice-transportation corridor, and if so, how much.*
9. Does the proposed plan take into account any existing ice bridging plans? *If an approved ice-bridging plan is in effect in an area, and that plan impacts the proposed plan, how does the proposed plan build on the existing ice-bridging plan?*
10. After what approximate date is adequate refreezing unlikely to occur?
11. Will the on-ice season be shortened through icebreaker activity in the area?
12. Are there any floe edges that might be affected by the proposed icebreaker activity?

7.4 Annex C: Compendium of NPC's Recommendation in the Nunavut Land Use Plan

7.4.1 Required Actions

Required actions are those for which the NPC has ample and convincing reason to believe are pressing, essential, timely, and necessary, whether for safety, avoidance of accidents, or due to legal accountability.

- 1- Within five (5) years of the approval of the first-generation NLUP, municipalities must identify for the NPC the boundaries of the watershed of their existing and future drinking water supply.

7.4.2 Recommended Actions

Recommended actions are those for which the NPC has convincing reason to believe will result in significant positive net end results for Nunavummiut, all Canadians, or for the environment.

- 1- Where land uses may interact with or impact on caribou in Nunavut, including caribou that migrate to other jurisdictions, the NLUP recommends that users of the NLUP, including IPGs, environmental assessment panels, and other consult the Options and Recommendations document.
- 2- The NPC recommends that the Government of Canada consider registering Caribou Sea Ice-Crossing as Special Area, Particularly Sensitive Sea-Ice Area, or area to be avoided or a combination of these to ensure international vessels respect this closure.
- 3- The NPC recommends that in implementing the NLUP, federal or territorial ministers, departments and agencies; municipalities; the National Energy Board; Institutions of Public Government; federal environmental assessment panels; and other Regulatory Authorities ensure Proponents give reasonable consideration to minimizing their contribution to climate change, plan for, and where necessary or desirable, take reasonable steps to mitigate anticipated effects of climate change.
- 4- It is recommended that Government include the NPC in planning for future Parks, National Marine Conservation Areas, and Conservation Areas, to help ensure consistency with other factors and issues in Nunavut and to help fulfil NPC's mandate in Article 11 of the NLCA.
- 5- The NPC recommends that in implementing the Nunavut Land Use NLUP, federal or territorial ministers, department agencies, municipalities, Institutions of Public Government, the National Energy Board, federal environmental assessment panels, and other Regulatory Authorities ensure Proponents give reasonable consideration to ensure the protection of communities' drinking water supplies.
- 6- The NPC recommends that the Government of Nunavut consider formalizing their existing Environmental Guideline for Contaminated Site Remediation into regulations.
- 7- The NPC recommends that where it is possible to identify the person, company or agency responsible for creating an abandoned or inactive Waste Site, Regulatory Authorities apply, to the extent of their authority, the "polluter pay" principle to make the person, company or agency absolutely and retroactively liable for the remediation. If identification of the polluter is not possible the NPC recommends the Regulatory Authorities that had responsibility for the site at the time it was active shall be responsible for remediation of the Waste Site."
- 8- The NPC recommends Government provide additional funding to the NPC and NIRB to co-lead strategic environmental assessments in areas considered to have high mineral potential.

- 9- NPC recommends that Responsible Authorities work to support the goals of the stated marine setbacks by:
1. Developing an appropriate Notice to Mariners and/or Vessel Traffic Service Zones and/or Marine Protected Areas, or other Canadian tools or regulations, for the ecological and cultural heritage sites mentioned in Tables 1 and 2; and
 2. As appropriate, registering the ecological and cultural heritage sites in question with the IMO as Special Areas, Particularly Sensitive Sea Areas, or Areas To Be Avoided, or a combination of these.
- 10- It is recommended that CCG consider the needs of communities in the Nunavut Settlement Area when prioritizing and funding of work related to hydrographic surveys and associated charting, new or upgraded navigational aids, and emergency and/or spill response infrastructure.
- 11- It is recommended that DFO prioritize nautical charting on those marine shipping corridors marked as Priority 1, 2, or 3 by the Northern Marine Transportation Corridors Initiative that are 50 metres deep or less. NPC recommends that Responsible Authorities work collaboratively in developing: alternative routes for ships around islands or through straits accounting for a variety of ice and weather conditions; a better understanding of the impacts of ships travelling in convoys; and standardized best procedures for spill containment in loose ice conditions.
- 12- The NPC recommends that the Canadian High Arctic Research Station and the Nunavut General Monitoring Plan, presently under the administration of INAC, work cooperatively to ensure that research of the highest priority is occurring, and in a cost-effective manner. NPC is able to assist in this either directly or through its role on the Nunavut General Monitoring Plan Steering Committee.
- 13- It is recommended that Government research community water standards for eventual inclusion in future versions of the NLUP.

7.5 Annex D: Example of Waste Site Clean-Up List Prioritization

Information Gathering

The following parameters have been identified by workshop participants as important in information gathering:

- What kind of waste is at the site (chemicals, fuel, buildings, old machinery, etc.)?
- Who is responsible for the site?
- Is there a land use permit?
- What area is affected?
- What was the land used for? What will it be used for?
- How close is waste to water sources (surface, drinking water, other)?
- What animal populations use the area (caribou feeding areas or calving grounds, migration routes, etc.; bird habitat; other)?
- How much waste is at the site?
- Is the site in an area of frequent, regular or irregular Inuit land use?
- Is the area close to a community or within a hamlet boundary?
- Are there aesthetic concerns (i.e. are people complaining about the mess)?
- Are there other community concerns?
- Have there been previous cleanup efforts or containment measures?
- Other information.

Besides community informant reports and surveys, this information is gathered from:

- Owner files
- Regulatory agency files, including those held by institutions of public government in

Nunavut

- Land use history
- Aerial photography
- Archival records
- Site plans and drawings
- Insurance plans
- Review of industrial practices
- Anecdotal reports from past employees

- Other sources.

Site Assessment

An assessment may be carried out to assist in the development of the cleanup priority list.

Wastes in the Hazardous Stream require technical analysis. A methodology has been developed by the Canadian Council of Ministers of the Environment and used by DND to assess DEW Line sites for cleanup. NTI has used the same methodology to prioritize DEW Line sites.

The following section outlines the method the NPC has developed for classifying potential cleanup sites. The categories have been developed based on public input and are designed to assist people in the North Baffin in developing a cleanup priority list.

Each category is subdivided and a numerical value is attached. These values will be totaled and the sum attributed to the site.

All sites are then organized based on this ranking. The numbering system will assist further discussions about assigning priority to the sites. (This assessment will also result in hazardous waste being put at the top of the priority list.)

Potential cleanup sites will be assessed using the following criteria:

- **Degree of Human Use (US)** refers to how often a site is used. A scale of continuous (3), seasonal (2), infrequent (1) or none (0) is estimated based upon information collected from the communities.

- **Risk to Human Health (LI)** is another factor that has to be estimated. Risks to health are rated according to the following scale:

- The presence of hazardous materials (3)
- No hazardous materials, but extensive debris (2)
- No significant risk to human health (1).

- **Degree of Site Contamination (CN).**

Significant Contamination (3) refers to sites that are already seriously contaminated, or where there is a significant potential for future contamination based on an initial assessment. Moderate Contamination (2) is said to occur when some localized contamination is present. The final two categories are Low Contamination (1) and

No Contamination (0).

- **Status of Contaminants (ST)** refers to the condition of the various substances at the site. If a contaminant is known to be present, or it is strongly suspected that it is migrating into the

food chain, drinking water, etc., then the site is assigned the most serious rating (3) for this criterion. If no one is sure about what is happening to the contaminants, the site is assigned a value of (2) in this category. If the contaminants are stable and are not likely to enter water sources, the site is evaluated as (1).

- **Proximity to Community (PR).** During a meeting about cleanup sites in Cambridge

Bay in May 1996, participants said they were more concerned about sites closer to their communities than about those farther away. Each site is assigned a value of (3) if it is close to the community, a value of (2) if it is at an intermediate distance and a value of (1) if it is far away.

- **Level of Public Concern (CO).** This category deals with the degree of concern a site creates. In this category, any site that creates Nunavut-wide concern is given a value of (3). Those causing concern throughout the planning region are assessed

as (2), while local concerns get a (1).

Total of Assigned Values

Once all of the sites have been given numbers for each of the criteria previously described, the values assigned to each site are totaled, and the sums are used to rank the sites.

$$US + LI + CN + ST + PR + CO = R$$

Since this is an initial assessment, there may be a number of sites with equal priority.

However, this total will be enough to “weigh” the sites and place them in one of three broad categories. Each sum is then used to place a site in a range (R), which, in turn, is used to determine the cleanup priority. The ranges are:

- (13-18) Urgent
- (7-12) Serious
- (6 or less) Moderate

Table 1: Land Use Designations

Note that where “related research” is listed as a prohibition, it refers to all prohibited land uses in that area.

Site #	Title of Location	Designation
1	Key Bird Habitat Site - Middle Back River	[Special Management Areas]
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences, and authorizations.	
2	Key Bird Habitat Site - Bathurst / Elu Inlets	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial setbacks) and coastal waterfowl and sea ducks (marine and terrestrial) during the issuance of permits, licences, and authorizations.</p>	
3	Key Bird Habitat Site - Kagloryuak River	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences, and authorizations.</p>	
4	Key Bird Habitat Site - Lambert Channel	[Protected Areas]
5	Key Bird Habitat Site - Nordenskiold Islands	
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>	
6	Key Bird Habitat Site - Rasmussen Lowlands	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences, and authorizations.</p>	

7	Key Bird Habitat Site - Cape Graham Moore	[Special Management Areas]
8	Key Bird Habitat Site - Cape Hay	
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.	
9	Key Bird Habitat Site - Cape Liddon	[Special Management Area]
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.	
10	Key Bird Habitat Site - Frobisher Bay	[Special Management Area]
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds and coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.	
11	Key Bird Habitat Site - Hell Gate and Cardigan Strait	[Special Management Area]
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial), and coastal waterfowl and sea ducks (aerial) during the issuance of permits, licences, and authorizations.	
12	Key Bird Habitat Site - North Spicer Island	[Special Management Area]
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for sea-level nesting birds (marine), and coastal waterfowl and sea ducks (aerial and terrestrial) during the issuance of permits, licences, and authorizations.	
13	Key Bird Habitat Site - Prince Leopold Island outside of MBS	[Special Management Areas]
14	Key Bird Habitat Site - Scott Inlet	
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.	
15	Key Bird Habitat Site - Seymour Island (outside of MBS)	[Special Management Area]
	Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds (aerial), and ivory gulls (terrestrial) during the issuance of permits, licences, and authorizations.	
16	Key Bird Habitat Site - Abbajalik and Ijutuk Islands	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>	
17	Key Bird Habitat Site - Baillarge Bay outside of Sirmilik National Park	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.</p>	

18	Key Bird Habitat Site - Belcher Islands Polynyas	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>		
19 20	Key Bird Habitat Site - Buchan Gulf Key Bird Habitat Site - Cape Searle / Reid Bay (outside of NWAs)	[Protected Areas]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.</p>		
21	Key Bird Habitat Site - Cheyne Islands	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial), sea level coastal nesting birds (marine), and all seabirds (terrestrial and marine) during the issuance of permits, licences, and authorizations.</p>		
22	Key Bird Habitat Site - Creswell Bay	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks (aerial), all seabirds (marine), and all migratory birds (terrestrial) during the issuance of permits, licences, and authorizations.</p>		

23	Key Bird Habitat Site - East Axel Heiberg Islands	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences, and authorizations.</p>		
24	Key Bird Habitat Site - Eastern Devon Island	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for ivory gulls (marine and terrestrial), and all seabirds (aerial) during the issuance of permits, licences, and authorizations.</p>		
25 26	Key Bird Habitat Site - Eastern Jones Sound Key Bird Habitat Site - Eastern Lancaster Sound	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>		
27	Key Bird Habitat Site - Fosheim Peninsula	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences, and authorizations.</p>		

28 29	Key Bird Habitat Site - Foxe Basin Islands Key Bird Habitat Site - Great Plain of the Koukdjuak (outside of Dewey Soper MBS)	[Protected Areas]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>		
30	Key Bird Habitat Site - Grinnell Peninsula	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>		
31	Key Bird Habitat Site - Hobhouse Inlet	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>		
32	Key Bird Habitat Site - Inglefield Mountains	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds (aerial) and ivory gulls (terrestrial) during the issuance of permits, licences, and authorizations.</p>		
33	Key Bird Habitat Site - Markham Bay	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>		

34	Key Bird Habitat Site - Nasaruaalik Island	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds, and coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>		
35	Key Bird Habitat Site - North Water Polynya	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>		
36	Key Bird Habitat Site - Northwestern Brodeur Peninsula	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds (aerial) and ivory gulls (terrestrial) during the issuance of permits, licences, and authorizations.</p>		
37	Key Bird Habitat Site - Sleeper Islands	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration & Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and seaducks during the issuance of permits, licences and authorizations.</p>		

38	Core Caribou Calving Areas	[Protected Area]
39	Post-Calving Areas	
40	Key Access Corridors	
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Obnoxious Land Use; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 	
41	Walrus Haul-outs	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Disposal at Sea; • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: No vessel may approach within five (5) km seaward of a walrus haul-out, any time during the year. Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p>	
42	National Parks Awaiting Full Establishment - Ward Hunt Island Area Awaiting Incorporation into a National Park – Sila Lodge (Ukkusiksalik National Park)	[Protected Areas]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Obnoxious Land Uses; • Hydro-electrical and related infrastructure; and • Linear Infrastructure. <p>Conditions: Land or water use licenses of any type that are for periods longer than five (5) years are prohibited, except in respect of Existing Rights.</p>	
43	Peary Caribou Habitat Adjacent to Quasuittuq National Park	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Obnoxious Land Use; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 	

44	Proposed Lancaster Sound National Marine Conservation Area	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Seismic Testing; • Oil and Gas Exploration and Production; • Disposal at Sea; and • Related research except Non-exploitive Scientific Research 		
45	Thelon Wildlife Sanctuary	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 		
46 47 48	East Bay Migratory Bird Sanctuary Harry Gibbons Migratory Bird Sanctuary McConnell River Migratory Bird Sanctuary	[Protected Areas]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>		
49	Queen Maud Gulf Migratory Bird Sanctuary	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks, and all migratory birds (aerial and marine) during the issuance of permits, licences, and authorizations.</p>		

50	Bylot Island Migratory Bird Sanctuary outside of National Park	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>		
51	Dewey Soper Migratory Bird Sanctuary	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds (aerial), and coastal waterfowl and sea ducks (marine and terrestrial) during the issuance of permits, licences, and authorizations.</p>		
52	Prince Leopold Island Migratory Bird Sanctuary	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.</p>		
53	Seymour Island Migratory Bird Sanctuary	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for ivory gulls (terrestrial), and all seabirds (aerial and marine) during the issuance of permits, licences, and authorizations.</p>		

54	Akpait National Wildlife Area	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.</p>		
55	Ninginganiq National Wildlife Area	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all migratory birds during the issuance of permits, licences, and authorizations.</p>		
56	Nirjutiqavvik National Wildlife Area	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for all seabirds during the issuance of permits, licences, and authorizations.</p>		
57	Polar Bear Pass National Wildlife Area	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.</p>		
58	Qaqulluit National Wildlife Area	[Protected Area]

	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 for seabirds (aerial and terrestrial) during the issuance of permits, licences, and authorizations.</p>	
59	National Historic Sites of Canada - Kodlunarn Island	[Protected Areas]
60	National Historic Sites of Canada – Inuksuk	
61	National Historic Sites of Canada - Port Refuge	
62	National Historic Sites of Canada - Wreck of the HMS Breadalbane	
63	National Historic Sites of Canada - Beechey Island Sites	
64	National Historic Sites of Canada - Erebus and Terror	
65	National Historic Sites of Canada - Fall Caribou Crossing	
66	National Historic Sites of Canada - Arvia'juaq and Qikiqtaarjuk	
67	Historical Sites - Dealy Island	
68	Historical Sites - Beechey Island	
69	Historical Sites - Marble Island	
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 	
70	Soper Canadian Heritage River Management Area	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; and • Related research except Non-exploitive Scientific Research 	
71	Community Area of Interest - Hiukitak River	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 	

72	Community Area of Interest - Duke of York Bay	[Protected Area]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Hydro-electrical and related infrastructure; and • Related research except Non-exploitive Scientific Research 	
73 74	Community Area of Interest - Foxe Basin Community Area of Interest - Moffett Inlet	[Protected Areas]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Marine Shipping; • Hydro-electrical and related infrastructure; and • Related research except Non-exploitive Scientific Research <p>Conditions: No vessel may enter these community areas of interest at any time during the year. Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p>	
75 76 77	Community Area of Interest - Nettiilling Lake Community Area of Interest - Walrus Island Areas of Equal Use and Occupancy	[Protected Areas]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 	
78 79	Unincorporated Community - Bathurst Inlet Unincorporated Community – Umingmaktok	[Protected Areas]
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Hydro-electrical and related infrastructure; and • Related research except Non-exploitive Scientific Research 	
80 81 82	Alternative Energy Sources - Jaynes Inlet Reservoir Alternative Energy Sources - Quoich River Reservoir Alternative Energy Sources - Thelon River infrastructure	[Special Management Areas]
	<p>Prohibited Uses: All uses are prohibited within 100m of the three high potential alternative energy sites, except activities associated with hydro-electrical generation.</p>	
83 84	PIN-4 Byron Bay Distant Early Warning System Site Land Remediation CAM-5 Mackar Inlet Distant Early Warning System Site Land Remediation	[Special Management Areas]
	<p>Prohibited Uses: All uses are prohibited except Government of Canada activities and activities associated with the remediation and monitoring of the sites. All uses are prohibited except remediation and monitoring of the sites until cleanup operations are completed. Following remediation, no drilling, camps, or large landing pads will be permitted on landfills.</p>	

85	PIN-C Bernard Harbour Contaminated Site	[Special Management Areas]
86	FOX-D Kivitoo Contaminated Site	
87	CAM-C Matheson Point Contaminated Site	
88	FOX-E Durban Island Contaminated Site	
89	CAM-E Keith Bay land Contaminated Site	
90	ROBERTS BAY MINE Contaminated Site	
91	PIN D - ROSS POINT Contaminated Site	
92	PIN B - CLIFTON POINT Contaminated Site	
93	CAM F - SARCPA LAKE Tier II Contaminated Site	
94	CAM F - SARCPA LAKE Non-haz Contaminated Site	
95	FOX C - EKALUGAD FIORD Contaminated Site	
96	CAPE DORSET 2 (NOTTINGHAM IS.) Contaminated Site	
97	PADLOPING ISLAND Contaminated Site	
98	ENNADAI LAKE Contaminated Site	
<p>Prohibited Uses: All uses are prohibited except remediation and monitoring of the sites until cleanup operations are completed. Following remediation, no drilling, camps, or large landing pads will be permitted on landfills.</p>		
99	Canadian Armed Forces Station Alert	[Special Management Areas]
100	Canadian Armed Forces Station Eureka	
101	Nanisivik Naval Site	
102	High Arctic Data Communication System - Blacktop Ridge	
103	High Arctic Data Communication System – Yankee	
104	High Arctic Data Communication System – Whiskey	
105	High Arctic Data Communication System – Grant	
<p>Prohibited Uses: All uses are prohibited except Government of Canada and Government of Nunavut activities.</p>		

<p>106 to 135</p>	<p>BAF-2 Cape Mercy North Warning System Site BAF-3 Brevoort Island North Warning System Site BAF-4A Loks Land North Warning System Site BAF-5 Resolution Island North Warning System Site CAM-1A Jenny Lind Island North Warning System Site CAM-2 Gladman Point North Warning System Site CAM-3 Shepherd Bay North Warning System Site CAM-4 Pelly Bay North Warning System Site CAM-5A Cape McLoughlin North Warning System Site CAM-A3A Sturt Point North North Warning System Site CAM-B Hat Island North Warning System Site CAM-CB Gjoa Haven North Warning System CAM-D Simpson Lake North Warning System Site CAM-FA Lailor River North Warning System Site CAM-M Cambridge Bay North Warning System Site DYE-M Cape Dyer North Warning System Site FOX-1 Rowley Island North Warning System Site FOX-2 Longstaff Bluff North Warning System Site FOX-3 Dewar Lakes North Warning System Site FOX-4 Cape Hooper North Warning System Site FOX-5 Broughton Island North Warning System Site FOX-A Bray Island North Warning System Site FOX-B Nadluardjuk Lake North Warning System Site FOX-CA Kangok Fiord North Warning System Site FOX-M Hall Beach North Warning System Site PIN-1BG Croker River North Warning System Site PIN-2A Harding River North Warning System Site PIN-3 Lady Franklin Point North Warning System Site PIN-DA Edinburgh Island North Warning System Site PIN-EB Cape Peel West North Warning System Site PIN-CB Bernard Harbour North Warning System Site</p> <p>Prohibited Uses: All uses are prohibited except Government of Canada and Government of Nunavut activities, and activities associated with remediation and monitoring of the sites until cleanup operations are completed. Following remediation, no drilling, camps, or large landing pads will be permitted on landfills.</p>	<p>[Special Management Areas]</p>
<p>136</p>	<p>Cumberland Sound Turbot Area</p> <p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Oil and Gas Exploration and Production; • Related research except Non-exploitive Scientific Research 	<p>[Special Management Area]</p>

<p>137 138 139 140 141 142 143 144 145 146 147 148 149 150 151</p>	<p>Territorial Parks and Territorial Parks Awaiting Full Establishment Katannilik Territorial Park Mallikjuaq Territorial Park Sylvia Grinnell Territorial Park Inuujaarvik Territorial Park Iqalugaarjuup Nunanga Territorial Park Kugluk/Bloody Falls Territorial Park Pisuktinu Tunngavik Territorial Park Tamaarvik Territorial Park Tupirvik Territorial Park Taqaiqsirvik Territorial Park Nuvuk Territorial Park Kingaluuk to Sitiapiit Territorial Park Ovayok Territorial Park Nupartulik / Napaaqtulik (Axel Heiberg Island) Territorial Park Aggutinni Territorial Park</p>	<p>[Protected Areas]</p>
	<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Obnoxious Land Uses; • Hydro-electrical and related infrastructure; and • Linear Infrastructure. 	
<p>152 153 154</p>	<p>Caribou Sea Ice Crossings</p> <p>Northwest Passage between Victoria Island and the Mainland. Conditions: Closed to all ship traffic, subject to safe navigation, during Ukiuq and Upingaksaq (Ukiuq is excluded). Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p> <p>Peel Sound and Franklin Strait Conditions: Closed to all ship traffic, subject to safe navigation, during Ukiuq, Upingaksaq, and Upingaaq. Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p> <p>Narrow Seaways Between Bathurst Island and the Small Islands North of Bathurst Island Conditions: Closed to all ship traffic, subject to safe navigation, during Ukiuq, Ukiuq, Upingaksaq, and Upingaaq. Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p>	<p>[Special Management Area]</p>
<p>155 156</p>	<p>Thelon Heritage River – Areas of Significance Kazan Heritage River – Areas of Significance</p> <p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 	<p>[Protected Areas]</p>

157	Lancaster Sound Polynya	[Special Management Area]
158	North Water (Pikialaorsuaq) Polynya	
<p>Conditions: Closed to all ship traffic, subject to safe navigation, during Ukiaq, Ukiuq, Upingakaaq, and Upingaaq. Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p>		
159	Freshwater Caribou Crossings	[Protected Area]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Permanent tourism-related structures; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 		
160	Community Area of Interest – Diana River	[Protected Areas]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 		
161	Beluga Calving Grounds	[Special Management Area]
<p>Conditions: Closed to all ship traffic, subject to safe navigation, during Ajujuq. Any project in Nunavut that involves shipping that would violate these conditions is prohibited.</p>		
162	Community Water Source Watershed - Pangnirtung	[Protected Areas]
163	Community Water Source Watershed - Grise Fiord	
164	Community Water Source Watershed - Coral Harbour	
165	Community Water Source Watershed - Arviat	
166	Community Water Source Watershed - Naujaat	
167	Community Water Source Watershed - Chesterfield Inlet	
168	Community Water Source Watershed - Kugaaruk	
169	Community Water Source Watershed - Arctic Bay	
170	Community Water Source Watershed - Pond Inlet	
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Hydro-electrical and related infrastructure; and • Related research except Non-exploitive Scientific Research 		

171	Community Area of Interest – Essential Char Fishing Rivers on Southampton Island	[Protected Areas]
<p>Prohibited Uses: The following uses are prohibited:</p> <ul style="list-style-type: none"> • Mineral Exploration and Production; • Oil and Gas Exploration and Production; • Quarries; • Hydro-electrical and related infrastructure; • Linear Infrastructure; and • Related research except Non-exploitive Scientific Research 		
	On-Ice Marine Transportation Routes	[Special Management Area]
<p>Conditions: Closed to all ship traffic, subject to safe navigation, during Upingaksaaq and Upingaaq. Any project in Nunavut that involves shipping that would violate these conditions is prohibited. This condition may be waived through submission of a robust ice-bridging plan (see Annex B).</p>		

Table 2: Migratory Bird Setbacks

How to Use This Table:

First, consult *Table 1: Land Use Designations* to identify the prohibitions in place for a given key habitat site. For activities that are not prohibited, determine the type of setbacks that are relevant from Table 1, and then use *Table 2: Migratory Birds Setbacks* to identify the specific details for the type of activities and type of birds under consideration.

Table 2: Migratory Bird Setbacks is divided according to type of activity (aerial, marine, and terrestrial), and by different bird groups. The first row provides information on setbacks in place for migratory birds generally. Subsequent rows provide information on more specific setbacks in place for various bird groups. In some cases setbacks for certain bird groups will also apply to other bird groups but may include additional restrictions. For example, the aerial setbacks for All Seabirds include a lateral setback of 3 km from the seaward side of seaward colonies PLUS the setbacks listed for All Migratory Birds. The Table is constructed this way to ensure that setbacks are only placed where they are needed to avoid being overly restrictive.

Note that setbacks do not apply to scientific research vessels, scientific research, or traditional hunting or fishing activities.

Bird Group	Aerial Setbacks ¹	Marine Setbacks ²	Terrestrial Setbacks
All Migratory Birds	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>All overflying aircraft:</p> <ul style="list-style-type: none"> • maintain minimum vertical setback of 1100 m (3500 feet) in areas where concentrations of birds are present • maintain minimum lateral aerial setback of 1.5 km from concentrations of birds (e.g. bird breeding colonies and moulting areas) 	None	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> • 300 m setback from concentrations of birds (e.g. bird breeding colonies and moulting areas)
All Seabirds	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>Setbacks for All Migratory Birds above, plus</p> <ul style="list-style-type: none"> • lateral setback of 3 km from the seaward side of seabird colonies 	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> • 500 m setback for ships from seabird colonies when birds are present • 100 m setback from seabird colonies for zodiacs, kayaks and other small launch vessels 	See All Migratory Birds above

Bird Group	Aerial Setbacks ¹	Marine Setbacks ²	Terrestrial Setbacks
Ivory Gulls	See All seabirds above	SEASONAL (WHEN BIRDS ARE PRESENT) • 2 km setback distance from breeding sites	SEASONAL (WHEN BIRDS ARE PRESENT) • 2 km setback distance from breeding sites
Coastal Waterfowl and Seaducks	SEASONAL (WHEN BIRDS ARE PRESENT) All migratory birds above, plus • lateral setback of 3 km from flocks of coastal waterfowl and seaducks	SEASONAL (WHEN BIRDS ARE PRESENT) • 500 m setback distance from seaduck colonies, moulting aggregations of seaducks and waterfowl	See All Migratory Birds above

¹ Aircraft shall endeavour to maintain, subject to pilot discretion regarding aircraft and human safety, and except for specified operational purposes such as take offs and landings, etc., the proposed vertical and lateral aerial setbacks.

² Subject to situations in which the safety of vessel, crew and passengers will need to come first.”

Table 4: Community Priorities and Values for Marine Areas

Community	Polar Bear	Walrus	Birds	Fish	Would Like to See Protection	Marine Mammals	Polynyas	Concerned about oil & gas	Support Oil & Gas	Concerned About Shipping	Preferred Shipping Routes	Land Mammals	Shellfish
Arctic Bay	x	x	x	x	x	x		x		x		x	
Arviat	x		x	x	x	x						x	
Baker Lake			x	x	x							x	
Cambridge Bay													
Cape Dorset		x	x	x	x	x				x	x	x	x
Coral Harbour	x	x	x	x	x	x		x					x
Chesterfield Inlet		x	x	x	x	x				x	x	x	
Clyde River	x	x	x	x	x	x		x	x		x	x	
Grise Fiord	x	x	x	x	x	x							
Gjoa Haven	x		x	x	x	x				x		x	
Hall Beach	x	x	x	x	x	x						x	
Igloolik	x	x	x	x	x	x				x	x	x	
Iqaluit	x	x	x	x	x	x							x
Kugaaruk			x	x	x	x						x	x
Kugluktuk	x		x	x	x	x						x	
Kimmirut	x	x	x	x	x	x		x				x	
Pangnirtung	x	x	x	x	x	x				x			x
Pond Inlet	x	x	x	x	x	x		x		x		x	
Qikiktarjuaq		x	x	x	x	x							x
Resolute	x	x	x	x	x	x	x			x		x	
Rankin Inlet	x		x	x	x	x						x	
Repulse Bay	x	x	x	x	x	x		x				x	
Sanikiluaq	x	x	x	x	x	x						x	x
Taloyoak	x		x	x	x	x						x	
Whale Cove	x		x	x	x	x						x	
Ivujivik	x	x	x	x	x	x							
Salluit	x	x	x	x	x	x						x	x

Table 6: Data Sources for Nunavut Land Use Plan – Draft 2016

Goal / Theme	Subcategory		ID Labels	Provider
PSE	Key Bird Habitat Sites		1-37	Environment Canada; original data updated 2016 excluding new National Wildlife areas and refined Migratory Bird Sanctuaries. Refer to data originator for data updates and usage policies. Original source: P.B. Latour, J. Leger, J.E. Hines, M.L. Mallory, D.L. Mulders, H.G. Gilchrist, P.A. Smith, D.L. Dickson, 2008
	Caribou	Calving, Post-Calving and Key Access Corridors	38-40	Government of Nunavut; Department of Environment, original data provided in 2014 based on data collected between 1993 and 2012
		Trans island movements	154	World Wildlife Fund; provided in 2014, digitized by WWF Global Arctic Programme from Figure 7 of D. Jenkins & N. Lecomte (2012). All about ice: Peary Caribou Movements in the Bathurst Islands Complex. Highlights report, Department of Environment, Government of Nunavut.
		Freshwater Crossings	159	Government of Nunavut; Department of Environment, Kivalliq Wildlife Board, Caribou Protection Measure, Rankin Inlet HTO.
		Sea Ice Crossings	152-153	Government of Nunavut; Department of Environment, Caribou Sea Ice Crossings, 2014
	Polar Bear Habitat		B43	Government of Nunavut; Department of Environment, Polar Bear Denning, 2014
	Walrus Haul-Outs		41	Digitized May 28, 2014 by NPC, based on a report by Government of Canada Department of Fisheries and Oceans. Stewart, R.E.A., J.W. Hamilton, and J.B. Dunn. "Results of Foxe Basin walrus surveys"; 2010-2011. May 2013.
	Marine Areas of Importance	Ecologically and Biologically Significant Areas (EBSA)	B6-B42	Department of Fisheries and Oceans; 24/11/2011.
		Polynyas	B1	World Wildlife Fund; original data created for World Wildlife Fund Global Arctic Programme, provided 2014.
		Lancaster Sound and North Water Polynyas	157-158	World Wildlife Fund; original data created for World Wildlife Fund Global Arctic Programme, provided 2014.
	Transboundary Considerations		B2	Created at NPC in 2009 by clipping Natural Resources Canada basin data to reflect importance shown in Sahtu Land Use Planning Board draft plan
	Beluga Calving Grounds		161	Digitized by the NPC based on submission by the Kivalliq Wildlife Board (2016).
	ECP	National Parks awaiting full establishment		42
Territorial Parks awaiting full establishment		137-146	Government of Nunavut. (June 19, 2015). <i>Government of Nunavut's 2014 Draft Nunavut Land Use Plan Review Report</i> .	
Proposed Territorial Parks		147-151	Government of Nunavut. (June 19, 2015). <i>Government of Nunavut's 2014 Draft Nunavut Land Use Plan Review Report</i> .	
Proposed National Marine Conservation Areas		44	Parks Canada, 11/03/2011	
Thelon Wildlife Sanctuary		45	Atlas Of Canada conservation areas from 01/11/2009, clipped to Nunavut Boundary at NPC	
Migratory Bird Sanctuaries		46-53	Environment Canada; original data updated 2014 with new National Wildlife areas and refined Migratory Bird Sanctuaries. Refer to data originator for data updates and usage policies.	

Goal / Theme	Subcategory	ID Labels	Provider	
	National Wildlife Areas	54-58	Environment Canada; original data updated 2014 with new National Wildlife areas and refined Migratory Bird Sanctuaries. Refer to data originator for data updates and usage policies.	
	Historic Sites	59-66	Parks Canada National Historic Sites, 23/02/2010	
		67-69	Created from coordinates in Territorial Historical Resources Act (June 4, 2010), and based on text, capture of features (i.e. islands) described at location	
	Heritage Rivers	Soper Heritage River	70	Government of Nunavut, provided May 2014.
		Heritage Rivers Areas of Significance	155-156	Digitized by NPC from the Thelon Heritage River Management Plan and the Kazan Heritage River Management Plan (1990).
BHC	Areas of Community Interest	71	Hiukitak River digitized at NPC in 2011 from PDF provided by Kitikmeot Inuit Association.	
		72-76	Moffett Inlet, Duke of York Bay, Nettilling Lake, and Walrus Island digitized by NPC by waterbody feature layer (1:250,000) derived from Nunamap II with waterbodies over 50 hectares and a 1-km buffer applied.	
		160, 171	Diana River and Essential Char Fishing Rivers digitized by the NPC based on submission by the Kivillaq Wildlife Board (2016).	
	Area of equal Use and Occupancy	77	Existing data at NPC from section 40-1 of NLCA	
	Unincorporated Communities	78-79	Bathurst Inlet and Umingmaktok, digitized with 2 km buffer at NPC	
	Alternative Energy Sources	80-82	Digitized by NPC from Qulliq Energy Corporation study (Identification and Evaluation of Hydro-electric Generation Opportunities - 2008)	
	Community Drinking Water Supplies	162-170	Created at the NPC on 29/09/2009 by delineating from 1:250,000 Nunamap II data	
	Land Remediation	114-115	300 metre buffering of DND and INAC points of remediation point references, 07/11/2010, updated from list provided in April, 2014 GOC submission.	
	Contaminated Sites	85-98	Government of Canada: Table in Annex C of comment submission for landfills – update from Northern Contaminated Sites Program Data - buffered at NPC from original data provided by AANDC	
	DND Establishments	99-105	Government of Canada: Table in Annex C of comment submission.	
	North Warning System Sites	106-135	Government of Canada: Table in Annex C of comment submission.	
ESED	Mineral Development leading to mining activity	240-247	Data provided by AANDC with submission to NLUP April 2014	
	Oil and Gas Significant Discovery Licenses	168	Oil and Gas Significant Discovery Licenses, from Northern Oil and Gas Management, INAC, 2008	
	Commercial Fisheries Potential for Char and Turbot	D16-D17	Provided as part of original Jacques Whitford Report, 01/09/2008; reviewed by GN Department of Environment, 2009-10 Original data from Arctic Marine Workshop, 1991. Government of Nunavut 2005 Nunavut Fisheries Strategy	
	Cumberland Sound Turbot Area	136	Digitized from map provided as part of DFO comments in GOC submission, July 2013	
Administrative Base	IOL inside Municipal Boundaries	N/A	Natural Resources Canada Cadastral data	
	IOL outside Municipal Boundaries	N/A	Nunavut Tunngavik Incorporated	
	Athabasca Denesuline Area of Asserted Title Claim	N/A	Athabasca Denesuline, 2011	
	Manitoba Denesuline Area of Asserted Title Claim	N/A	Manitoba Denesuline, 2011	

Goal / Theme	Subcategory	ID Labels	Provider
	Area of equal Use and Occupancy	N/A	Existing data at NPC from section 40-1 of NLCA
	Municipal Boundaries	N/A	Natural Resources Canada Cadastral data, 2010
	Nunavut Settlement Area	N/A	Geobase
	Outer Land Fast Ice Zone	N/A	Digitized by NPC from pdf provided by Natural Resources Canada and Government of Nunavut, and crosschecked with Nunavut Land Claims Agreement for accuracy
	Draft NPC Planning Regions	N/A	NTI, Regional Inuit Association boundaries, 2011
	LUPDNA	N/A	Area where NPC land use plan does not apply. Established Parks from Geobase, updated with information from Government of Nunavut, Department of Environment, May 2014
	Key map (land)	N/A	Atlas of Canada 1 to 1 million scale data
Base	Bathymetry	N/A	Geogratis
	Land outside Nunavut	N/A	Geogratis
	National Road Network	N/A	Geobase
	Water Features in Nunavut	N/A	Nunamap II, created by NPC from original Natural Resources Canada Topographic data at 1:250,000 scale
	Basemap with hillshade	N/A	Created at NPC using ESRI spatial analyst and swiss hillshade method from Canada 3DEM data.
	Baffinland Marine Transportation Corridor		NPC generated for North Baffin Regional Land Use Plan amendment
	Mining related transportation corridors		Data provided by AANDC with submission to NLUP April 2014
	Proposed Manitoba Road		Economic Development and Transportation, Government of Nunavut, J.D. Mollard and Associates, 03/03/2011
	Meadowbank Road		Originally built from text coordinates received from Agnico Eagle, 2008
	Miine Inlet Tote Road		Original file from Baffinland Mary River Project, received 16/04/2009
Land Use Planning in the Nunavut Settlement Area	Inuit Qaujimanituqangnit Guiding Principles	Pg 31*	Government of Nunavut. <i>Pinasuaqtavut 2004-2009</i> . Tagalik, S. 2009-10. <i>Inuit Qaujimajatuqangit: The role of Indigenous knowledge in supporting wellness in Inuit communities in Nunavut</i> . National Collaborating Centre for Aboriginal Health. Nunavut Department of Education. 2007. <i>Inuit Qaujimajatuqangit: Education framework for Nunavut curriculum</i> . Nunavut Department of Education, Curriculum and School Services.
Implementation Strategy	Grandfathering of Existing Rights in respect of Projects	Pg 81*	Indigenous and Northern Affairs Canada. 2014. <i>FAQ about mineral exploration in the North</i> . Retrieved from https://www.aadnc-aandc.gc.ca/eng/1330455384297/1330455442957 Ontario Ministry of Northern Development and Mines. 2015. <i>Staking</i> . Retrieved from http://www.mndm.gov.on.ca/en/mines-and-minerals/mining-sequence/exploration/staking
Definitions	Inuit Impact Benefit Agreement	N/A	Qikiqtani Inuit Association. 2014. <i>Inuit impact and benefit agreements</i> . Retrieved from http://www.qia.ca/en/Inuit_Impact_Benefit_Agreements
	National Marine Conservation Area	N/A	Parks Canada. 2015. <i>National marine conservation areas of Canada</i> . Retrieved from http://www.pc.gc.ca/eng/progs/amnc-nmca/index.aspx