



Beverly and Qamanirjuaq Caribou Management Board

22 June 2015

Sharon Ehaloak,
Executive Director
Nunavut Planning Commission

Via e-mail: sehaloak@nunavut.ca

Dear Ms. Ehaloak:

BQCMB Comments for Technical Meeting on 2014 Draft Nunavut Land Use Plan

Thank you for providing the Beverly and Qamanirjuaq Caribou Management Board (BQCMB) with the opportunity to outline outstanding issues we have identified concerning the 2014 Draft Nunavut Land Use Plan (DNLUP). As you know, the mandate of the BQCMB (1982-present) is to make recommendations for the conservation and management of the Beverly and Qamanirjuaq caribou herds and their habitats. This involves making recommendations about proposals for land use activities and land use planning across the multi-jurisdictional caribou ranges, which includes portions of the Kivalliq and Kitikmeot regions of Nunavut. The outcome of Nunavut's land use planning process is of great interest to the BQCMB.

The BQCMB is not against mining or other forms of economic development, but the Board believes that it is essential that crucial caribou habitats have long-term, effective protection. These habitats include calving and post-calving areas and key water crossings. Caribou need ongoing access to high quality habitat to ensure they can obtain their essential ecological requirements, continue to function as free-ranging herds and support the subsistence harvest that is an essential element of the culture of Inuit and other aboriginal peoples both inside and outside of Nunavut. A study commissioned by the BQCMB (InterGroup Consultants 2013) estimated that the net annual economic value of caribou harvested from the Beverly and Qamanirjuaq herds, primarily by subsistence harvesters, was about \$20 million.

Over the course of the BQCMB's history, forthright and respectful dialogue with industry representatives have pointed to the same thing: protective designation of key caribou habitats is

essential to provide security to both the caribou resource and to the mining industry since it will give assurance “up front” where operations can and cannot go.

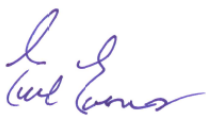
The BQCMB acknowledges the significant efforts made by NPC to offer protection for caribou habitat in the 2014 DNLUP and the substantive changes made to the 2012 DNLUP on this topic, including changes made in response to some of the recommendations made by the BQCMB. However, technical issues remain which should be discussed during the technical meeting so that potential solutions for addressing them can be identified and necessary revisions to the DNLUP can be made. Information about the BQCMB’s position and concerns related to the DNLUP’s proposals for managing caribou habitat and other related items are outlined in the attachment to this letter.

The BQCMB has concerns similar to those described by Nunavut Tunngavik Incorporated in their June 9th letter related to uncertainty about the process for addressing outstanding issues. We agree that before a pre-hearing conference is held, participants should receive a report on the proceedings of the technical meetings that describes how input provided to NPC via written submissions and roundtable discussions will be dealt with and how major issues will be addressed. We also agree that the DNLUP should be revised to address technical issues prior to the NPC’s public hearing.

The BQCMB is pleased to be able to provide input into the ongoing planning process and plans to continue to participate as resources permit. Regrettably we are unable to attend your June 23-26 technical meetings in Iqaluit, although a BQCMB representative will join parts of the meeting by teleconference.

If you have any questions about these comments, please contact BQCMB Executive Director Ross Thompson (rossthompson@mymts.net) or contract biologist Leslie Wakelyn (wakelyn@theedge.ca), who prepared this submission.

Sincerely,



Earl Evans
BQCMB Chairperson

Attachment

cc Alex Ishalook, BQCMB member (Kivalliq Wildlife Board) and Arviat HTO Chairperson
Stanley Adjuk, BQCMB member and Kivalliq Wildlife Board Chairperson
Mitch Campbell, BQCMB member (Government of Nunavut) and Kivalliq Regional Biologist
Erik Allain, BQCMB member (Aboriginal Affairs and Northern Development Canada, Iqaluit)

Attachment. BQCMB Comments on the 2014 Draft Nunavut Land Use Plan

1) BQCMB position on protection of caribou habitat

Calving and post-calving areas

- As stated in the DNLUP Options and Recommendations document, the BQCMB and numerous other organizations, including many representing harvesters from across the Beverly and Qamanirjuaq caribou ranges, have recommended protection of calving and post-calving areas.
 - The BQCMB has consistently called for long-term protection of caribou calving grounds and post-calving areas through prohibition of industrial land use activities such as mineral exploration and development.
 - The BQCMB has included a recommendation that “no new exploration or development activities should be allowed on calving and post-calving areas” as one of 13 land use management actions for protecting caribou and key habitats in the Beverly and Qamanirjuaq Caribou Management Plan 2013-2022 (BQCMB 2014).
- The Board’s main recommendation in a 2004 position paper was for establishing legislated protected areas to provide permanent habitat protection.
 - However, in the absence of any plans for application of federal or territorial protected area legislation to these areas in Nunavut, protection through land use plan designation is currently the best alternative.
- The Government of Nunavut (GN) position is that no development activity should be permitted at any time on mainland caribou calving grounds or key access corridors, that seasonal restrictions on development activities be applied during the post-calving period (June 15 – July 15) when and where caribou are present, and that all-season roads be prohibited in post-calving areas.
 - The BQCMB supports this position as a good start for necessary protection of caribou habitat. However, the BQCMB believes this will provide only partial protection for post-calving areas, and that development activities should be prohibited from post-calving areas as well as from calving areas and key access corridors.
- Our understanding is that the GN has defined “core calving areas and key access corridors” based on recent information from tracking caribou using telemetry, and that the NPC has used this information to delineate core calving and post-calving areas. The BQCMB supports use of this information but believes it results in application of protective designations for only portions of calving areas because of the limited nature of the information.
 - The BQCMB believes that protection of “traditional calving areas” delineated using all available telemetry and survey data is required to provide caribou herds with access to necessary habitats as herd sizes change through their long-term population cycles. We provided data for mapping the traditional calving areas for the Beverly and Qamanirjuaq herds (Fig. 1) as outlined in our February 2014 submission to NPC.

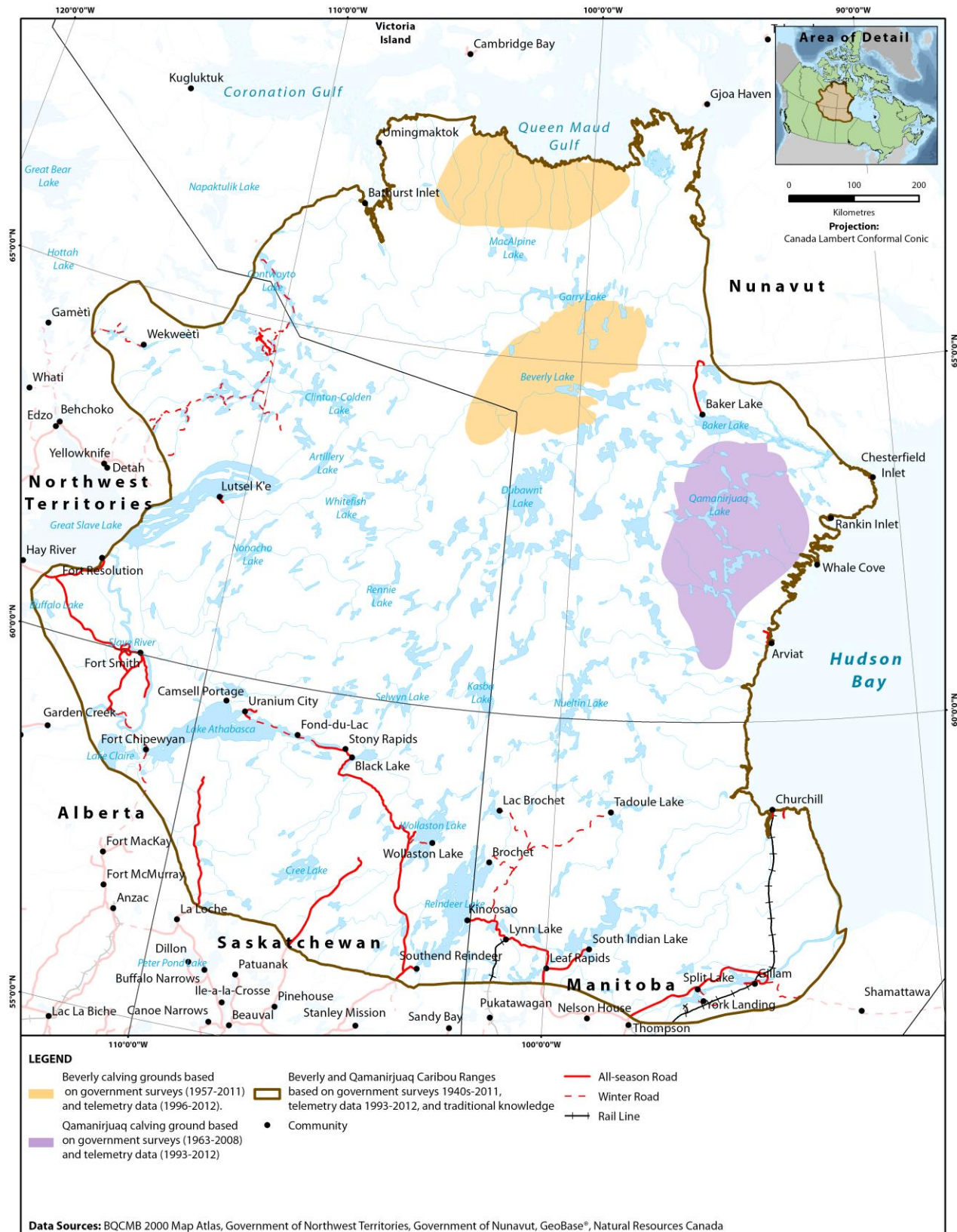


Fig. 1. Beverly and Qamanirjuaq caribou calving grounds based on information from telemetry and surveys collected between 1957 and 2012 (BQCMB 2014).

2) Technical issues with 2014 DNLUP re: caribou habitat

Calving and post-calving areas

- 1) The combined Protected Area (PA) and Special Management Area (SMA) land use designations recommended for portions of caribou calving and post-calving areas exclude significant amounts of important calving and post-calving areas used by Beverly and Qamanirjuaq caribou.
 - DNLUP recommendations for protection of Qamanirjuaq calving and post-calving areas appear to continue to allow industrial exploration and development activities on large portions of calving and post-calving area and key habitat providing access to calving areas.
- 2) The PA designation recommended for protecting “caribou calving and post-calving areas that have not been identified for high mineral potential” excludes important calving and post-calving areas from protection.
 - The designation is applied only to recently-used core calving and post-calving areas for mainland herds as defined by the GN using analysis of telemetry data collected over the past 20 years.
 - For the Beverly caribou herd, only a small amount of the herd’s traditional calving area has been assigned this designation because of limited availability of telemetry data (few collars for few years). This area needs to be protected to allow for re-use as calving habitat in future.
 - For the Qamanirjuaq herd, significant areas of habitat used for calving, post-calving, and accessing calving areas are excluded.
- 3) The PA designation prohibits some types of land use activities but provides no terms or direction for regulators for other types of activities that may have impacts on caribou calving and post-calving areas.
 - For instance, it appears that development of tourism lodges would be permitted on core calving areas.
- 4) The SMA designation recommended for protecting “caribou calving and post-calving areas that overlap with high mineral potential” does not fulfill the intent of the land use plan which is stated as “to ensure that the integrity of calving and post-calving areas is maintained”.
 - The SMA designation provides only general direction to regulators “to mitigate impacts on caribou calving and post-calving areas”, but does not restrict any activities.
 - This designation will not prevent i) loss of high quality habitat resulting from land uses such as mineral extraction and all-weather roads or ii) loss of availability of high quality habitat resulting from disturbance to caribou using these areas.
- 5) The relationship between the federal government’s Caribou Protection Measures (CPM) and the NLUP and conformity review process needs to be explained.
 - The CPM are a key part of the mitigation outlined for caribou in the Keewatin Regional Land Use Plan and applied by NPC as part of the conformity process.
 - The DNLUP Options and Recommendations document states that NPC “recognizes the Caribou Protection Measures designed and implemented by AANDC”; however, CPM are not specified as part of the conformity review process in the DNLUP.

- It is unclear whether NPC is assuming that CPM will continue to be applied by the federal government outside of the land use planning process.

Other caribou habitats

- 6) No restrictions are recommended for any seasonal ranges except for calving and post-calving areas.
 - Seasonal restrictions are needed for protecting caribou from disturbance effects of land use activities outside of core calving and post-calving areas with land use designations of PA, including rutting areas, primary migration habitat.
- 7) Habitat protection around key water crossings outside of calving and post-calving areas with PA designation is lacking.
 - The GN has recommended that seasonal restrictions on development activity be applied on migration corridors when and where caribou are present. The BQCMB has also called for application of seasonal restrictions around key water crossings used by caribou during seasonal migration for mitigating the effects of disturbance from land use activities. However, the BQCMB also believes that habitat protection is required around key water crossings to ensure they remain available for use by migrating herds.
 - Outside areas designated as PA there is no protection of water crossings; a designation is needed that provides seasonal restrictions on land use activities within 10 km of designated water crossings
- 8) The Thelon and Kazan Heritage Rivers have been formally recognized as providers of many important water crossings for caribou through their heritage river designation, however, this value is not recognized in the DNLUP.
 - The Thelon and Kazan Heritage Rivers are designated as SMA with direction to the NWB to mitigate the impacts of specified project proposals “to ensure that the integrity of the river system is maintained”, with no terms to guide land use to protect caribou habitat.
 - The BQCMB suggests that one of the following options should be chosen to ensure that the integrity of the key caribou crossings on these rivers is maintained: i) apply PA designation and prohibit the specified project proposals; or ii) apply SMA designation and provide direction to the NIRB to mitigate impacts on caribou crossings.

Conservation areas

- 9) Clarification is needed concerning the PA land use designation for established Conservation Areas; of interest to the BQCMB specifically are the Thelon Wildlife Sanctuary (TWS) and the Queen Maud Gulf Bird Sanctuary (QMGMB).
 - Will the land use designation provide protection for caribou habitat in the TWS and QMGMB that is additional to that provided by the legislated protected areas or will the land use designation replace the previous designation? If the first case the TWS land use designation would appear to be redundant as the land has been withdrawn from disposition. If the second case then protection for caribou habitat in the TWS may in fact decrease because certain land uses will no longer be prevented. In both cases the land use designation for the QMGMB may increase protection for caribou as currently regulations prohibit activities that are harmful to migratory birds and their habitat, not to caribou.

- The QMGMB currently provides protection for caribou calving and post-calving habitat used by the Beverly and Ahiak caribou herds, however, this value for the area is not addressed by the proposed PA designation. The DNLUP provides no terms or direction for regulators to consider for non-prohibited activities that may have impacts on caribou calving and post-calving areas (e.g., in spring 2015 film crews from two separate projects are operating on the calving grounds during calving and post-calving periods in the QMGMB).

Implementation

- 10) How caribou habitat with PA or SMA designations will be updated with new information (both about caribou and mineral potential) needs to be clarified.
 - Will areas of caribou habitat in each land use designation change each time the NLUP is reviewed (every 5 years)?
 - How will new telemetry data showing changes in core calving areas be incorporated?
 - How will new geological mapping data identifying additional areas of high mineral potential be incorporated?
 - How would expanding calving areas that may result from herds recovering to larger sizes be dealt with – will the area designated as SMA be increased and the area of Mixed Use decreased to account for this change?
- 11) Monitoring and enforcement associated with land use designations needs to be planned carefully and collaboratively, and will be challenging given limited budgets and staffing in all agencies.
 - The DNLUP does not provide sufficient explanation to determine how this will occur or what role NPC will play.
 - Experience with monitoring and enforcement of Caribou Protection Measures should be considered during planning and assessment of requirements.

References

BQCMB 2004. Protecting calving grounds, post-calving areas and other important habitats for Beverly and Qamanirjuaq caribou: A position paper. Beverly and Qamanirjuaq Caribou Management Board, Stonewall MB. 26pp. Available on-line at: <http://arctic-caribou.com/library/guiding-documents/>

BQCMB 2014. Beverly and Qamanirjuaq Caribou Management Plan 2013-2022. Beverly and Qamanirjuaq Caribou Management Board, Stonewall MB. 102pp. Available on-line at: <http://arctic-caribou.com/current-management-plan/>

InterGroup Consultants Ltd. 2013. Economic Valuation and Socio-Cultural Perspectives of the Estimated Harvest of the Beverly and Qamanirjuaq Caribou Herds. Prepared for the Beverly and Qamanirjuaq Caribou Management Board. 2013 revised version (2008 original). InterGroup Consultants, Winnipeg, MB. Available on-line at: <http://arctic-caribou.com/library/supporting-documents/>