

2021 Draft Nunavut Land Use Plan Summary of BQCMB Recommendations (submitted October 2021)

The Nunavut Land Use Plan has been under development by the Nunavut Planning Commission (NPC) since 2005, and the BQCMB has been providing written input to the formal process since 2010.

In October 2021, the BQCMB submitted comments on the current 2021 Draft Nunavut Land Use Plan (DNLUP). The Nunavut Planning Commission's Kivalliq and Kitikmeot regional public hearings, originally scheduled for November 2021, were re-scheduled for March 2022 and are now delayed until September-November 2022.

Land use management in Nunavut may affect Beverly or Qamanirjuaq caribou habitat through policies in the following areas:

- 1) Caribou seasonal ranges (see sidebar)
- 2) Conservation areas (including the Thelon Wildlife Sanctuary and the Queen Maud Gulf Migratory Bird Sanctuary, the Fall Caribou Crossing National Historic Site, and the Thelon and Kazan Canadian Heritage Rivers)
- 3) Areas with evidence of mineral potential
- 4) Kivalliq--Manitoba linear infrastructure corridor
- 5) How existing mineral rights are applied

The 2021 DNLUP recommends 4 options for land use:

- 1) Limited Use (LU)
 - year-round prohibition of one or more types of land use
 - seasonal restrictions on certain land uses or other conformity requirements may also apply
- 2) Conditional Use (CU)
 - conformity requirements such as seasonal restrictions on certain land uses
 - no year-round prohibitions on land use
- 3) Mixed Use (MU)
 - no prohibited land uses or other conformity requirements
- 4) Information on Valued Components (VCs)
 - no land use restrictions except as may be set by regulatory authorities
 - identifies areas important to particular Valued Components (VCs) for consideration by project proponents and regulatory authorities, and by NPC regarding potential cumulative impacts of project proposals
 - VCs include Valued Ecosystem Components (VECs) and Valued Socio--Economic Components (VSECs)

Restrictions on land use would be applied by the land use plan only through LU and CU designations. Identifying areas as VCs provides information only, as no restrictions on land use would be applied by those designations.

Barren-Ground Caribou Seasonal Ranges

Caribou seasonal ranges represent vast areas of Nunavut that are important for the survival and success of caribou herds.

Calving Areas:

Caribou calving areas are locations where pregnant females gather to give birth to calves. Typically, the pregnant females exhibit little movement during this period. Calving areas are of critical importance for maintaining healthy caribou populations. They are also the places where caribou are most vulnerable to disturbance.

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 reduced nursing time or cow-calf abandonment. Additionally, adults are affected by displacement from areas with high quality vegetation.

Key Access Corridors

Key access corridors are regularly used pathways essential for pregnant cow caribou to approach core calving areas. Development or disturbance along these routes presents a high risk that caribou will shift or abandon their calving areas.

Freshwater Crossings:

Locations where caribou regularly cross freshwater during their migration are unique areas of relatively small size where caribou are very sensitive to disturbance. Inuit Qaujimagatuaqangit places taboos on the use of certain freshwater crossings, including visitation, to limit disturbance to caribou. The caribou freshwater crossings identified in the Plan include 10 km buffers.

Other Seasonal Ranges:

Rutting areas, migration corridors, summer & late summer areas, and winter ranges.



Beverly and Qamanirjuaq
Caribou Management Board

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Geographic Area	NPC Recommended Land-Use Designation	BQCMB Comments/Recommendations									
Seasonal Caribou Habitats											
Calving areas, Post-calving areas and Key access corridors	<p>Limited Use – 2 types of restrictions will apply:</p> <ol style="list-style-type: none"> 1. Year-round prohibitions on the following intensive land uses: <ol style="list-style-type: none"> a) oil and gas exploration and production; b) mineral exploration and production; c) quarries; d) hydro-electrical and related infrastructure e) wind turbines for electrical generation that are over 15 m in height and related infrastructure; and f) linear infrastructure. 2. The only land use activities allowed during the following time periods will be research and tourism related to caribou conservation: 	<p>The BQCMB supports the LU designation but recommends adding year-round prohibition of “permanent facilities and infrastructure other than those supporting research related to caribou conservation”.</p> <p>This would address different types of commercial development that will likely be proposed once Nunavut develops more infrastructure and greater accessibility to remote areas through roads and other development.</p> <p>The BQCMB also supports proposed seasonal restrictions but recommends adding a requirement to regularly update time periods for seasonal prohibitions with new telemetry data (at least every 10 years).</p> <p>Also, the current time periods should be considered the minimum. The BQCMB’s definition of the post-calving period for both herds extends several weeks later, into late July.</p>									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Herd</th> <th style="text-align: center;">Calving Grounds and Key Access Corridors</th> <th style="text-align: center;">Post-calving Grounds</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Beverly</td> <td style="text-align: center;">June 6—July 8</td> <td style="text-align: center;">June 20—July 8</td> </tr> <tr> <td style="text-align: center;">Qamanirjuaq</td> <td style="text-align: center;">June 9—July 3</td> <td style="text-align: center;">June 23—July 3</td> </tr> </tbody> </table>		Herd	Calving Grounds and Key Access Corridors	Post-calving Grounds	Beverly	June 6—July 8	June 20—July 8	Qamanirjuaq	June 9—July 3	June 23—July 3
	Herd		Calving Grounds and Key Access Corridors	Post-calving Grounds							
Beverly	June 6—July 8	June 20—July 8									
Qamanirjuaq	June 9—July 3	June 23—July 3									
Freshwater crossings (on Map A)	<p>Limited Use (for crossings identified on Map A) - year-round prohibitions on 6 types of intensive land uses will apply (see list (1) above)</p>	<p>The BQCMB supports the LU designation but recommends adding year-round prohibition of “permanent facilities and infrastructure other than those supporting research related to caribou conservation”.</p> <p>The BQCMB also recommends adding the same seasonal restrictions on land use as those proposed for calving areas, post-calving areas and key access corridors (see (2) above).</p>									
Additional freshwater crossings	<p>Valued Ecosystem Components (for other identified crossings not included on Map A) - no prohibitions or other restrictions will be applied by the Plan, meaning there are no land use restrictions except as may be set by regulatory authorities</p>	<p>Since prohibitions only apply to some freshwater crossings, BQCMB requests a description of what criteria were used to select which crossings are designated as LU and which are “additional freshwater crossings designated as VECs.</p> <p>The BQCMB supports the VEC designation but recommends adding specific minimum mitigation requirements that would apply as conformity requirements to project proposals for crossings designated as VECs.</p>									

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Other seasonal ranges (rutting areas, migration corridors, summer & late summer areas, and winter ranges)	Valued Ecosystem Components - no prohibitions or other restrictions will be applied by the Plan, meaning there are no land use restrictions except as may be set by regulatory authorities	The BQCMB supports the VEC designation for all 4 range types, but recommends adding specific minimum mitigation requirements that would apply as conformity requirements to project proposals in these seasonal habitats
Conservation Areas in Beverly and Qamanirjuaq Caribou Habitat		
Thelon Wildlife Sanctuary	Limited Use - year-round prohibitions on 6 types of intensive land uses (see list (1) above)	The BQCMB supports this designation
Queen Maud Gulf Migratory Bird Sanctuary	Limited Use - year-round prohibitions on 6 types of intensive land uses (see list (1) above) - setbacks for migratory birds also apply	The BQCMB supports this designation and recommends extension of prohibitions to additional caribou habitat east of the MBS as recommended by local Inuit.
Fall Caribou Crossing National Historic Site (Kazan River)	Limited Use - year-round prohibitions on 6 types of intensive land uses (see list (1) above)	The BQCMB supports this designation and recommends adding restrictions for most activities (similar to those currently proposed for calving, post-calving and key access corridors) for a specified “fall” time period based on caribou telemetry data and Indigenous Knowledge.
Thelon and Kazan Canadian Heritage Rivers	Limited Use (for areas identified in the heritage river management plans) - year-round prohibitions on 6 types of intensive land uses (see list (1) above)	The BQCMB supports this designation
Other Designations in Beverly and Qamanirjuaq Caribou Habitat		
Areas with evidence of mineral potential	Valued Socio-Economic Components - no prohibitions or other restrictions will be applied by the Plan - prohibitions on land use in areas designated as Limited Use (including for caribou seasonal ranges) will not be over-ridden.	The BQCMB supports the VSEC designation. It is consistent with the BQCMB’s previous recommendation that designation of caribou calving areas, post-calving areas, key access corridors and water crossings be maintained regardless of their known mineral potential.



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<p>Kivalliq-Manitoba linear infrastructure corridor ¹</p>	<p>Limited Use with year-round prohibition of:</p> <ul style="list-style-type: none"> a) oil and gas exploration and production b) mineral exploration and production c) permanent facilities and infrastructure other than those supporting the construction and use of the corridor. <p>This designation will take priority over all other designations with which it overlaps, including Limited Use areas designated to protect important seasonal caribou habitat (calving areas, post-calving areas, key access corridors, freshwater crossings).</p>	<p>The BQCMB does not support a designation for a corridor that takes priority where it overlaps with other land use designations intended to protect important seasonal caribou habitat.</p> <p>Also, the BQCMB believes it is premature to indicate any corridor for either a road or a hydro-fibre line when neither project has been formally described or proposed.</p> <p>Based on the limited information in the DNLUP documents, it appears to the BQCMB that infrastructure development is being prioritized over caribou and other important considerations for building healthy communities (such as food security).</p> <p>The BQCMB recommends that the LU designation for the corridor be removed from the 2021 DNLUP and be revisited only if and when a project proposal is received by NPC.</p>
<p>Areas with existing mineral rights</p>	<p>Previously approved projects with existing mineral rights will be “exempt from prohibitions on mineral exploration and production in LU areas when the project undergoes significant modification . . . if the project remains within the same Footprint.”</p> <p>This exemption from prohibitions will apply in all areas, including in caribou seasonal ranges with Limited Use designation, despite recommendations from the BQCMB and others that mineral exploration and development activities be allowed only outside core calving grounds, post-calving areas and key water crossings.</p>	<p>The BQCMB does not support this exemption from prohibitions that applies generally in all cases, including in caribou seasonal ranges with Limited Use designation.</p> <p>The BQCMB also does not support grandfathering projects with existing mineral rights through all stages of mine development and recommends that other options for dealing with this issue should be identified and considered.</p> <p>Establishing deadlines for adding new mineral tenures to the list of “existing rights” is also recommended.</p>

¹ This "linear infrastructure corridor" was based in part on the previously proposed Manitoba-Kivalliq Road project. Currently the Kivalliq Inuit Association is promoting a Kivalliq Hydro Fibre Link in the same general area. However no formal proposal has been submitted to Nunavut or Manitoba review or regulatory agencies.