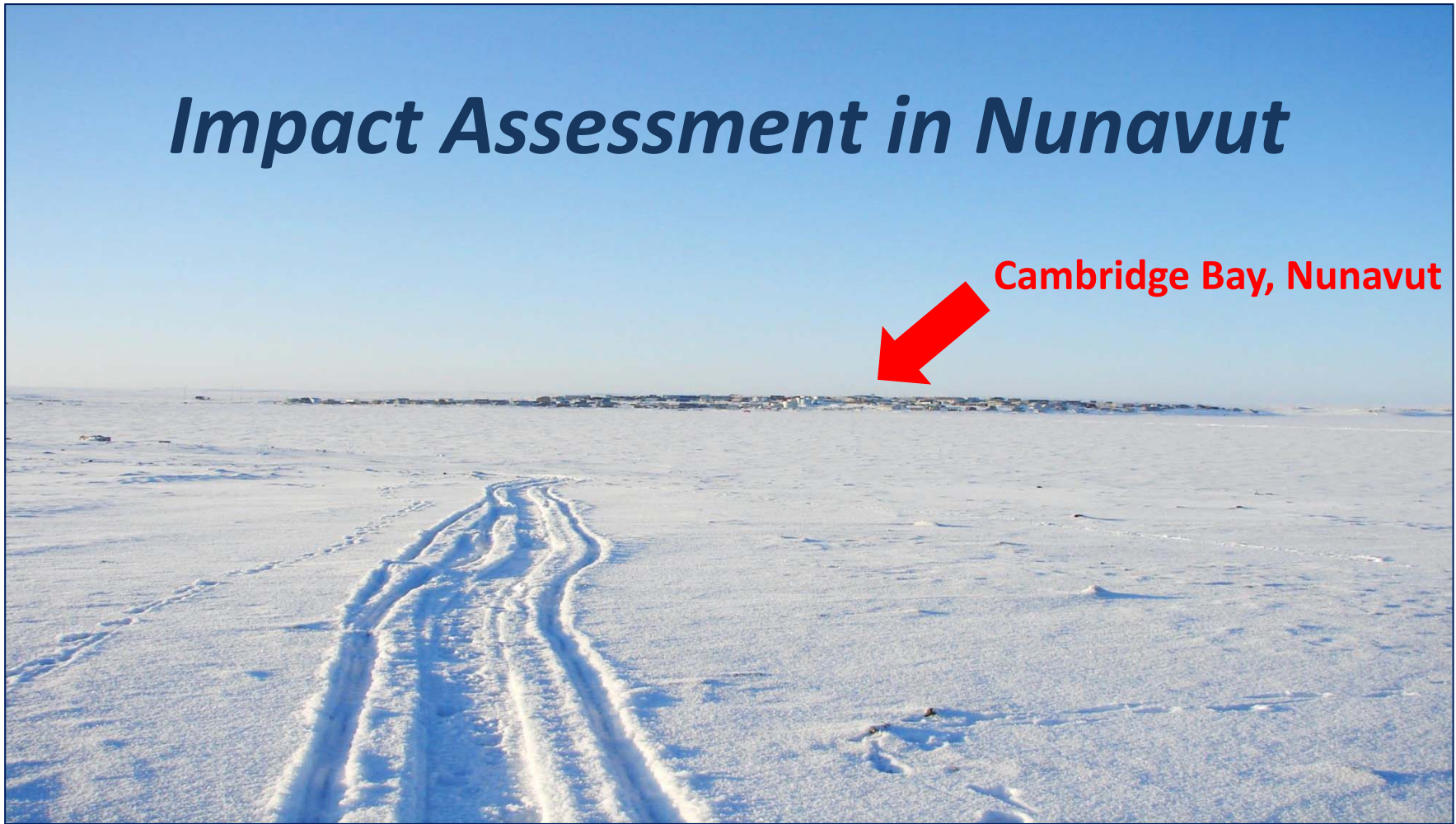


Impact Assessment in Nunavut

Cambridge Bay, Nunavut



Governor General Canadian Leadership Conference, Cambridge Bay, NU – June 5, 2017

Objectives

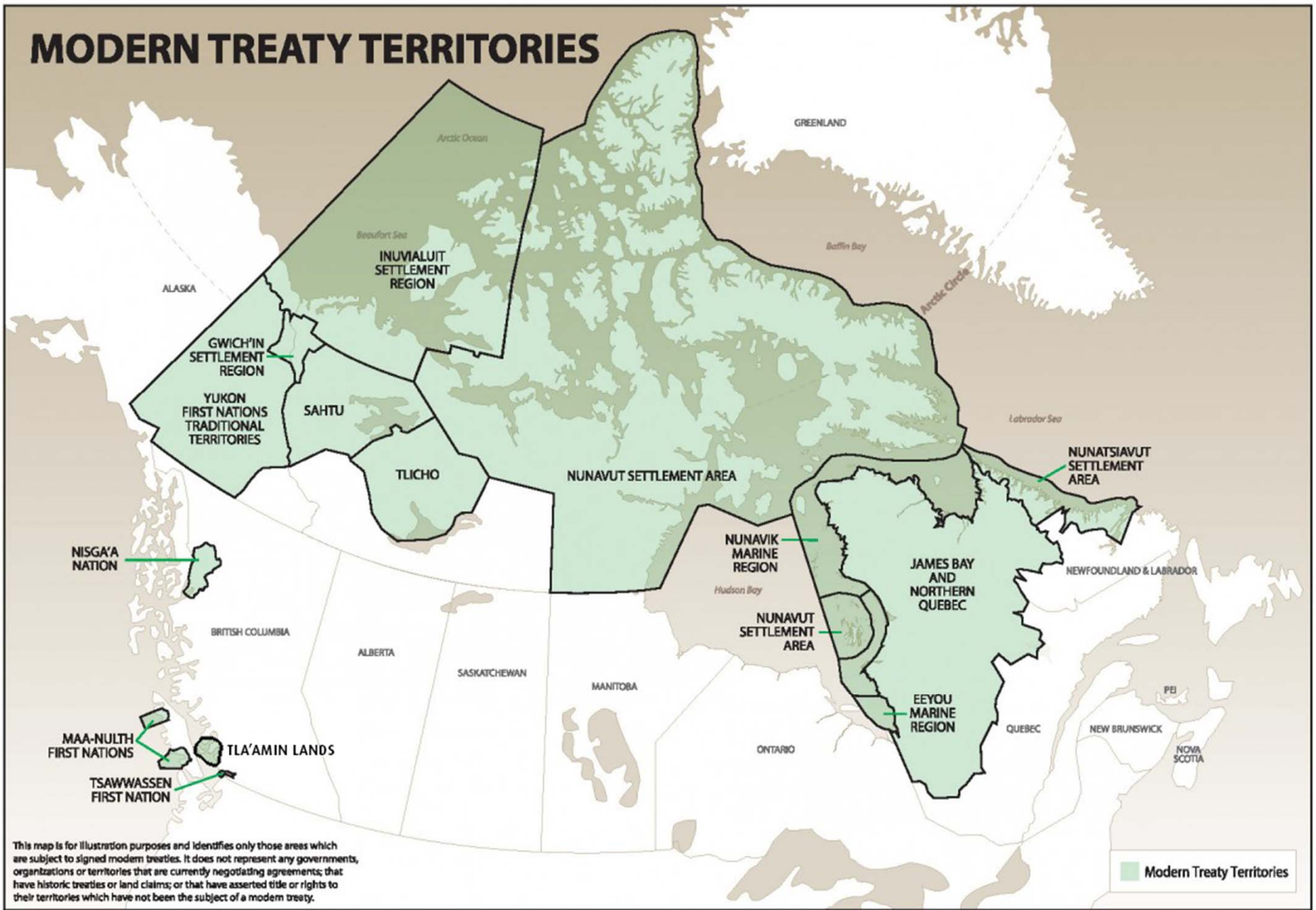
1. Share the Nunavut Impact Review Board's experience and perspectives on impact assessment in Nunavut
2. Provide background on Nunavut's regulatory system, including the legislative basis
3. Highlight regional challenges and opportunities
4. Discuss importance of coordination and fostering effective working relationships
5. Discuss approach to addressing challenges within the Nunavut context

Nunavut



- Nunavut became its own territory in 1999
- Area > 2,000,000 km²
 - 1/5 of Canada
- Population ≈ 36,700
- 25 communities
 - Air access only
- 4 official languages:
 - Inuktitut, Inuinnaqtun
 - English, French
- Crown lands and Inuit Owned lands
- GDP ≈ \$2.5 B (2014)

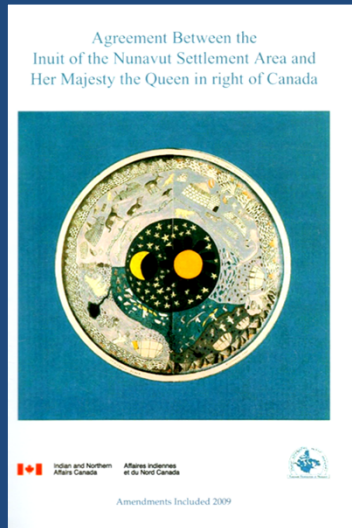
MODERN TREATY TERRITORIES



This map is for illustration purposes and identifies only those areas which are subject to signed modern treaties. It does not represent any governments, organizations or territories that are currently negotiating agreements; that have historic treaties or land claims; or that have asserted title or rights to their territories which have not been the subject of a modern treaty.

Modern Treaties in Canadas' North

Name of Agreement	Year
James Bay and Northern Quebec Agreement	1975
Inuvialuit Final Agreement	1984
Gwich'in Comprehensive Land Claim Agreement	1992
Nunavut Land Claims Agreement	1993
Yukon First Nations (Umbrella) Agreement	1993
Sahtu Dene and Metis Comprehensive Land Claims Agreement	1993
Tlicho Land Claims and Self Government Agreement	2003
Labrador Inuit Land Claims Agreement	2005
Nunavik Inuit Land Claims Agreement	2008
Eeyou Marine Region Land Claims Agreement	2010



**Nunavut Land Claims Agreement and
the Nunavut Act received Royal Assent
on July 9, 1993, creating Canada's newest
Territory**

NUNAVUT'S REGULATORY SYSTEM

Nunavut Agreement

- The Nunavut Agreement provided Inuit with:
 - Title to approximately 350,000 km² (140,000 sq mi) of land, of which, 35,257 km² (13,613 sq mi) include mineral rights;
 - The right to harvest wildlife on lands and waters throughout the Nunavut settlement area
 - A share of federal government royalties from oil, gas and mineral development on Crown lands
 - The right to negotiate with industry for economic and social benefits from the development of non-renewable resources on Inuit Owned Lands
 - The creation of three federally funded national parks
 - Capital transfer payments of \$1.9 billion over 15 years and a \$13 million Training Trust Fund for the establishment of the Government of Nunavut

Nunavut Regulatory System

Development proposals must satisfy the requirements of:

- Land use planning
- Environmental Impact Assessment
- Water and Land Use Licensing



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Nunavunmi Parnaiyiit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut



Who is the NIRB?

Chairperson
Elizabeth Copland
(NIRB-GOC)

Board Member
Allen Maghagak
(NTI-GOC)

Board Member
Phillip Omingmaktok
(GN)

Board Member
Henry Ohokannoak
(NTI-GOC)

Board Member
Marjorie Kaluraq
(GN)

Board Member
Guy Alikut
(NTI-GOC)

Board Member
Vacant
(GOC)

Board Member
Vacant
(NTI-GOC)

Board Member
Vacant
(GOC)

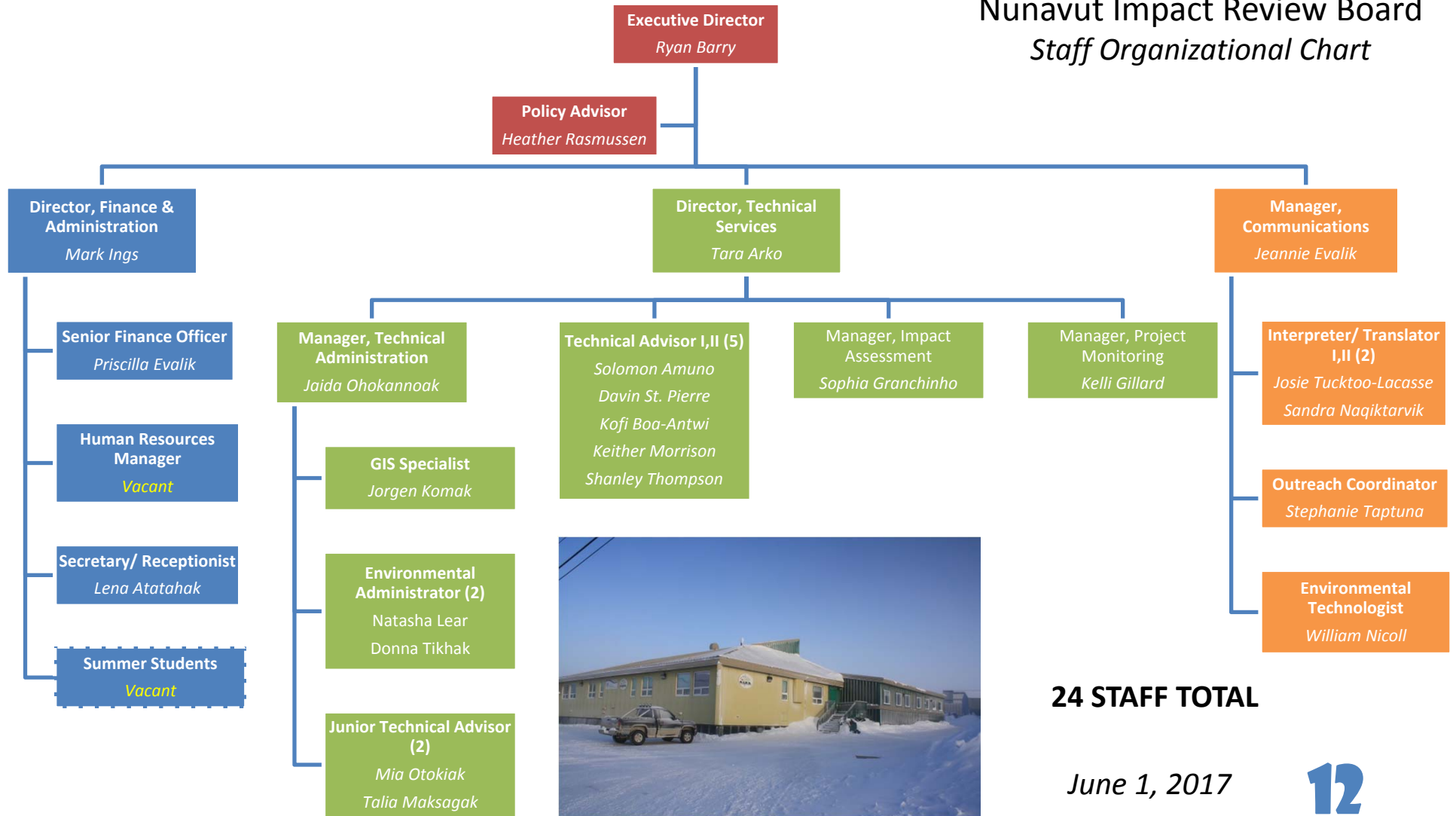
**Up to 9 Members comprise the NIRB,
including the Chairperson**



Who is the NIRB?



Nunavut Impact Review Board Staff Organizational Chart

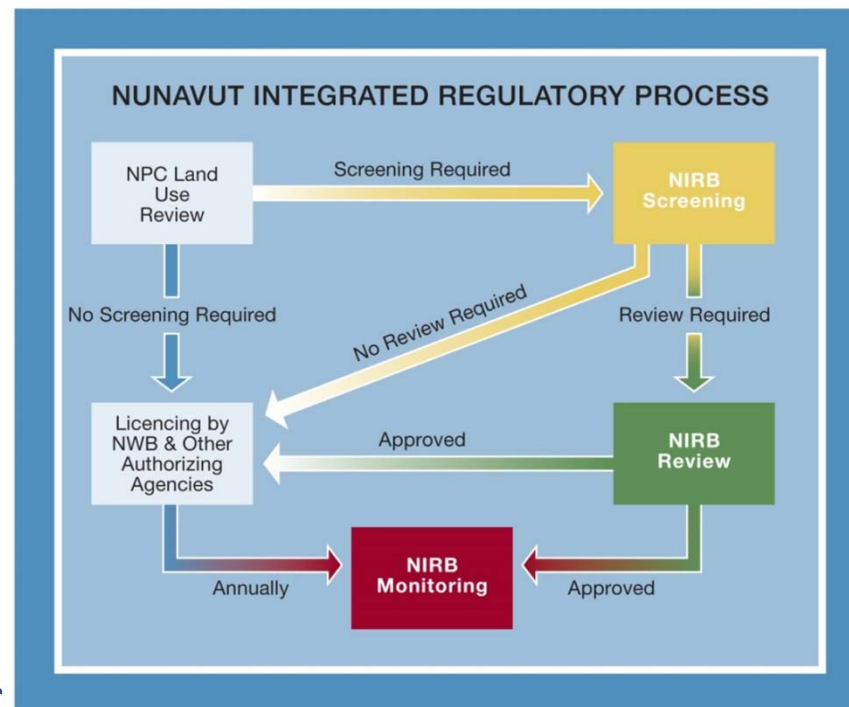


24 STAFF TOTAL

June 1, 2017

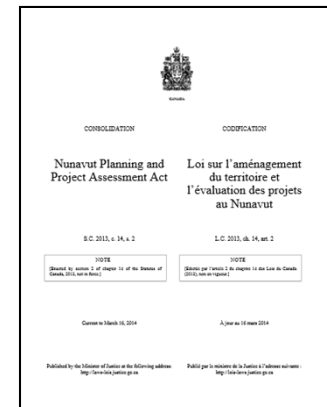
Nunavut's Regulatory System

- Nunavut Land Claims Agreement (Articles 10-13)
- Nunavut Waters and Nunavut Surface Rights Tribunal Act
- Nunavut Planning and Project Assessment Act



NuPPAA

- Nunavut Planning and Project Assessment Act
 - (NuPPAA)
- Project proposals submitted directly to NPC (“one-window approach”)
- Public registry requirements
- Language, privacy, access to information requirements
- Timeline for NPC conformity review
- Timelines for Ministerial Decisions
- Enforcement provisions





The Nunavut Impact Review Board's Mission is to Protect and Promote
the wellbeing of the Environment and Nunavummiut
through the Impact Assessment Process

NUNAVUT IMPACT ASSESSMENT

NIRB Mandate

- At all times the primary objectives of the NIRB are to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area.
- The NIRB must take into account the well-being of residents of Canada outside the Nunavut Settlement Area.
- The NIRB reviews ecosystemic (i.e. biophysical) impacts and socio-economic impacts of proposed development projects
- The mandate of the NIRB does not include the establishment of requirements for socio-economic benefits
- The NIRB makes recommendations to Government; Government accepts, rejects or varies the NIRB's recommendations based on the criteria under the Nunavut Agreement.



Nunavut Impact Assessment

- Screen project proposals to determine whether or not a review is required
- Gauge and define the extent of regional impacts
- Review ecosystemic and socio-economic impacts of project proposals
- Determine whether project proposals should proceed, and if so, under what terms and conditions
- Monitor projects that have been approved to proceed



NIRB compliance monitoring and effects monitoring allow for feedback into ongoing impact assessments

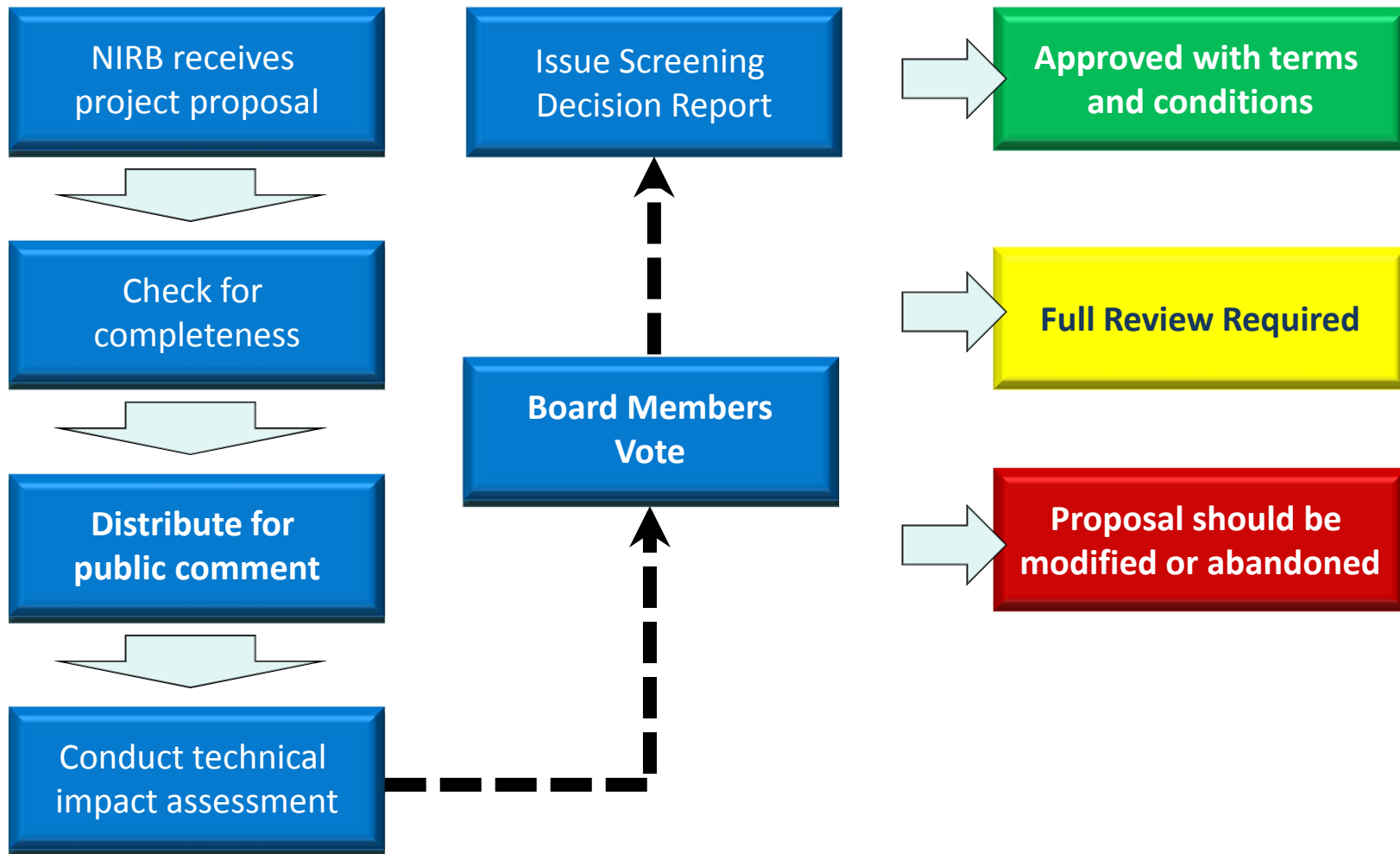
Nunavut Impact Assessment

What types of project proposals does the NIRB assess?

- Roads / trails
- Marine infrastructure
- Research
- Mineral exploration
- Mining
- Telecommunications
- Oil & gas
- Nuclear power
- Tourism
- Hydro-electric



The Screening Process



The Review Process

Phase 1

NIRB Screening Decision:
Review required



Minister refers project
for Review



NIRB hosts
Community Scoping Visits



NIRB issues
Final Scope of Project



EIS Guidelines
developed



NIRB issues
EIS Guidelines



NIRB receives
Draft EIS submission



Draft EIS accepted:
Technical Review begins



NIRB hosts
Community Info Sessions



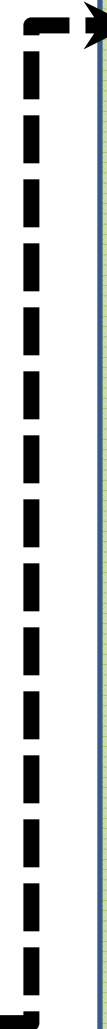
Technical Meeting



Pre-Hearing Conference
& Community Roundtable



NIRB issues
PHC Report



NIRB receives
Final EIS submission



Final EIS accepted:
Technical Review begins



Public Hearing
& Community Roundtable



NIRB issues Final Report
to Responsible Minister(s)



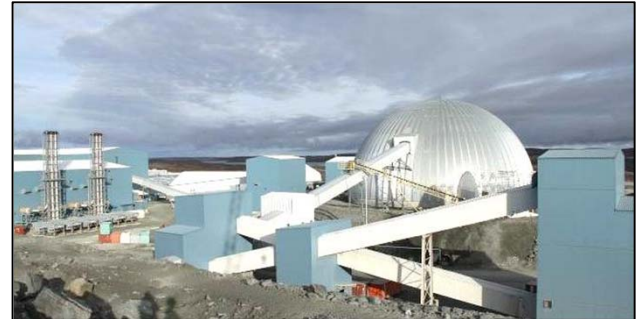
Minister's Decision:
NIRB Report Accepted



NIRB issues
Project Certificate

Phase 3

Monitoring Programs



Addressing Benefits

- Royalties from mining developments go to the landowner, either the Government of Canada or Nunavut Tunngavik Inc.
 - Royalties to Government are also shared with NTI
- Taxes go to Government of Canada and Government of Nunavut
- No major development in Nunavut may commence until an Inuit Impact and Benefits Agreement (IIBA) is finalized
- IIBAs are largely confidential documents negotiated by the project proponent and the designated Inuit organization
 - Some details of IIBA contents necessarily inform the NIRB's impact assessment process
 - IIBAs address compensation, training, labour, business contracts
 - IIBAs must be consistent with terms of project approval

Infrastructure Deficit

- Major development projects in Nunavut may be hindered by a lack of basic infrastructure, such as ports, roads, airports, railways, power plants, etc.
 - High cost for developing project-specific infrastructure
- Short construction/operation season
 - May be further restricted by wildlife migrations, sensitive periods
 - Winter roads, seasonal resupply, ice-breaking shipping



Environmental Conditions

- Available baseline information is often very limited
 - Climate change is further affecting known conditions
- Changing wildlife populations
 - Natural variability, encroaching development, changing climate
- Changing community populations and demographics
- Contemporary land use and wage economy
- Increasing interest in the North from Canada and the World
 - Legislated protection for specific wildlife species
 - Increased participation by NGOs

Public Engagement

- Searchable online registries provide project information, guidance materials and digital comment forms to the public

WELCOME TO NEW! NEW! NEW! LET US SHOW WHAT YOU THINK! CLICK HERE!

The Nunavut Impact Review Board's mission is to protect and promote the wellbeing of the Environment and Nunavummit through the Impact Assessment process.

NEW DOCUMENTS

Date	Downloadable PDF or Word file	Project
2017-08-02	170210-177N026-NRC Referral-IG2E.pdf	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.
2017-08-02	170210-177N026-NRC Questionnaire-IG2E.docx	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.
2017-08-02	170210-177N026-NRC Application-IG2E.docx	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.
2017-08-02	170205-177N026-NRC Comments-IG2E.pdf	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.
2017-08-02	170210-177N026-NRC Q&A Responses Public Register-IG2E.pdf	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.
2017-08-02	170208-177N026-TC Comments re 2016 Annual Report-IG2E.pdf	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.
2017-08-02	170205-177N026-Cable Rd Public Disclosure Statement	177N026 Complex Expeditions, Turbine Operations + Yacht Base, Cloud, Inuvik, etc.

EVENTS CALENDAR

Date	Event
June 15 2017	Workshop: Pre-hearing Conference - 158N001 Thud Hope Bay Phase 2
June 12 2017	Workshop: Technical Meeting - 158N001 Thud Hope Bay Phase 2
May 31 2017	Workshop: Pre-hearing 158N024 Sabina's Back River Project
May 24 2017	Workshop: Technical Meeting - 158N024 Sabina's Back River
May 07	Workshop: [Event details obscured]

SEARCH the PUBLIC REGISTRY

Your search included the keywords:

Search Results: 234

Project Location
South Selkirk (234)

Project Type
 Defence (30)
 Exploration (34)
 Tourism (3)
 Remediation (7)
 Research (14)
 Infrastructure (15)
 Power Plants (2)
 Other (2)
 Quarry (2)
 Access (3)
 Fuel (2)
 Camp (11)
 Lease (13)
 Road/Trail (3)

Assessment Status
 Completed Screening (254)
 Exempt From Screening (36)
 Cancelled Screening (2)
 Active Review (1)
 Completed Monitoring (1)

625479 [0428047] - Site Investigation CAM-F, Sergeo Lella
 Applicant: Aboriginal Affairs and Northern Development Canada, Gian Stephens
 Project Type: Defence
 Sector: South Selkirk

Public Engagement

- In-person meetings are scheduled in potentially-affected communities at various stages in the assessment of a proposed project
- Information is shared and community members provide their questions and comments directly
- Public engagement is an iterative process



Local Knowledge

- The term Inuit Qaujimagatuqangit encompasses Inuit “Traditional Knowledge” (TK)
 - Encompasses local and community based knowledge, ecological knowledge (both traditional and contemporary), which is rooted in the daily life of Inuit people, and has an important contribution to make to an environmental assessment
- Inuit Qaujimagatuqangit assists greatly in making impact predictions, particularly where scientific baseline may be lacking



Public Engagement





Kitikmeot Region

- Izok Corridor, Base Metals
- Jericho, Diamond
- Hackett River, Base Metals
- Back River, Gold
- Doris North, Gold
- Phase 2 Hope Bay, Gold

Kivalliq Region

- Meadowbank, Gold
- Kiggavik, Uranium
- Meliadine, Gold

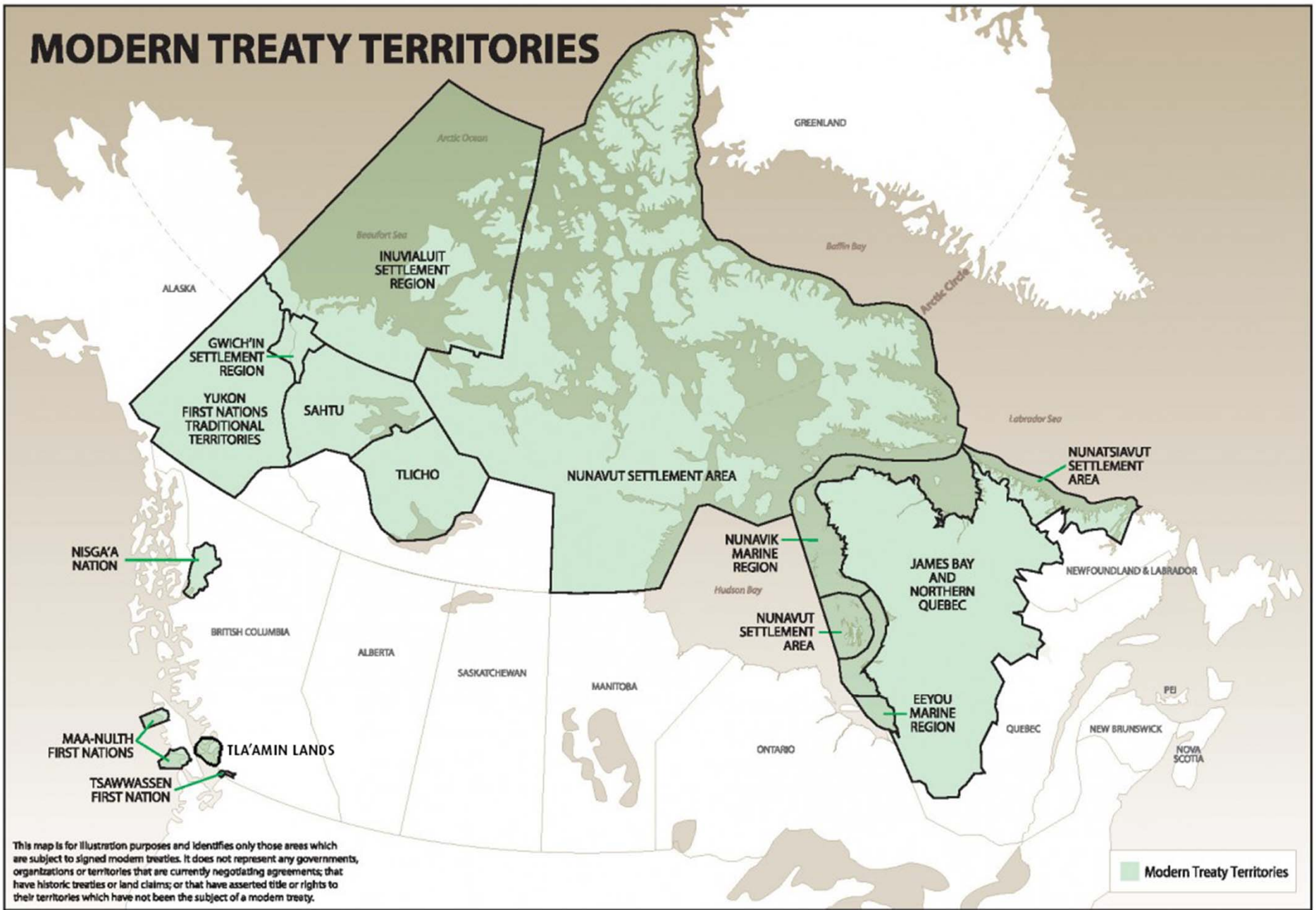
Baffin Region

- Mary River, Iron Ore
- Iqaluit Hydroelectric

Legislative Basis

- NLCA Section 12.11.1: NIRB may upon request by Government or, with the consent of Government, upon request by a DIO, review a project proposal located outside of the Nunavut Settlement Area which may have significant adverse ecosystemic or socio-economic effects on the Nunavut Settlement Area.
- NLCA Section 12.11.2: Without limiting the jurisdiction of NIRB or EARP as set out in this Article, the Government of Canada and the Territorial Government, assisted by NIRB, shall use their best efforts to negotiate agreements with other jurisdictions to provide for collaboration in the review of project proposals which may have significant transboundary ecosystemic or socio-economic impacts.
- NuPPAA Section 156: (1) If a project is to be carried out partly outside the designated area, sections 76 and 80 apply in respect of the entire project. (2) Sections 77 to 79, 81, 82 and, subject to subsection (1), 85 apply only in respect of the portion of the project to be carried out inside the designated area

MODERN TREATY TERRITORIES



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Transboundary Groups

Government	Aboriginal Groups	Environmental Agencies
Government of Manitoba	Athabasca Denesuline	Canadian Environmental Assessment Agency
Government of Northwest Territories	Déline Land Corporation	Eeyou Marine Region (Impact Review Board)
Government of Saskatchewan	Dene Nation	Joint Secretariat – Inuvialuit Renewable Resource Committees (EIRB, EISC)
Municipal Governments (e.g. Hamlet of Holman)	The Grand Council of the Crees	Mackenzie Valley Environmental Impact Review Board
Nunatsiavut Government	Lutsel' K Dene First Nation	Mackenzie Valley Land and Water Board
Tłı̄cho Government	North Slave Metis Alliance	National Energy Board
	NWT Dechi Laott'I First Nation	Nunavik Marine Region (Impact Review Board)
	Yellowknife Dene	Sahtu Renewable Resources Board
	Makivik Corporation	

Transboundary Coordination

- Fundamental goals of transboundary coordination include:
 - Respect treaty rights and land claim agreements
 - Keep all parties informed and promote opportunities for engagement
 - Receive and provide support
 - Exchange information and share best practices
 - Communicate regularly
 - Appreciate the wide range of technical, regional, and traditional expertise



Coordination

- NIRB currently has agreements with:
 - Nunavut Water Board
 - Mackenzie Valley Environmental Impact Review Board
 - National Energy Board
 - Nunavik Marine Region Impact Review Board & Eeyou Marine Region Impact Review Board



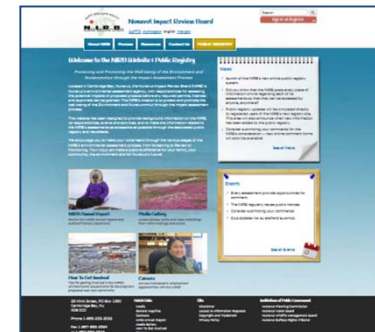
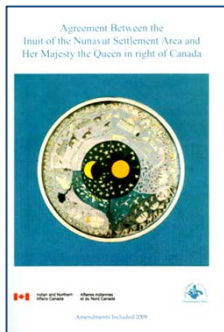
Addressing Challenges

- The NIRB's **mission** is to protect and promote the well-being of the Environment and Nunavummiut through the Impact Assessment Process
- The NIRB's **vision** is to be a leader in the field of Impact Assessment that incorporates both Inuit Qaujimajatuqangit and accepted scientific knowledge
- The NIRB is a small organization in a remote setting with a very broad mandate and big responsibilities
 - Presents challenges and opportunities for success

Addressing Challenges

The NIRB strives to maintain an open, structured and informative process

- Development of resource materials, public guides, online registry
- Strong focus on promoting public engagement
- Time and energy devoted to developing proficiency in relevant issues: arctic shipping, uranium mining, hydroelectric development, etc.
- Transparent auditing, open relationship with media



Addressing Challenges

The NIRB also strives to be a good corporate citizen

- Priority hiring of Inuit and Nunavummiut
- Hire summer students
- Support local businesses
- Organize and participate in community clean ups
- Promote Inuit culture and language
- Continuous public outreach



Addressing Challenges

- Nunavut organizations and others across Northern Canada are often challenged to build and maintain required capacity
- The NIRB endeavours to cultivate positive working relationships
 - Understand and respect the mandates and jurisdictions of other organizations
 - Regular communication
 - Provide assistance where possible
 - Develop formal working agreements
 - Participate in outreach

Wrap Up

- Nunavut's regulatory system is uniquely integrated and inclusive
 - Canadian land claims and resulting institutions and processes are a model for other countries
 - Regularly remind ourselves why we do what we do
- Importance of open communications, supportive working relationships, public accountability
- Small organizations face unique challenges but are often able to adapt and change more readily than larger organizations
- Questions?

Quajannamiik!

Thank you!

Merci!

Nunavut Impact Review Board (NIRB)

P.O. Box 1360

Cambridge Bay, NU

Toll Free: 1-866-233-3033

Fax: 1-867-983-2594

www.nirb.ca

