Impact Assessment in Nunavut: Adapting to the Environment

RemEAST 2015: Emerging Opportunities & Challenges in Remote Environments:

Maritime Provinces to Canada's North





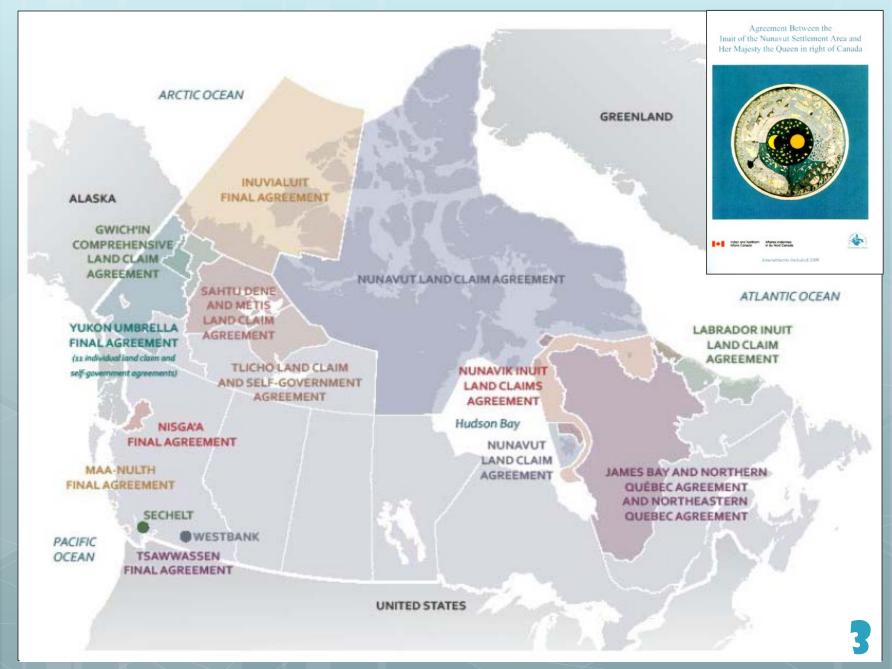




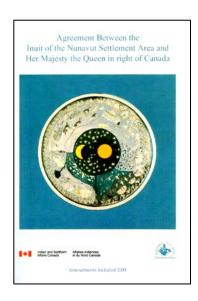




- Nunavut became its own territory in 1999
- \circ Area > 2,000,000 km²
 - 1/5 of Canada
- Population ≈ 36,000
- 25 communities
 - Air access only
- 4 official languages:
 - Inuktitut
 - English
 - Inuinnaqtun
 - French
- \circ GDP ≈ \$2.2 B (2012)







The NLCA establishes an integrated resource management system for the Nunavut Settlement Area



Dispute Resolution

Water Use Licencing

Land & Resources

Wildlife Management





Impact Assessment Land Use Planning



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Nunavut's Regulatory System

- Development proposals must satisfy the requirements of:
 - Land use planning
 - Environmental Impact Assessment
 - Water Licensing













NIRB's Role

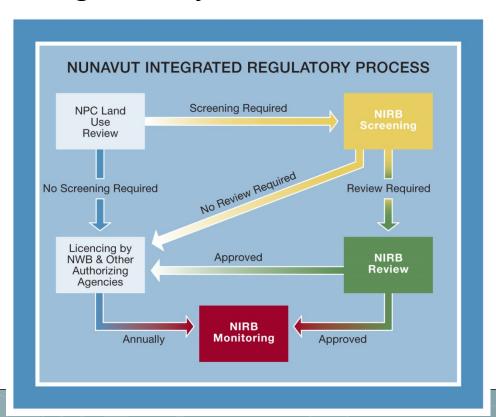
- Screen project proposals to determine whether or not a review is required
- Gauge and define the extent of regional impacts
- Review ecosystemic and socio-economic impacts of project proposals
- Determine whether project proposals should proceed, and if so, under what terms and conditions
- Monitor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



- Nunavut Settlement Area & Outer Land Fast Ice Zone
- Transboundary Impacts

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
 - O (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



- Coordination between Nunavut IPGs and adjacent jurisdictions is made possible through the NLCA and associated legislation
- Nunavut IPGs maintain regular contact and make efforts to meet as a group annually
- NIRB, NPC, NWB and NWMB may also coordinate as a Nunavut Marine Council to provide advice and recommendations to government about issues affecting Nunavut's marine areas

- Under the NuPPAA:
 - NPC will act as as the one window into the regulatory system
 - NIRB responsible for negotiating screening exemption agreements with Government for low-impact project types
 - NPC responsible for verifying whether project proposals are of a project type exempt from the requirement for screening
 - NPC can refer normally exempt proposals to NIRB for screening where there is a cumulative effects concern





- Coordination Agreement for Municipal Type A Water Licences
- Detailed Coordinated Process Framework for major development projects
 - Initiate consideration of Type A Water Licence Application concurrently with NIRB Review of Environmental Impact Statement
 - Detailed plans submitted earlier by proponent, shorter overall EA/Licensing timeline





- The NIRB regularly coordinates with adjacent jurisdictions
- The NIRB currently has agreements with:
 - Nunavut Water Board
 - Mackenzie Valley Environmental Impact Review Board
 - National Energy Board
- Investigating potential agreements with new partners





Kitikmeot Region

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

Kivalliq Region

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

Baffin Region

- Mary River, Iron Ore
- Iqaluit Hydroelectric

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

Traditional Knowledge

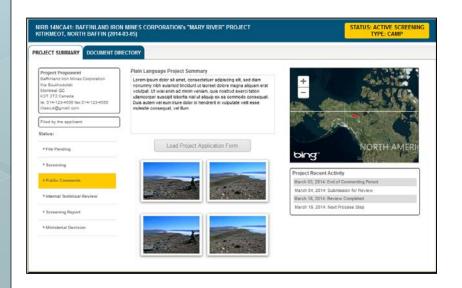
- The term Inuit Qaujimajatuqangit refers to Inuit "Traditional Knowledge" (TK)
- Inuit Qaujimaningit refers to Inuit TK as well as Inuit epistemology without reference to temporality
- Encompasses local and community based knowledge, ecological knowledge (both traditional and contemporary), which is rooted in the daily life of Inuit people, and has an important contribution to make to an environmental assessment
- Inuit Qaujimaningit assists greatly in making impact predictions particularly where scientific baseline may be lacking

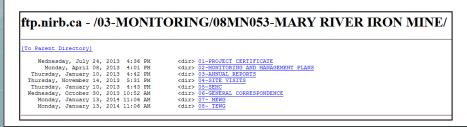
Participant Funding

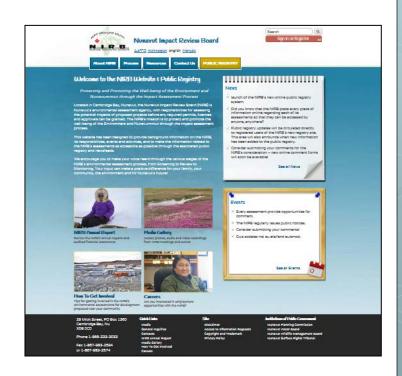
- Nunavut's regulatory system does not have a participant funding program in place
 - Participant funding for impact assessments in Nunavut has been provided by the Minister on an ad hoc basis to date
 - Recent requests for participant funding have been denied
- Creates potential disparity between public access to impact assessment in Nunavut and areas of Canada where the Canadian Environmental Assessment Act applies
- NuPPAA allows for establishment of a participant funding program through regulations
 - The Government of Canada has indicated that this will not be undertaken until it become economically feasible

Online Resources

- Reliance on digital transmission of information
- New public registry soon to replace ftp site







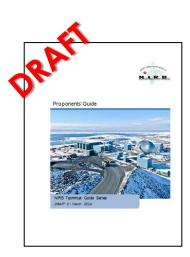
www.NIRB.ca



Public Guides

- Plain Language Public Guides
- New Technical Guides under development for Proponents, Intervenors and Authorizing Agencies
 - Reflect process under NuPPAA





Conclusion

- The NIRB is focusing on a number of initiatives designed to increase regulatory efficiencies:
 - new technical guides, standardized EIS guidelines, updated Rules of Procedure
 - new website & public registry system
- Implementation of new legislation (NuPPAA)
- Precautionary approach and adaptive management techniques critical to impact assessments
- Ensure good working relationships and improve coordination wherever possible

Conclusion

- Integrated regulatory approach in Nunavut is yielding positive results
- A large number of major development projects currently within Nunavut's Regulatory System have the potential to substantially change the Territory
- Capacity will continue to be a significant challenge needing to be addressed



Questions?

Thank you for your time!



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