

Nunavut	Answers
<p>1. When did regional planning begin and describe why it began?</p>	<p>1. Following the ratification of the Nunavut Land Claims Agreement (NCLA) in July 1993 the Nunavut Planning Commission (NPC) was instated as an institution of Public Government established under Article 10: Land and Resource Management Institutions. Nunavut Planning Commission is mandated under Article 11: Land Use Planning to develop, implement and monitor land use plans in the Nunavut Settlement Area (NSA) (Nunavut Planning Commission, 2014).</p> <p>Land use plans prepared by the Nunavut Planning Commission are intended to guide and direct resource use and development.</p>
<p>2. Describe the state of regional planning in the jurisdiction.</p>	<p>2. The Nunavut Settlement Area (Appendix 1) represents one-fifth of Canada’s land mass, and although this makes it the largest jurisdiction in Canada (Draft Nunavut Land Use Plan, 2014).</p> <p>The Nunavut Planning Commission released a Draft Nunavut Land Use Plan in 2014</p> <p>Approved Land Use Plans in Nunavut include: Keewatin Regional Land Use Plan North Baffin Regional Land Use Plan Nunavut Planning Commission. (n.d.)</p> <p>The commission alleges it had either completed or begun six regional plans by 2005 when the federal government announced it would no longer consider them. The commission then began work on a plan for the entire territory and an updated draft was completed in 2014. The planning Commission has taken the federal government to court, claiming Ottawa is blocking efforts to create a land-use plan that would guide resource development in Nunavut (CTV NEWS, 2014).</p>
<p>a. How big are the planning regions?</p>	<p>2a. See Appendix 1</p>
<p>3. What legislation guides the planning process? and describe the links to other legislation.</p>	<p>3. The Nunavut Land Claims Agreement (NLCA) establishes the Nunavut Planning Commission and provides broad direction on the Commission’s mandate, roles and responsibilities.</p> <p>The Draft Nunavut Planning and Project Assessment Act (NUPPAA), which is currently under development, will provide additional clarity to the Commission regarding the development and implementation of land use plans (Nunavut Planning Commission, n.d.).</p> <p>In addition, there are 106 Objectives and Policies designed to support the Goals. The Objectives and Policies form the basic criteria for how the Nunavut Land Use Plan will be developed.</p>

	<p>See Appendix 2 for Nunavut Land Claim Agreement policies</p> <p>Links to other Jurisdictions:</p> <p>Nunavut Impact Review Board – Asses projects and proposals in the Nunavut Settlement Area (Government of Canada, 2010).</p>
<p>4. What is the composition of the planning body?</p>	<p>4. The size and makeup of the membership of the Nunavut Planning Commission may vary, but the Government of Canada and Territorial Government shall each recommend at least one member and the Designated Inuit Organization shall nominate a number of members equal to the total number recommended by Government. The Nunavut Planning Commission members shall be appointed by the Minister of Indian Affairs and Northern Development. At least half of the membership of the Nunavut Planning Commission shall be residents of the Nunavut Settlement Area (Government of Canada, 2010).</p>
<p>5. What land do the land use plans apply to?</p>	<p>5. Land use planning applies to both land and marine areas within the Nunavut Settlement Area and the Outer Land Fast Ice Zone (Nunavut Planning Commission, n.d.).</p> <p>According to the Nunavut Land Claims Agreement, the Nunavut Planning Commission and municipal planning authorities shall cooperate to ensure that regional and municipal land use plans are compatible (Government of Canada, 2010).</p>
<p>6. Describe the jurisdictions</p> <p>a. planning process (i.e what are the stages)</p>	<p>6a. Nunavut Planning Commission discusses incremental planning in the Draft Nunavut Land use Plan (2014). The Nunavut Planning Commission states that since it is not feasible to develop a completely comprehensive land use plan for such a vast area in a reasonable timeframe and on a reasonable budget, choices need to be made regarding which issues are addressed in a ‘first generation’ plan. The term ‘first generation’ is used to imply that the planning process anticipates further planning that will build upon the framework being established in the plan. This approach is supported by land use planning best practices and the Commission’s Broad Planning Policies, Objectives and Goals (Nunavut Planning Commission, 2014).</p> <p>From the Nunavut Land Claims Agreement</p> <p>See Appendix 3 Development of the Land use Plan</p> <p>The Land Use Planning Process (Methodology):</p> <ol style="list-style-type: none"> 1) Identify Land Use Issues, Goals and Priorities 2) Identify Regional and Sub-regional Goals, Issues and Priorities

	<p>3) Conduct Research on land use planning issues and priorities to address goals 4) Develop options to manage land use activities (terms and zones) 5) Make Decisions on which terms and zones will be in the plan 6) Evaluate the Decisions and Plan Approval 7) Implement the Plan (by processing conformity determinations, plan amendments, minor variances) 8) Monitor the implementation of the approved Plan’s terms and zones to ensure the broad goals are being achieved (Nunavut Planning Commission, n.d.)</p> <p>See Appendix 4 for planning process Visual.</p> <p>During the Nunavut planning process a four party working group (Nunavut Planning Commission,, Nunavut Tunngavik, Incorporated, Government of Canada, Government of Nunavut) collaborate. The working group is supported by executive level review of recommendation.s. The involvement of both staff and executive is important to the success of the Nunavut Land Use Plan (Nunavut Planning Commission, n.d.).</p>
<p>b. associated planning products.</p>	<p>6b. A land use plan shall be a document containing text, schedules, figures and maps for the establishment of objectives and guidelines for short-term and long-term development (Government of Canada, 2010). See Appendix 3 for description of planning products during the planning process.</p>
<p>7. Describe how the information gathering stage of the planning process is coordinated amongst the planning body.</p>	<p>7. For the Nunavut planning process</p> <p>Technical analysis began in 2007 under the slogan, <i>Every Story Needs to be Told and Be Part of the Plan</i>. The Commission worked closely with its planning partners to identify areas of importance to the Nunavut Planning Commission’s Goals of protecting and sustaining the environment, encouraging conservation planning, building healthier communities and encouraging sustainable economic development (Nunavut Planning Commission, 2014).</p> <p>The Nunavut Planning Commission engages in Technical Workshops. During these workshops the following topics are discussed See Appendix 5.</p>
<p>8. Describe how conflicts between: a. the governments are addressed</p>	<p>8a. Information not found.</p>

b. the stakeholders are addressed	8b. Information not found.
c. others involved, i.e. overseer and planning body	8c. Information not found.
9. Describe how decisions are made amongst the planning body throughout the planning process.	<p>9. According to the Draft Nunavut Land Use Plan, Land use planning, 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. According to the Commission, formulation of the land use plan required the Commission and other key planning partners to manage their expectations regarding the content of the draft Plan and to focus on priority themes for which there is adequate information. In the future, as more robust land use planning data and expert advice becomes available, the Commission will be able to provide more sophisticated analysis of planning (Nunavut Planning Commission, 2014).</p> <p>Established technical workshops use asset maps to engage government departments and agencies. The workshops do not have a decision making role, however each participant will help the group understand any organizational interests relevant to the management of land and resources and discuss any data that may have been provided by their organization. Furthermore, participants will inform the group of any legislative requirements and any opportunities for the land use plan to assist with the regulatory process in Nunavut.</p> <p>The Technical Workshops are facilitated workshops where experts and professionals involved in land and resource management will be able to build a shared understanding of the land use issues and the options available to manage those issues. The outcomes of these workshops will become working concepts for land use planning terms and zones, and over time maps generated in these workshops, and through feedback from the Parties and agencies will transform into the draft Nunavut Land Use Plan (Nunavut Planning Commission, n.d.).</p>
9a. Describe who is employed to conduct the planning work, i.e. contractors, planning board staff, etc.	9a. The Nunavut Planning Commission may, within its approved budget, engage and fix the remuneration of experts or persons having technical or special knowledge to assist the Nunavut Planning Commission (Government of Canada, 2010).
10. Describe the role of the body who oversees the planning process	10. Information not found.

11. Describe how the process is funded.	11. The costs of the Nunavut Planning Commission shall be the responsibility of Government. The Nunavut Planning Commission shall prepare an annual budget, subject to review and approval by Government. (Government of Canada, 2010).
12. Describe the role that the a. a .Provincial/Territorial government play during the planning process.	12a. Indian and Northern Affairs Canada on behalf of the Government of Canada support the completion of land use plans in a timely manner (Nunavut Planning Commission, n.d.). Provide information Technical Workshops - Rely on government with land and resource research and information to identify areas that are important for wildlife (areas of high biodiversity).
b. First Nation(s)/ First Nation government(s) play during the planning process.	12b. Nunavut Tunngavik Incorporated, and the Government of Nunavut support the completion of land use plans in a timely manner (Nunavut Planning Commission, n.d.). Technical Workshops - Rely on Inuit organizations with land and resource research and information to identify areas that are important for wildlife (areas of high biodiversity).
c. Stakeholders	12c. Stakeholders are consulted throughout the development of the land use plan (Nunavut Planning Commission, 2014).
And describe how these groups interests are communicated to the planning body?	During the technical workshops noted above and in Appendix 5 Each participant will help the group understand any organizational interests relevant to the management of land and resources and discuss any data that may have been provided by their organization.. In addition, Governments and agencies will inform the group of any legislative requirements and any opportunities for the land use plan to assist with the regulatory process in Nunavut. (Nunavut Planning Commission, n.d.).
13. Describe the land designation system used in the jurisdiction	13. One of the following three Land use Designations is assigned to all areas where the Plan applies: Protected areas, Special Management Areas, Mixed use Areas. See Appendix 6 for proposed land use designations descriptions in the Draft Nunavut Land use Plan.
14. How does the land designation system provide management direction? i.e. how do land users interact with the approved plan?	14. Proponents wishing to carry out activities in the Nunavut Settlement Area must submit a Project Proposal to the Nunavut Planning Commission for a conformity determination against the requirements of the approved plan. Project Proposals must conform to the requirements of the plan before the proposal can advance for further consideration in the regulatory system (Nunavut Planning Commission, 2014). From Draft Nunavut Land Use Plan. 2014

	<p>1.5.5 Using the Plan The following steps can be used as a guide for proponents considering Project Proposals: Step 1: Determine Land Use Designation for Project Proposal location • Refer to Schedule A: Land Use Designations Step 2: Determine if proposed use would be considered under applicable Land Use Designation cultural • Refer to Table 1 Step 3: Determine if any Terms apply to location of Project Proposal • Refer to Refer to Table 1 Step 4: Determine the priorities and values that have been identified • Refer to Tables 3, 4 and 5.</p> <p>See Appendix 7 for Review of Project Proposals process</p> <p>From Land Claims Agreement Nunavut 11.5.10 The Nunavut Planning Commission shall review all applications for project proposals. Upon receipt and review of a project proposal, the NPC or members thereof or officers reporting to the Nunavut Planning Commission shall: (a) determine whether the project proposals are in conformity with plans; and (b) forward the project proposals with its determination and any recommendations to the appropriate federal and territorial agencies. The land use plan may make provision for the Nunavut Planning Commission to approve minor variances.</p>
<p>15. What are the stages of the approval process for a regional plan?</p>	<p>15. From Land Claims Agreement Nunavut</p> <p>11.5.6 Upon receipt of the revised draft land use plans, the Ministers jointly shall, as soon as practicable: (a) accept the plan; or (b) refer it back to the Nunavut Planning Commission for reconsideration accompanied by written reasons; the Nunavut Planning Commission may make the reasons of the Ministers public.</p> <p>11.5.7 The Nunavut Planning Commission shall reconsider the plan in light of written reasons and shall resubmit the plan to the Ministers for final consideration.</p> <p>11.5.8 Upon accepting a plan, the Minister of Indian Affairs and Northern Development shall seek Cabinet approval and commitment, and the Territorial Government Minister responsible for Renewable Resources shall seek approval and commitment of the Executive Council.</p> <p>11.5.9 Upon approval by Cabinet and the Executive Council, the plan shall be implemented on the basis of</p>

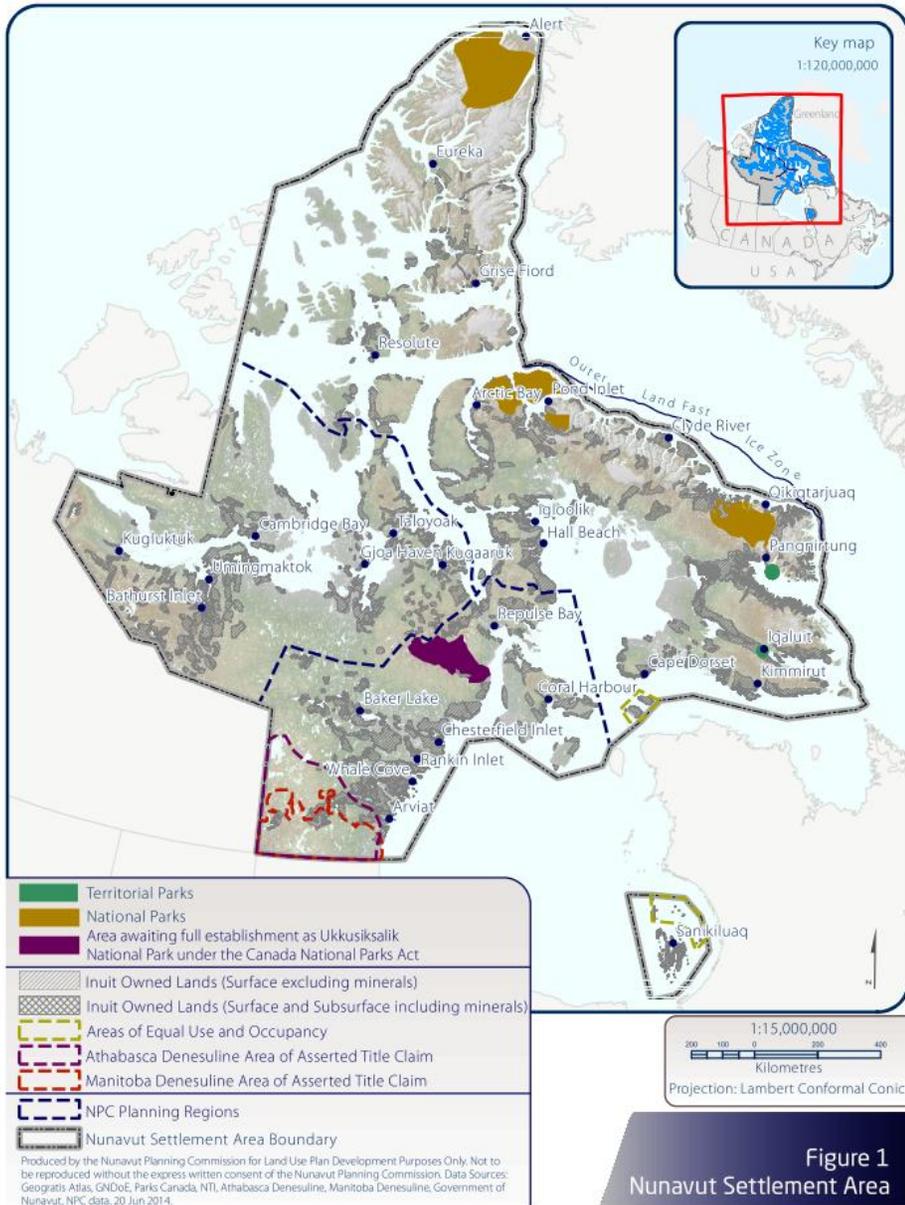
	<p>jurisdictional responsibility. All federal and territorial government departments and agencies shall conduct their activities and operations in accordance with the plan as approved. (Government of Canada, 2010)</p> <p>The Draft Plan will be submitted to the President of Nunavut Tunngavik Incorporated for support on behalf of Inuit and for approval to the Minister of Indian and Northern Affairs Canada on behalf of Government of Canada and the Minister of Environment on behalf of the Government of Nunavut (Nunavut Planning Commission, n.d.).</p>
<p>16. Who is responsible for plan implementation and review?</p>	<p>16. The appropriate government departments and agencies shall be responsible for the implementation of land use plans approved in accordance with Section 11.5.9 (Government of Canada, 2010).</p>
<p>a. How often are the plans reviewed?</p>	<p>16a. A complete public review of the land use plan's terms and zones will be completed periodically (5 years) (Nunavut Planning Commission, n.d.).</p>
<p>b. How are variance and amendments handled?</p>	<p>16b. From Land Claims Agreement Nunavut</p> <p>PART 6: AMENDMENT AND PERIODIC REVIEW OF LAND USE PLANS</p> <p>11.6.1 Government, a Designated Inuit Organization, or any person affected by a plan, may propose amendments to the plan to the Nunavut Planning Commission.</p> <p>11.6.2 The Nunavut Planning Commission shall consider a proposed amendment and, if it deems a review appropriate, review the proposal publicly.</p> <p>11.6.3 Upon completion of the process in Section 11.6.2, the Nunavut Planning Commission shall recommend to the Minister of Indian Affairs and Northern Development and the Territorial Government Minister responsible for Renewable Resources that:</p> <p>(a) the proposed amendment be rejected in whole or in part; or</p> <p>(b) the proposed amendment be accepted, in whole or in part.</p> <p>11.6.4 If the Ministers reject the recommendations of the NPC, Sections 11.5.6 and 11.5.7 shall apply <i>mutatis mutandis</i> (changing [only] those things which need to be changed).</p> <p>11.6.5 An amendment to a plan shall be effective when approved by the Ministers.</p>

17. What is the average cost of regional planning processes in the jurisdiction?	17. Information not found.
--	----------------------------

References

- Dillon Consulting Limited, (2012). Final Report Independent Review DNLUP_0.pdf.. Retrieved from Dillon Consulting Limited, (2012). Independent Review Draft Nunavut Land use Plan. Retrieved from <http://www.nunavut.ca/files/2012-06-21%20Final%20Report%20Independent%20Review%20DNLUP.pdf>
- Nunavut Planning Commission (2014). Draft Nunavut Land Use Plan. Retrieved from http://www.nunavut.ca/files/2014DNLUP/2014_Draft_Nunavut_Land_Use_Plan.pdf
- CTV NEWS (2014). Federal government sued over Nunavut land-use plan. Retrieved, from <http://www.ctvnews.ca/politics/federal-government-sued-over-nunavut-land-use-plan-1.1966134>
- Government of Canada (2010). Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada as amended. Retrieved from http://www.tunnigavik.com/documents/publications/LAND_CLAIMS_AGREEMENT_NUNAVUT.pdf
- Nunavut Planning Commission (n.d.). Nunavut Land Use Plan Timelines and Milestones. Retrieved from <http://www.nunavut.ca/files/NLUP%20Timelines%20and%20Milestones.pdf>
- Nunavut Planning Commission. (n.d.). Retrieved from <http://www.nunavut.ca/>

Appendix 1 The Nunavut Settlement Area



Source: Nunavut Planning Commission, 2014

Appendix 2 Policies from the Nunavut Land Claims Agreement

The following principles shall guide the development of planning policies, priorities and objectives:

(a) people are a functional part of a dynamic biophysical environment, and

land use cannot be planned and managed without reference to the human community; accordingly, social, cultural and economic endeavours of the human community must be central to land use planning and implementation;

(b) the primary purpose of land use planning in the Nunavut Settlement Area

shall be to protect and promote the existing and future well being of those persons ordinarily resident and communities of the Nunavut Settlement Area taking into account the interests of all Canadians; special attention shall be devoted to protecting and promoting the existing and future well-being of Inuit and Inuit Owned Lands;

(c) the planning process shall ensure land use plans reflect the priorities and values of the residents of the planning regions;

(d) the public planning process shall provide an opportunity for the active and informed participation and support of Inuit and other residents affected by the land use plans; such participation shall be promoted through various means, including ready access to all relevant materials, appropriate and realistic schedules, recruitment and training of local residents to participate in comprehensive land use planning;

(e) plans shall provide for the conservation, development and utilization of land;

(f) the planning process shall be systematic and integrated with all other planning processes and operations, including the impact review process contained in the Agreement; and

(g) an effective land use planning process requires the active participation of both Government and Inuit.

Appendix 3 Development of Land Use Plans

11.5.2 The first stage of the formulation of a land use plan, after such consultation as the NPC finds appropriate, shall be the preparation of a draft land use plan by the NPC.

11.5.3 The NPC shall prepare a draft land use plan in accordance with Section 11.5.4 and, upon completion, shall make the draft land use plan public and solicit written and oral comments from all appropriate federal and territorial government agencies, Designated Inuit Organizations, communities and the general public.

11.5.4 The NPC shall:

- (a) conduct public hearings on the draft plans;
- (b) evaluate the draft plans in light of representations made at the public hearings; and
hearings; and
- (c) as appropriate, revise the draft plans.

11.5.5 Upon completion of the process in Section 11.5.4, the NPC shall submit the draft plan as revised along with a written report of the public hearings to the Minister of Indian Affairs and Northern Development and the Territorial Government Minister responsible for Renewable Resources. The NPC shall also make the revised draft land use plan public.

11.5.6 Upon receipt of the revised draft land use plans, the Ministers jointly shall, as soon as practicable:

- (a) accept the plan; or
- (b) refer it back to the NPC for reconsideration accompanied by written reasons; the NPC may make the reasons of the Ministers public.

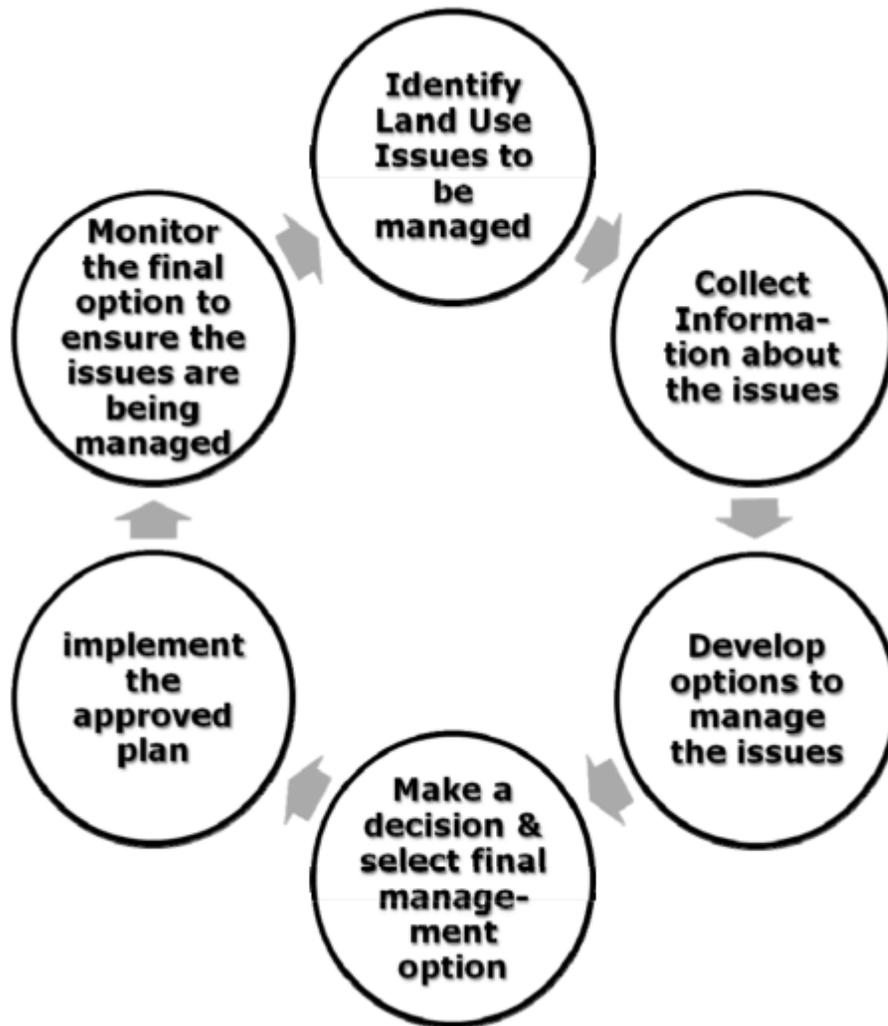
11.5.7 The NPC shall reconsider the plan in light of written reasons and shall resubmit the plan to the Ministers for final consideration.

11.5.8 Upon accepting a plan, the Minister of Indian Affairs and Northern Development shall seek Cabinet approval and commitment, and the Territorial Government Minister responsible for Renewable Resources shall seek approval and commitment of the Executive Council.

11.5.9 Upon approval by Cabinet and the Executive Council, the plan shall be implemented on the basis of jurisdictional responsibility. All federal and territorial government departments and agencies shall conduct their activities and operations in accordance with the plan as approved.

Source: Government of Canada, 2010.

Appendix 4 The Planning Process



Appendix 5 – Technical Workshops during the Planning Process

1 Identify value(s) to be promoted for each area of competing interest or unique regional / sub-regional asset.

Be able to explain why an area is important. Need to understand the different caribou areas. Participants should be able identify and speak to any areas that their Department or organization is proposing access restrictions. (Seasonal or year round)

2 Identify who does what now to manage the values. (Jurisdictional and legislative role)

How do government and Inuit currently manage land use in areas of high biodiversity? Participants need to be able to speak to legislative, regulatory, and land management activities of their Department or organization. An awareness of the regulatory instruments used by each department and organization to manage land and resource activity will be important.

3 Identify regulatory gaps.

Are there gaps in the processes or legislation used internally or between other government departments that make management of a species, land use or area difficult? Participants should be able to identify opportunities where the land use plan can support the land and resource management regime and other public initiatives.

4 Identify areas of competing values to be assessed for special management under the plan

What areas are to receive special attention for economic development, environmental, cultural, energy, or municipal infrastructure (outside municipal boundaries) reasons? Participants should be able to participate in an inter-agency setting to discuss options and concepts to manage land use issues.

5 Identify options to manage regulatory gaps and promote unique values. (Develop terms and zones)

What needs to be done to fill the gaps and manage important areas?

Participants will need to be able to discuss which permit, licence or authorization would be appropriate to implement the concepts.

6 Identify whose jurisdiction implementation of the terms of the NLUP will be under. (Implementation strategy)

Decide how best to implement the terms. Participants whose permit, licence or authorization has been identified to implement a term in the plan will need to participate in the development of final wording of terms to ensure clarity and understanding for ease of implementation and enforcement.

Source NLUP Timelines and Milestones n.d.

Appendix 6 Land Designation System for NSA

Protected Areas prohibit land uses that are incompatible with environmental and cultural values and may identify Terms to guide land use and/or direction to regulatory authorities.

The intent of Protected Areas is to support environmental protection and 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 and regional considerations.

Special Management Areas may restrict access to some uses or prohibits incompatible uses and may identify Terms to guide land use and/or direction to regulatory authorities. Compared to Protected Areas, 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;
- 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 and regional considerations.

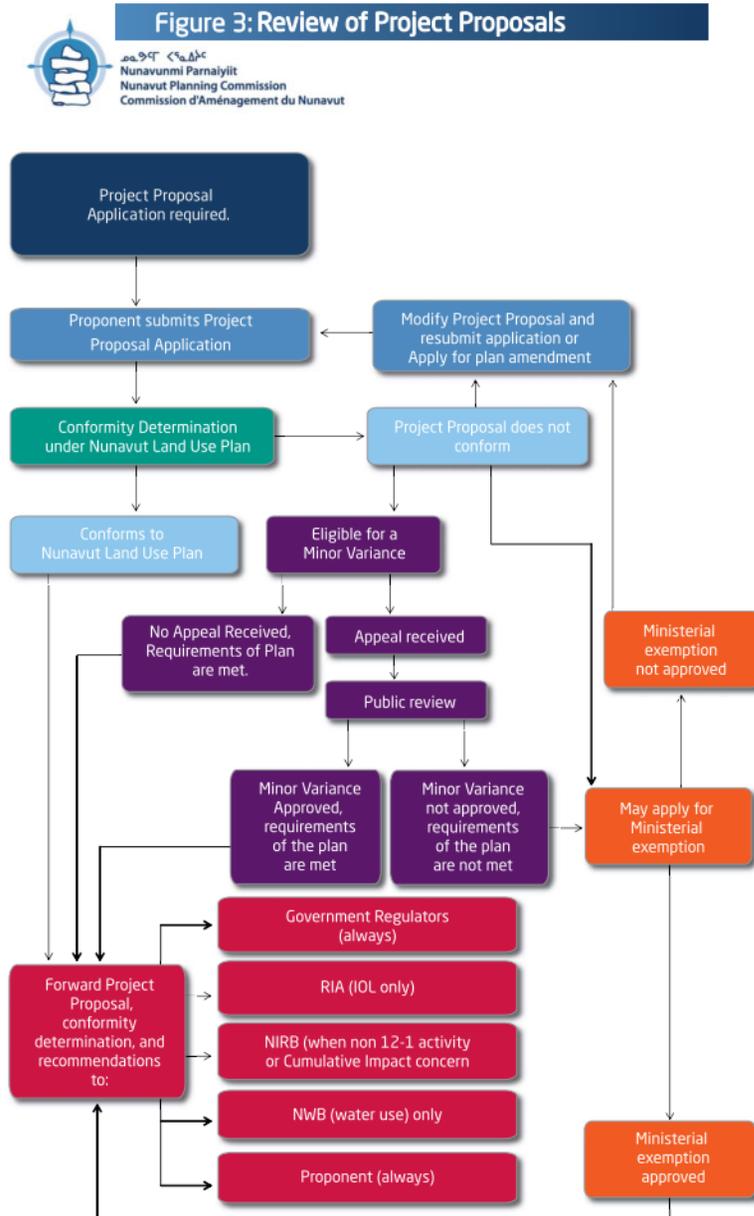
Mixed Use areas allow all uses and may identify direction to regulatory authorities.

The intent of Mixed Use Land Use Designations is to support a variety of opportunities and land use activity, taking into account factors such as the following:

- the potential for economic opportunity in the Nunavut Settlement Area;
- the potential for conservation initiatives in the Nunavut Settlement Area; and
- the social well-being of the residents of the Nunavut Settlement Area.

Source (Nunavut Planning Commission, 2014).

Appendix 7– Review of Project Proposals



Source: Nunavut Planning Commission, 2014