

<b>NORTHERN QUEBEC</b>	<b>Answers</b>
<p>1. When did regional planning begin and describe why it began?</p>	<p>1. There are several land claim agreements across Northern Quebec covering both the land and marine areas. See Appendix 1 for map of land claims.</p> <p>These are</p> <p><u>James Bay and Northern Quebec Agreement (Quebec) (1977)</u></p> <p><u>Northeastern Quebec Agreement (Quebec) (1978)</u></p> <p><u>Nunavik Inuit Land Claims Agreement (2008)</u></p> <p><u>Eeyou Marine Region Land Claims Agreement (2012)</u></p> <p>The Nunavik marine settlement area has an established planning process and will be the focus of this jurisdictional review.</p>
<p>2. Describe the state of regional planning in the jurisdiction.</p>	<p>2. The Nunavik marine planning process is at the information gathering stage and their commission is conducting land occupancy studies in the communities (Nunavik Marine Region Planning Commission website, n.d.). The Kativik Regional Government has jurisdiction over the Kativik Region. Covering roughly 500,200 km<sup>2</sup>, the Kativik Region is the territory of Québec north of the 55th parallel, with the exception of the Category IA and IB lands of the Cree community of Whapmagoostui. The Kativik Region includes 14 communities with a total population of approximately 12,000. The Kativik Regional Government acts as a municipality for any part of the territory that is unorganized (Government of Québec, 2014).</p> <p>Katavik Government developed: Master Plan For Land Use In The Kativik Region General Aims Of Land Development And General Land Use Policies document which stipulates the general aims of land development and general land use policies in the Kativik Region. It was approved according to the law by the Minister of Municipal Affairs, Regions and Land Occupancy. The Kativik Regional Government is currently developing rules of application (zoning by-laws) for the Master Plan.</p> <p><b>Two other key documents exist:</b></p>

	<p>- Protected Area Planning in Nunavik (2013).  - Plan for the Integrated Development of Lands and Natural Resources (to be submitted to the Ministère des Ressources naturelles (natural resources, MNR) in January 2014).</p> <p>(These documents are for internal government purposes only and are unavailable at this time).</p> <p>Kativik Regional Government has been working with Sustainable Development, Environment and the Fight against Climate Change and Communities in the region to create and develop Québec national parks in the Kativik Region. Three parks have so far been created: Parc national des Pingualuit (1,134 km<sup>2</sup>), Parc national Kuururjuaq (4,461 km<sup>2</sup>) and Parc national Tursujuq (26,107 km<sup>2</sup>) (Kativik Regional Government, n.d.).</p>
<p>a. How big are the planning regions?</p>	<p>2a. Nunavik is a territory that occupies a large landmass (660,000 square kilometers) within the tundra and sub-boreal regions above the 55th parallel in the Province of Québec . Nunavik covers an area that is equivalent to one-third the area of Québec.</p> <p><b>See <a href="#">Appendix 2</a> for map of the Nunavik region.</b></p> <p><b>See <a href="#">Appendix 3</a> for map of the Nunavik Marine region</b></p>
<p>3. What legislation guides the planning process? and describe the links to other legislation.</p>	<p>3. The Nunavik Inuit Land Claims Agreement (NILCA) came into effect on July 10, 2007. It applies to the offshore region around Quebec, northern Labrador and offshore northern Labrador. Under the The Nunavik Inuit Land Claims Agreement, Co-management bodies with decision-making authority are established to address wildlife, land management, and development impact issues (Nunavik Marine Region Planning Commission website, n.d.).</p> <p>For planning principles, policies, priorities and objectives see <a href="#">Appendix 4</a></p> <p><b>Other Legislation</b></p> <p><i>The Act respecting Land Use Planning and Development.</i></p> <p>Bill 43 – <i>the Mining Act</i></p>

4. What is the composition of the planning body?

**4.** The Nunavik Marine Region Planning Commission mandate is to develop planning policies and priorities for the Nunavik Marine Region (NMR). The primary purpose of land use planning in the NMR is to protect and promote the existing and future well being of those persons and communities resident in or using the NMR taking into account the interests of all Canadians. Special attention is devoted to protecting and promoting the existing and future well-being of the Nunavik Inuit and Nunavik Inuit Lands (Nunavik Marine Region Planning Commission website, n.d.).

#### **Composition and Appointment From Nunavik Inuit Land Claims Agreement**

6.4.5 The size and makeup of the membership of the Nunavik Marine Region Planning Commission may vary, but the Government of Canada and Territorial Government shall each recommend at least one (1) member and the Makivik Corporation Designated Organizations shall nominate a number of members equal to the total number recommended by Government. The Nunavik Marine Region Planning Commission members shall be appointed by the Minister of Indian Affairs and Northern Development from the above-noted recommendations and nominations.

6.4.6 Federal and territorial public servants shall not be appointed to the Nunavik Marine Region Planning Commission 6.4.7 At least half of the membership of the Nunavik Marine Region Planning Commission shall be residents of Nunavik.

6.4.8 The Makivik Corporation Designated Organizations shall have the right to substitute from time to time alternates for its nominated members in order to ensure appropriate representation for the region for which planning is being conducted at any one time. Such alternates shall be appointed in a manner consistent with section 6.4.5.

6.4.9 Subject to section 6.4.11, members shall be appointed for a term of three (3) years.

6.4.16 The Nunavik Marine Region Planning Commission shall, to the extent possible, adopt the same by-laws and rules as those of the Nunavut Planning Commission.

(Government of Canada, 2007).

#### **Current Board Members**

The NMRPC currently consists of four (4) members that were appointed as follows:

	<p>Makivik Corporation appointed two (2) members</p> <p>The Government of Canada appointed one (1) member</p> <p>The Government of Nunavut appointed one (1) member</p> <p>(Nunavik Marine Region Planning Commission website, n.d.)</p>
<p>5. What land do the land use plans apply to?</p>	<p>5. For Nunavik</p> <p>The land use planning process shall apply to Nunavik Inuit Lands. Land use plans shall take into account Nunavik Inuit goals and objectives for Nunavik Inuit Lands.</p>

<p>6. Describe the jurisdictions</p> <ul style="list-style-type: none"><li>a. planning process (i.e what are the stages)</li></ul>	<p>6a. Planning <b>Process for the Nunavik Marine Region.</b></p> <p>Consistent with the roles and responsibilities of the Nunavik Marine Region Planning Commission within the Nunavik Inuit Land Claims Agreement, the Nunavik Marine Region Planning Commission shall:</p> <ul style="list-style-type: none"><li>a) Identify planning regions;</li><li>b) Identify specific planning objectives, goals and variables that apply to planning regions and are consistent with the broader objectives and goals;</li><li>c) Contribute to the development and review of Arctic marine policy;</li><li>d) Disseminate information and data;</li><li>e) Solicit opinions from municipalities, residents and others about planning objectives, goals and options of the region;</li><li>f) Prepare and circulate draft land use plans;</li><li>g) Promote public awareness and discussion and conduct public hearings and debate throughout the planning process;</li><li>h) Recommend plans to the Ministers;</li><li>i) Consider modifications requested by the Ministers in the event that a draft plan is rejected;</li><li>j) Consider amendments to a land use plan in accordance with Part 6 of NILCA;</li><li>k) Determine whether a project proposal is in conformity with a land use plan;</li><li>l) Monitor projects to ensure that they are in conformity with land use plans; and</li><li>m) Report annually to the Ministers and the Makivik Designated Organization on the implementation of land use plans.</li></ul> <p>(Nunavik Marine Region Planning Commission website, n.d.).</p>
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<p>b. associated planning products.</p>	<p><b>6b. From the Nunavik Inuit Land Claims Agreement</b></p> <p>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, taking into account factors such as the following:</p> <ul style="list-style-type: none"> <li>(a) demographic considerations;</li> <li>(b) the natural resource base and existing patterns of natural resource use;</li> <li>(c) economic opportunities and needs;</li> <li>(d) transportation and communication services and corridors;</li> <li>(e) energy requirements, sources and availability;</li> <li>(f) community infrastructural requirements, including health, housing, education and other social services;</li> <li>(g) environmental considerations, including Protected Areas, as defined in Article 11, and wildlife habitat;</li> <li>(h) cultural factors and priorities, including the protection and preservation of archaeological sites and outpost camps, as the latter term is defined in the Nunavik Inuit Land Claims Agreement; and</li> <li>(i) special local and regional considerations.</li> </ul> <p>Furthermore, a land use plan shall contain an implementation strategy.</p> <p>(Government of Canada, 2007).</p>
<p>7. Describe how the information gathering stage of the planning process is coordinated amongst the planning body.</p>	<p>7. Information gathering is based on:</p> <ul style="list-style-type: none"> <li>• Widely accepted principles and practices;</li> <li>• Inclusive exercise whereby local communities, stakeholders and governing bodies come together to share their values and visions for how the land (and waters) should be used.</li> <li>• Systematic gathering and assessment of descriptive information for a region</li> <li>• Place-specific, mapping and GIS are tools being utilized for managing and assessing information within the land use planning process.</li> </ul> <p>(Nunavik Marine Region Planning Commission website, n.d.).</p>

8. Describe how conflicts between: a. the governments are addressed	8a. Information not found.
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.	9. Information not found.
9a. Describe who is employed to conduct the planning work, i.e. contractors, planning board staff, etc.	9a. The Nunavik Marine Region Planning Commission may, within its approved budget, engage and fix the remuneration of experts or persons having technical or special knowledge to assist the Nunavik Marine Region Planning Commission.
10. Describe the role of the body who oversees the planning process	10. Information not found.
11. Describe how the process is funded.	<p><b>11. For the Nunavik Marine Region planning process</b></p> <p>The costs of the Nunavik Marine Region Planning Commission shall be the responsibility of Government. The Nunavik Marine Region Planning Commission shall prepare an annual budget, subject to review and approval by Government. (Government of Canada, 2007).</p>

<p>12. Describe the role that the</p> <p>a. Provincial/Territorial government play during the planning process.</p>	<p><b>12a. For the Nunavik Marine Region planning process</b></p> <p>The Government of Canada and the Territorial Government recommend at least one member to serve on the Nunavik Marine Region Planning Commission (Nunavik Marine Region Planning Commission website, n.d.).</p>
<p>b. First Nation(s)/ First Nation government(s) play during the planning process.</p>	<p><b>12b. For the Nunavik Marine Region planning process</b></p> <p>The Makivik Corporation (The Makivik Corporation, headquartered in Kuujjuaq, represents the Inuit of Northern Quebec in their relations with the governments of Quebec and Canada.) can nominate members equal to the total number recommended by the Government (Nunavik Marine Region Planning Commission website, n.d.).</p>
<p>c. Stakeholders</p>	<p><b>12c. For the Nunavik Marine Region planning process</b></p> <p>Stakeholders are consulted throughout the planning process (Nunavik Marine Region Planning Commission website, n.d.).</p>
<p>And describe how these groups interests are communicated to the planning body?</p>	<p>Through the Nunavik Marine Region Planning Commission and during community consultations.</p>
<p>13. Describe the land designation system used in the jurisdiction and comment on the consistency of the designation from planning region to planning region in the jurisdiction.</p>	<p>13. Information not found.</p>
<p>14. How does the land designation system provide management direction? i.e. how do land users interact with the</p>	<p><b>14. From Nunavik Inuit Land Claims Agreement</b></p> <p>6.5.10 The Nunavik Marine Region Planning Commission shall review all applications for project</p>

<p>approved plan.</p>	<p>proposals. Upon receipt and review of a project proposal, the Nunavik Marine Region Planning Commission or members thereof or officers reporting to the Nunavik Marine Region Planning Commission shall:</p> <p>(a) determine whether the project proposals are in conformity with plans; and</p> <p>(b) forward the project proposals with its determination and any recommendations to the appropriate federal and territorial agencies.</p> <p>The land use plan may make provision for the Nunavik Marine Region Planning Commission to approve minor variances.</p> <p>6.5.11 Where the Nunavik Marine Region Planning Commission has determined that a project proposal is not in conformity with the plan, the proponent may apply to the appropriate Minister for exemption. The Minister may exempt the project proposal from conformity with the plan and shall, subject to sections 7.3.2 and 7.3.3, refer it to Nunavik Marine Region Impact Review Board for screening. Nonconforming project proposals shall not be sent to Nunavik Marine Region Impact Review Board until such exemption is obtained or a variance has been approved.</p> <p>6.5.12 Where the appropriate Minister exempts a project proposal, the Minister shall supply the Nunavik Marine Region Planning Commission with written reasons and such reasons shall be made public.</p> <p>6.5.13 Sections 6.5.10 to 6.5.12 shall apply where a land use plan has been approved pursuant to section 6.5.9.</p>
<p>15. What are the stages of the approval process for a regional plan?</p>	<p>15. Information not found.</p>
<p>16. Who is responsible for plan implementation and review?</p>	<p>16. 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 The Nunavik Marine Region Planning Commission also plays a role in the review process (Government of Canada, 2007).</p>
<p>a. How often are the plans reviewed?</p>	<p>16a. Information not found.</p>

<p>b. How are variance and amendments handled?</p>	<p>16b. In addition to the development of land use plans within the Nunavik Marine Region , the Nunavik Marine Region Planning Commission can also amend land use plans via periodic review. In such cases, Government, a Makivik Designated Organization, or any person affected by the land use plan may propose amendments and the Nunavik Marine Region Planning Commission will consider the proposed amendment, and where appropriate, review the proposal publicly (Nunavik Marine Region Planning Commission website, n.d.). Amendments to a plan become effective when approve by the Ministers (Government of Canada, 2007).</p>
<p>17. What is the average cost of regional planning processes in the jurisdiction?</p>	<p>17. Information not found.</p>

## References

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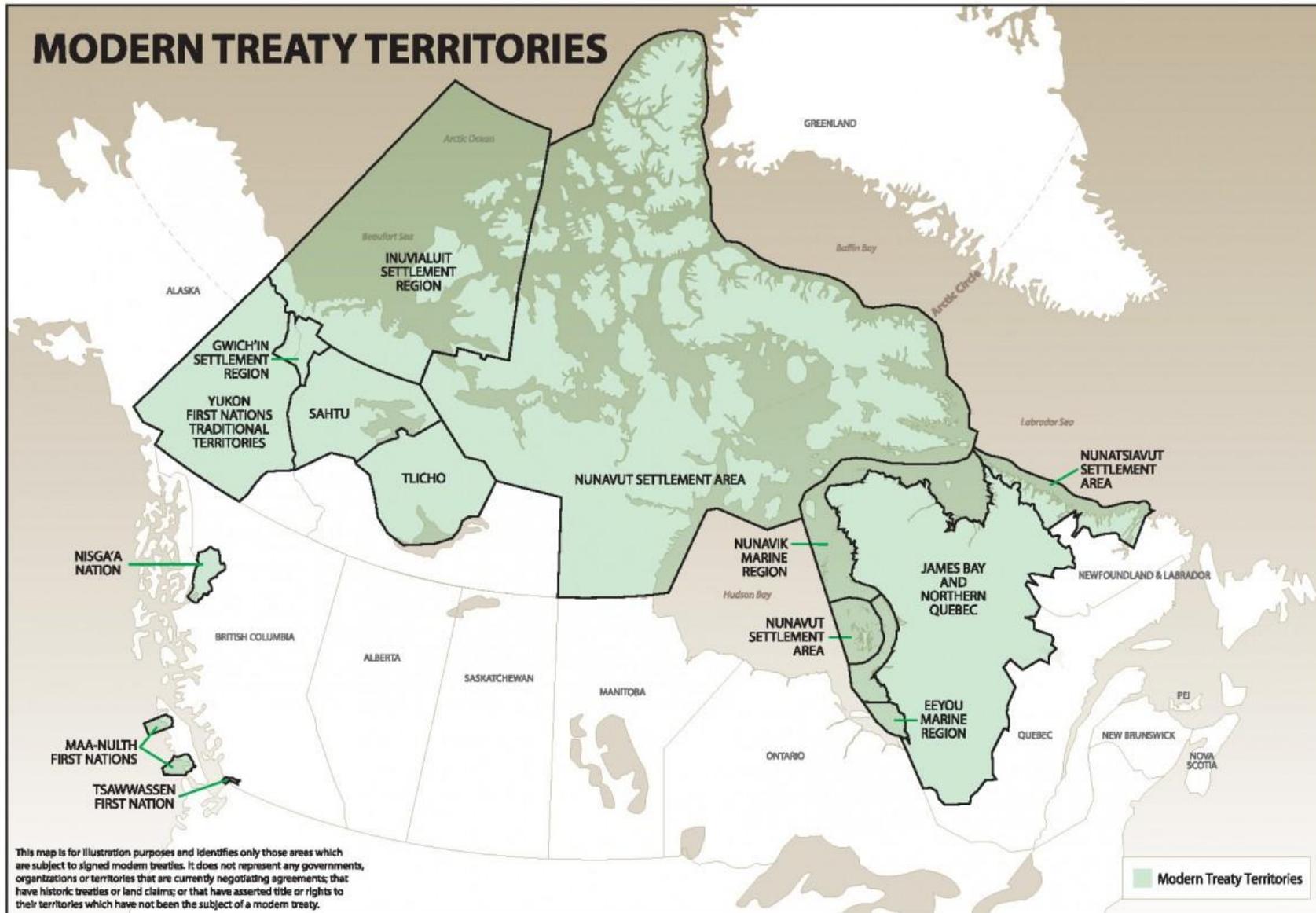
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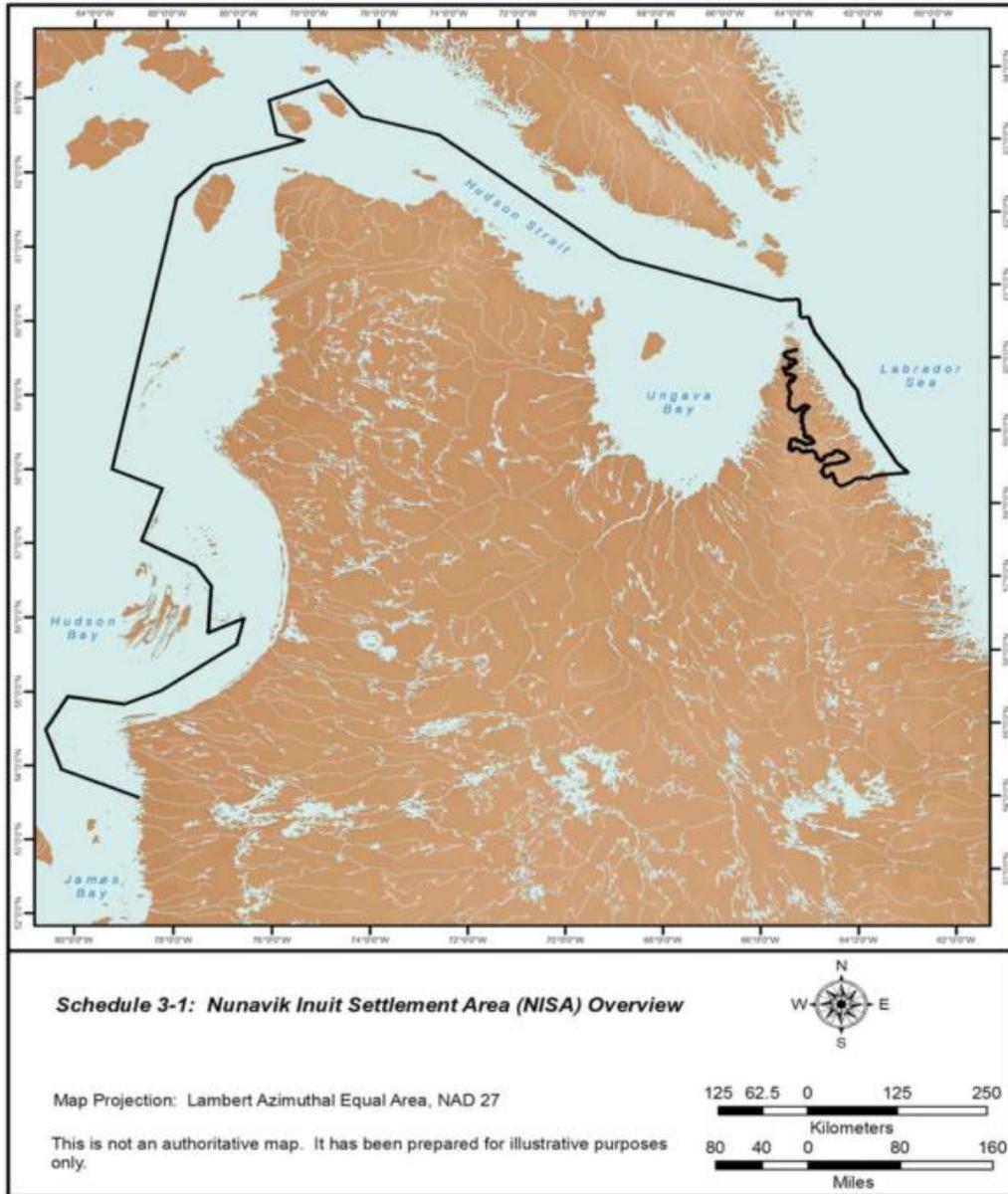
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## Appendix 1 Settlement regions in Quebec and Canada



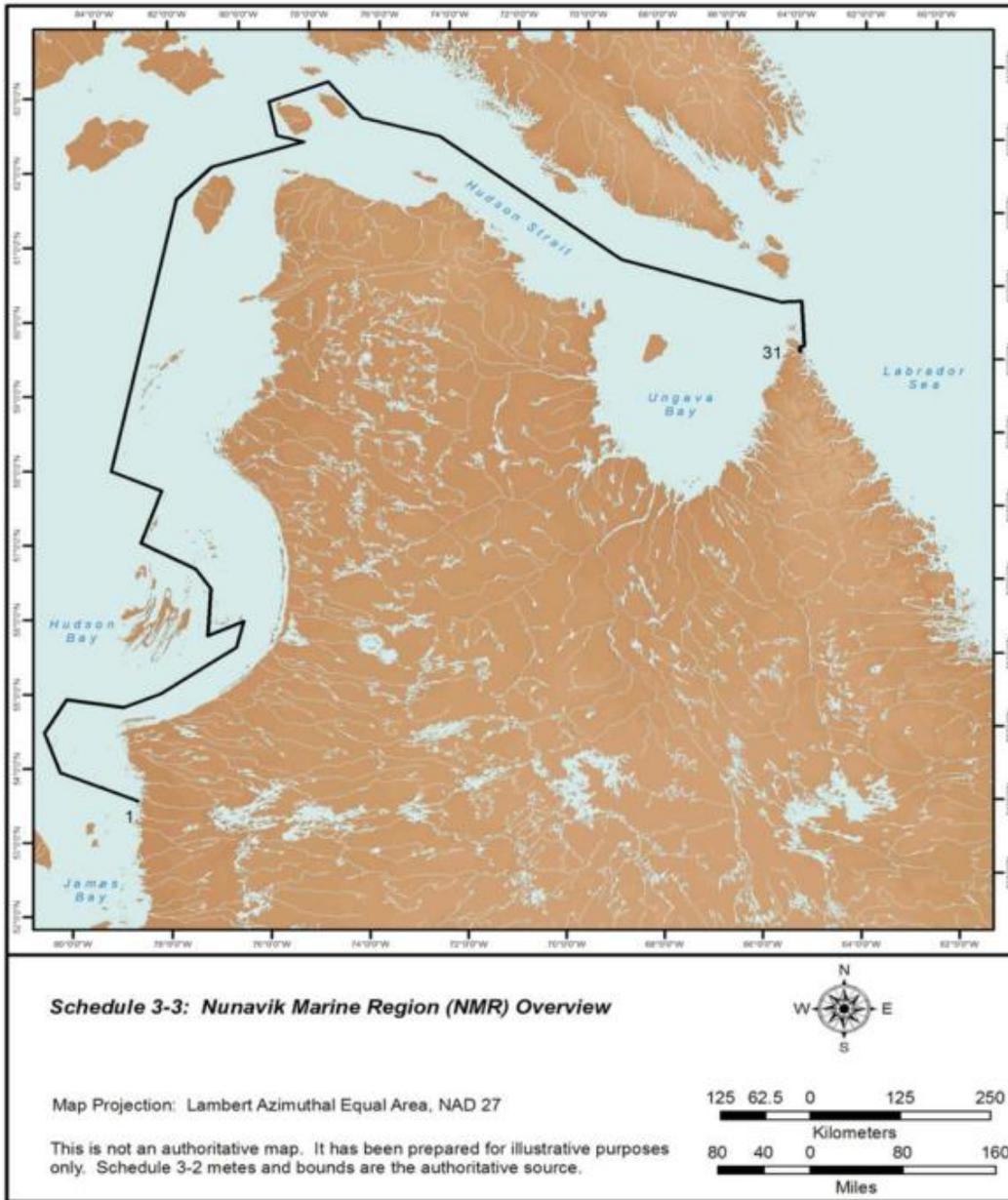
Source Land Claims in Canada (n.d.)

## Appendix 2 Nunavik Inuit Settlement Area



Source Government of Canada, 2007.

### Appendix 3 Nunavik Marine Region



Source Government of Canada, 2007.

#### **Appendix 4 Planning principles, policies, priorities and objectives**

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 NMR shall be to protect and promote the existing and future well being of those persons and communities resident in or using the NMR taking into account the interests of all Canadians; special attention shall be devoted to protecting and promoting the existing and future well-being of Nunavik Inuit and Nunavik Inuit Lands;
- (c) the planning process shall ensure land use plans reflect the priorities and values of the residents and users of the planning regions;
- (d) the public planning process shall provide an opportunity for the active and informed participation and support of Nunavik Inuit and other residents or users 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 Nunavik Inuit and other local residents and users 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 this Agreement; and
- (g) an effective land use planning process requires the active participation of both Government and Nunavik Inuit.

Source (Nunavik Marine Region Planning Commission website, n.d.)