



# Recent Changes to Nunavut's Regulatory System

Updates to NIRB processes and resources

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*Nunavut Mining Symposium, Iqaluit, 2016*

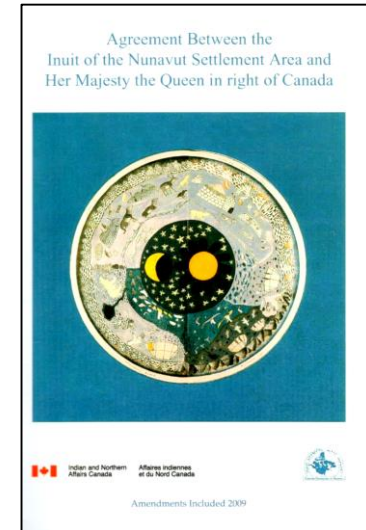
**“Ch-ch-ch-ch-changes,  
turn around and face the strange”**

David Bowie (1947-2016)

# Nunavut



**Legislative basis**



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



# Nunavut's Regulatory System

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

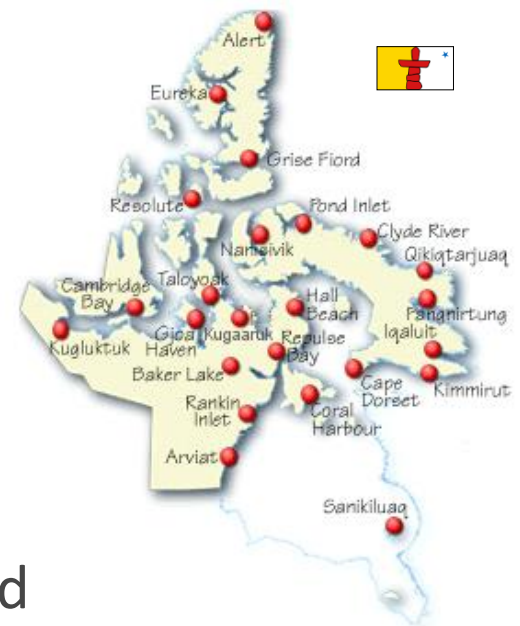


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Nunavut Planning Commission  
Commission d'Aménagement du Nunavut



# NIRB's Role

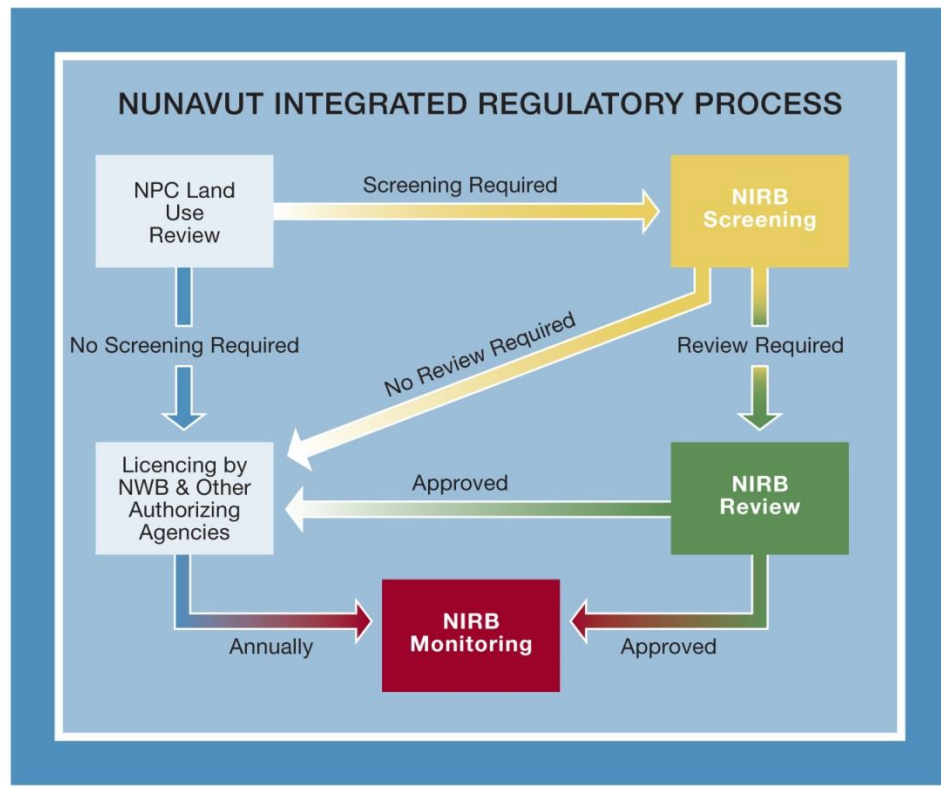
- Screen project proposals to determine whether or not a review is required
- Gauge and define the extent of regional impacts
- Review ecosystemic and socio-economic impacts of project proposals
- Determine whether project proposals should proceed, and if so, under what terms and conditions
- Monitor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



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

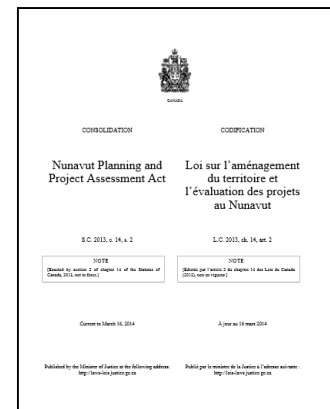
# Nunavut's Regulatory System

- 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
  - (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

- 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

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“Working together for a common cause”

# Coordination

- 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
- Definition of “project” under NuPPAA and “project proposal” under NLCA not consistent, creating implementation challenges



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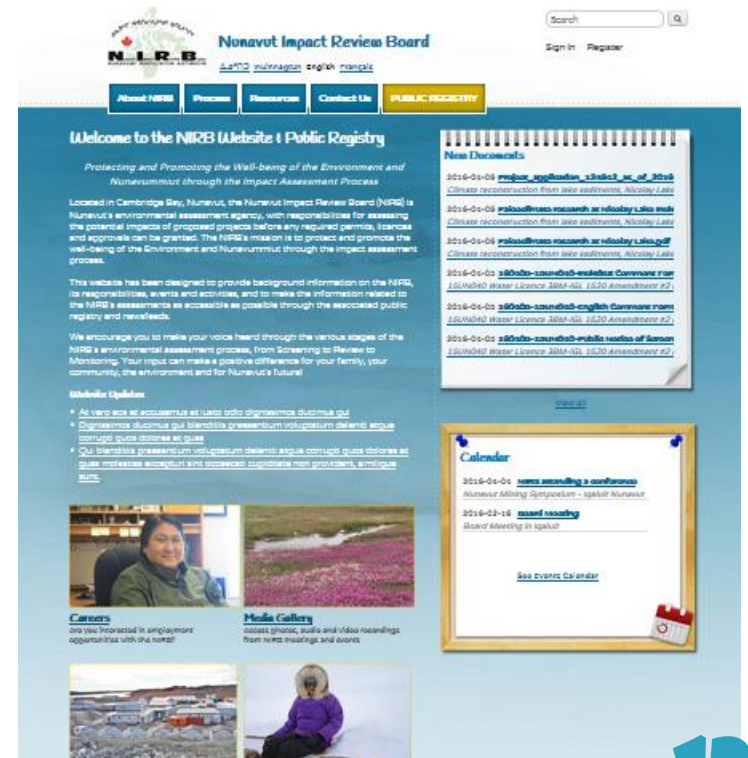
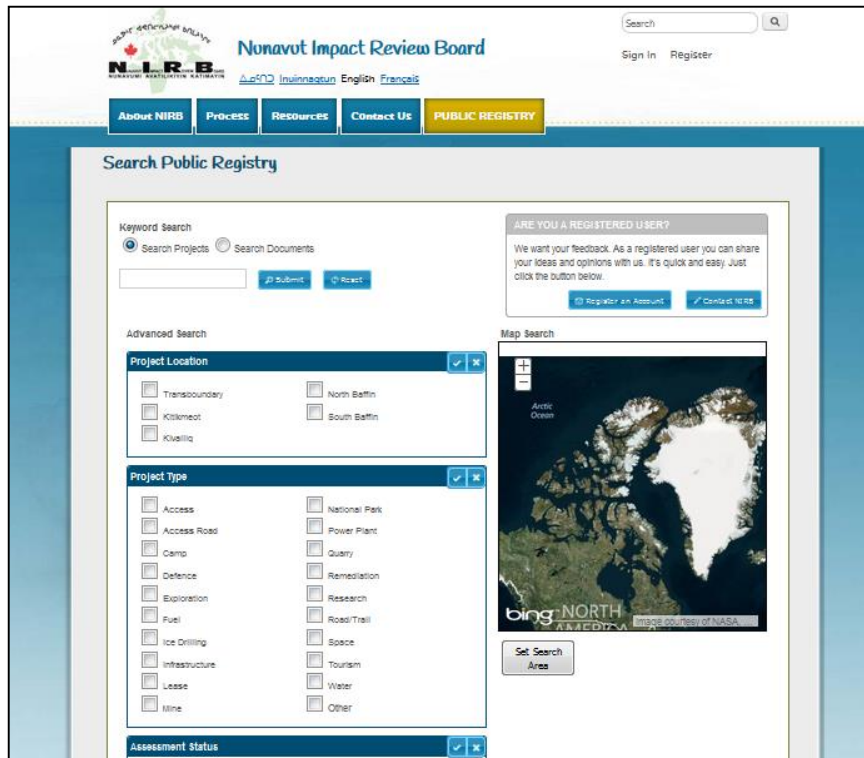


# Participant Funding

- 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 NIRB strongly believes that a well-designed program would increase access for Inuit organizations and community groups

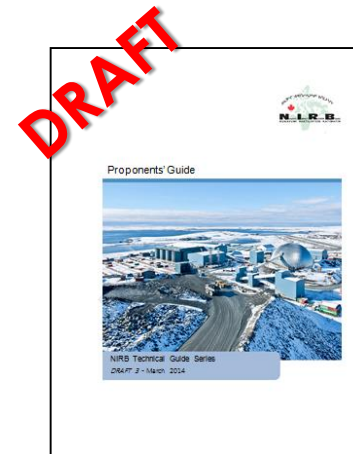
# Online Resources

- New public registry online – additional development underway
- Further coordination with NPC/NWB sites planned



# Public Guides

- Plain Language Public Guides
- New Technical Guides for Proponents, Intervenor and Authorizing Agencies, Terminology Guide, Process Maps
  - Reflect process under NuPPAA
  - Anticipated release in April 2016



# Other Items

- Screening Exemption Agreements
  - Previous agreements with Parks Canada, GN – Culture & Heritage, GN – Environment have been updated
  - Out for final review
- Rules of Procedure require updating
  - Full consultation process planned
- Development of Standardized EIS Guidelines under consideration
  - Would allow for entering regulatory process with Draft EIS

# Conclusion

- The NIRB is focusing on a number of initiatives designed to increase regulatory efficiencies:
  - screening exemption agreements, 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



