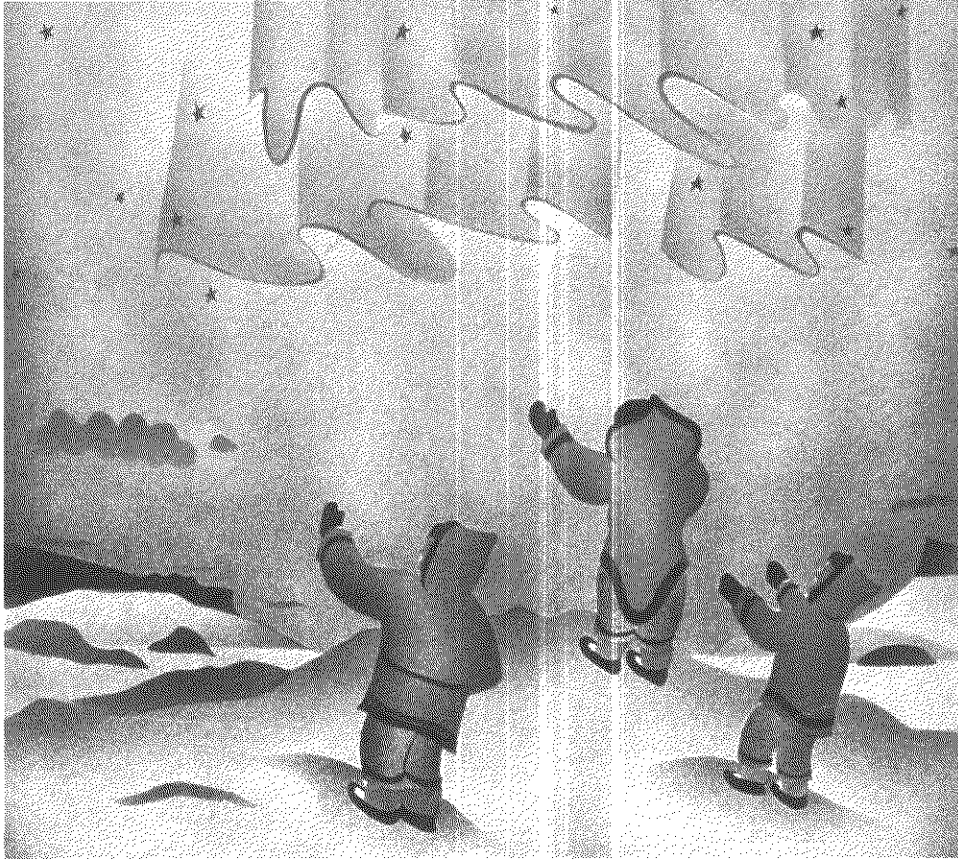


1996 – 1997
ANNUAL REPORT



THE IMPLEMENTATION OF THE NUNAVUT LAND CLAIMS AGREEMENT

Table of Contents

Foreword	5
1. 1996-97 Implementation Highlights	7
2. Implementation Panel Report	8
3. Summary of Activities: Nunavut Tunngavik Incorporated	10
4. Summary of Activities: Territorial Government	14
5. Summary of Activities: Government of Canada	19
6. Implementing Bodies	26
6.1 Arbitration Board	26
6.2 Nunavut Wildlife Management Board	26
6.3 Nunavut Implementation Training Committee	30
6.4 Nunavut Planning Commission	31
6.5 Nunavut Impact Review Board	33
6.6 Nunavut Water Board	36
6.7 Nunavut Surface Rights Tribunal	38
Appendix 1: Glossary of Terms	39
Appendix 2: Features of the Nunavut Land Claims Agreement	40
Appendix 3: Membership of Implementing Bodies (As of March 31, 1997)	41
Appendix 4: Amendments	42

ᓄᓂᑦᑎᑦᓴᑦ

ᓄᓂᑦᓴᑦᓴᑦᓴᑦ	47
1. 1996-97 ᓄᓂᑦᑎᑦᓴᑦᓴᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	49
2. ᓄᓂᑦᑎᑦᓴᑦᓴᑦᓴᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	50
3. ᓄᓂᑦᑎᑦᓴᑦᓴᑦᓴᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	52
4. ᓄᓂᑦᑎᑦᓴᑦᓴᑦᓴᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	56
5. ᓄᓂᑦᑎᑦᓴᑦᓴᑦᓴᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	61
6. ᓄᓂᑦᑎᑦᓴᑦᓴᑦᓴᑦᓴᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	68
6.1 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	68
6.2 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	68
6.3 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	72
6.4 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	73
6.5 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	75
6.6 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	78
6.7 ᓄᓂᓄᓄᑦᑎᑦᓴᑦ: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	80
ᓄᓂᓄᓄᑦᑎᑦᓴᑦ 1: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	82
ᓄᓂᓄᓄᑦᑎᑦᓴᑦ 2: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	83
ᓄᓂᓄᓄᑦᑎᑦᓴᑦ 3: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ (ᓄᓂᓄᓄᑦᑎᑦᓴᑦ 31, 1997)	84
ᓄᓂᓄᓄᑦᑎᑦᓴᑦ 4: ᓄᓂᓄᓄᑦᑎᑦᓴᑦ ᓄᓂᓄᓄᑦᑎᑦᓴᑦ	85

Table des Matières

Avant-propos	89
1. Points saillants de 1996-1997	91
2. Rapport du comité de mise en oeuvre	92
3. Résumé des activités : Nunavut Tunngavik Incorporated	94
4. Résumé des activités : Gouvernement territorial	98
5. Résumé des activités : Gouvernement du Canada	103
6. Organismes de mise en oeuvre	110
6.1 Commission d'arbitrage	110
6.2 Conseil de gestion des ressources fauniques du Nunavut	110
6.3 Comité du Nunavut chargé de la formation pour la mise en oeuvre	114
6.4 Commission d'établissement du Nunavut	115
6.5 Commission du Nunavut chargée de l'examen des répercussions	117
6.6 Office des eaux du Nunavut	120
6.7 Tribunal des droits de surface du Nunavut	122
Annexe 1 : Glossaire des signes et des acronymes	123
Annexe 2 : Caractéristiques de l'accord sur les revendications territoriales du Nunavut	124
Annexe 3 : Composition des organismes de mise en oeuvre (au 31 mars 1997)	125
Annexe 4 : Modifications	126

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Foreword

This is the fourth annual report submitted by the Nunavut Implementation Panel covering the implementation of the Nunavut Land Claims Agreement (NLCA) for the period of April 1, 1996 to March 31, 1997.

To prepare this report, information was obtained from Nunavut Tunngavik Incorporated, the federal and territorial governments and the implementing bodies established under the Agreement.

During this reporting period, the Panel's role of monitoring, overseeing and providing direction to the implementation process has moved to a new stage. One of the more significant responsibilities of the Panel during the first three years was providing direction to the Transition Teams of The three Resource Management

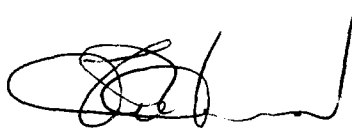
Boards. This activity required extensive participation by the Panel in the discussion or debate of a variety of complex issues. The most contentious issues have now reached varying degrees of resolution and the Transition Teams have been replaced by the Resource Management Boards, which were established July 9, 1996. These boards now have, for purposes of law, all the powers and duties described in the NLCA. The Panel will continue to fulfil its role as described in Article 37.3 of the Agreement.

Toward the end of this reporting period, Nunavut Tunngavik Incorporated advised that Simona Arnatsiaq-Barnes would be replaced as a Panel member. Ms. Arnatsiaq-Barnes' contributions are appreciated by her colleagues on the Panel, as well as by the implementing organizations.

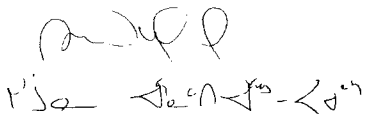
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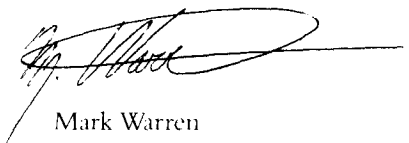
Tagak Curley
Nunavut Tunngavik Incorporated



Terry Henderson
Government of Canada



Simona Arnatsiaq-Barnes
Nunavut Tunngavik Incorporated



Mark Warren
Territorial Government



1. 1996-97 Implementation Highlights

- A capital transfer payment of \$84,825,841 was made by the Government of Canada to the Nunavut Trust on May 25, 1996, the third anniversary of the signing of the Nunavut Final Agreement.
- Three Resource Management Boards were established, effective July 9, 1996. These boards are the Nunavut Planning Commission, the Nunavut Impact Review Board and the Nunavut Water Board. The following members were appointed at that time:
 - Nunavut Planning Commission: Loseeosee Aipellee, Bob Aknavigak, Bob Lyall, Jobie Nutaraq, Louis Pilakapsi, Akalayok Qavavau, Peter Suwaksiork, and Ronald Tologanak.
 - Nunavut Impact Review Board: Leona Aglukkaq, Larry Aknavigak, Ruby Arngna'naaq, Elizabeth Copland, David Iqaqrialu, Henry Kablalik, Ludy Pudluk, and Kane Tologanak.
- Nunavut Water Board: Frank Ipakohak, Peter Kattuk, Thomas Kudloo, David Oolooyuk, Rose Okpik, George Porter, Kono Tattuinee, and Allan Woodhouse.
- The Minister of Indian Affairs and Northern Development appointed Larry Aknavigak as Chairperson of the Nunavut Impact Review Board, Thomas Kudloo as Chairperson of the Nunavut Water Board and Bob Lyall as Chairperson of the Nunavut Planning Commission in the fall of 1996.
- The Territorial Government appointed Duncan Cunningham to the Nunavut Impact Review Board and Harry Flaherty to the Nunavut Wildlife Management Board in January 1997.
- In accordance with Article 23 of the Nunavut Land Claims Agreement:
 - all required federal government departments prepared and posted
 - their Inuit Employment Plans;
 - all required departments of the
 - Territorial Government completed
 - the development of limit
 - Employment Plans, which were
 - posted throughout the Nunavut Settlement Area in July 1996,
 - including translated versions.

- The second annual Implementation Co-ordinators Workshop was held in Cambridge Bay, October 8 to 10, 1996. This workshop, attended by representatives of Nunavut Tunngavik Incorporated and both governments, provided an opportunity for those directly involved in the implementation of the Agreement to meet and identify common areas of concern for discussion and resolution.



2. Implementation Panel Report

In accordance with Article 37 of the Nunavut Land Claims Agreement, the Implementation band's primary role is to oversee and provide direction on the implementation of the Agreement. In 1996-97, Panel membership included Simona Arnatsiaq-Barnes and Tagak Curley representing the Nunavut Tunngavik Incorporated, Mark Warren representing the Territorial Government, and Terry Henderson representing Canada.

During the period covered by this report, the Panel:

- A total of 24 Inuit graduates have completed the Community Land Administrator Certificate Program through Nunavut Arctic College. This program continues to be supported by the Territorial Governments Department of Municipal and Community Affairs.
- The Nunavut Implementation Training Committee completed a framework for its implementation training plan. The plan was submitted and accepted by the Nunavut Implementation Panel in December 1996.
- held four meetings, one each in Yellowknife, Winnipeg and Ottawa, and one by conference call;
- heard presentations by the Transition Teams, federal government departments and the Nunavut Implementation Training Committee;



- authorized reallocations with respect to the available implementation funds for the Nunavut Water Board, the Nunavut Impact Review Board, the Nunavut Planning Commission, the Nunavut Wildlife Management Board and the Surface Rights Tribunal as identified in Schedule 2, Part I, of the Implementation Contract:

- promoted the second annual meeting of Implementation Coordinators which brought together participants from the three parties to discuss the communications aspect of implementing the Agreement:

- oversaw the production of the 1995-96 annual report on the implementation of the Agreement;

- provided direction to the Implementation Panel Working Group (this group continued to work on, and in many cases, resolve implementation issues prior to submission to the Implementation Panel);

- accepted the Implementation Training Plan submitted by the Nunavut Implementation Training Committee;

- worked on clarifying the implementation of Article 24 on government contracting; and

- assisted the Territorial Government in its work to expedite the transfer of land to individual communities in Nunavut.





3. Summary of Activities: Nunavut Tunngavik Incorporated

In its capacity as the Inuit party implementing the Nunavut Land Claims Agreement, as the beneficiary of the Nunavut Trust and through its appointments to the Implementation Panel, the Nunavut Tunngavik Incorporated (NTI) together with other Inuit bodies continued to be active in implementing the terms of the Agreement.

Implementation Planning and Designation Process

NTI continued the process of implementation planning and designation of Inuit organizations to take on specific responsibilities under the Agreement.

NTI established a process for designation, working closely with the Regional Inuit Organizations (RIOs): the Kitikmeot Inuit Association, the Kivalliq Inuit Association, the Qikiqtan Inuit Association and other Inuit organizations that wish to take

on responsibilities under the Agreement. The process for designation, detailed in the NTI manual *How to Become a DIO*, includes NTI assistance to organizations seeking designation, review of any designation applications for compliance with the requirements of a Designated Inuit Organization (DIO) set out in Article 39 of the Agreement and presentation to, and approval by, the board of directors of NTI.

NTI established, and is maintaining, the record of DIOs required by Article 39.1.5 of the Agreement. By March 1997, 68 designations of a specific power, function or authority under the Agreement had been made, mostly to Regional Inuit Organizations. Other Inuit organizations, including Nunavut Trust and Regional Wildlife Organizations, have also been designated. They include, but are not limited to, the designation of:

- the RIOs to hold fee simple surface estate in all Inuit Owned Lands located in each of their regions while NTI holds the fee simple title to all mines and minerals within, on or under Inuit Owned Lands held in the form referred to in Article 19.2.1 (a) of the Agreement;
- the Qikiqtani Inuit Association (formerly the Baffin Region Inuit Association) to negotiate and conclude an Inuit Impact and Benefit

Agreement (HBA) with reference to Auyuittuq, Ellesmere Island and North Baffin national parks;

- the Kivalliq Inuit Association to negotiate and conclude an IIBA regarding the proposed Wager Bay National Park: and
- the Regional Wildlife Organization (RWO) to conduct the Nunavut Wildlife Harvest Study under contract with the Nunavut Wildlife Management Board.

Inuit Impact and Benefit Agreements

The Qikitqani Inuit Association, as the DIO, continued its negotiations with Parks Canada aimed at completing an Inuit Impact and Benefit Agreement (IIBA) for the Auyuittuq, Ellesmere Island and North Baffin national parks.

In its status as the DIO, the Kivalliq Inuit Association began negotiations for an IIBA in relation to the proposed Wager Bay National Park.

Each of the RIOs has been named as the DIO within its respective region, for the powers, functions and authorities detailed in Article 26 of the Agreement concerning the negotiation and conclusion of IIBAs in relation to major development projects. The Kitikmeot Inuit Association completed negotiations and signed an IIBA for the Ulu Project with Echo Bay Mines Ltd.

Institutions of Public Government

During 1996-97, NTI continued to be involved in consultations regarding the legislation, pursuant to Article 10.2.1 of the Agreement, necessary to describe the substantive powers, functions, objectives and duties of the Surface Rights Tribunal, the Nunavut Impact Review Board, the Nunavut Planning Commission and the Nunavut Water Board.

While there were extensive meetings and discussions regarding the legislation on the Surface Rights Tribunal, NTI remained concerned about a number of issues. Specifically, the proposed limits on the liability of the Minister appear to be inadequate and neither justifiable nor consistent with the spirit and intent of the Agreement. Further consultations on this and other areas of disagreement were scheduled.

Working with the Government of Canada, NTI agreed to a process for the development of legislation relating to the Nunavut Impact Review Board, the Nunavut Planning Commission and the Nunavut Water Board. NTI maintained that no draft legislation should be prepared without consultation. However, the Government of Canada drafted legislation before this consultation with NTI. In spite of this difficult start and in view of the need to have the Nunavut Water Board

legislation passed as quickly as possible, NTI entered consultations in relation to the Nunavut Water Board legislation based on the draft prepared by the Government of Canada.

After a series of meetings, NTI concluded that the proposed Water Board legislation was not consistent with the Agreement. The concerns of NTI were so extensive that NTI wrote to the Minister of Indian Affairs and Northern Development asking that the proposed Nunavut Waters Bill not be introduced. Following the Bill's introduction, NTI made an extensive presentation to the Standing Committee of the House of Commons on Aboriginal Affairs and Northern Affairs regarding NTI's concerns.

NTI continued to have a number of concerns about the preparation of these pieces of implementing legislation, including:

- the process of consultation; and
- the commitment of the Government of Canada to incorporate into the implementing legislation the legitimate and genuine concerns of Inuit regarding the consistency of that legislation with the Agreement.

Despite those concerns, NTI remained committed to a consultation process that would ensure the effective participation of NTI in the development of this legislation.

NTI brought to the Panel the matter of the location of the head office of the Nunavut Planning Commission (NPC). Article 11.4.2 of the Agreement provides that the head office of the NPC be located in the Nunavut Settlement Area.

The NPC maintains offices in Ottawa where most of its work is completed, since the executive director and planners work from there. The Nunavut Planning Commission responded to NTI and other Inuit organizations, and referred to a plan to move the office north over the next few years. NTI was concerned that this was not consistent with the spirit and intent of the Agreement, that the work of the Nunavut Planning Commission be carried out primarily in the Nunavut Settlement Area.

Business Development

As required by Article 24.7.1 of the Agreement, NTI established and maintains a list of Inuit firms. In 1996-97, there were 175 firms on the list, with a further 60 applications. NTI awaited the provision of further information from the applicants before proceeding.

Throughout the year, NTI worked hard to ensure that both the Territorial Government and the Government of Canada complied with their obligations under Article 24 of the Agreement. A major accomplishment was the agreement, at a

staff level, with the Territorial Government on a process to implement Article 24 regarding that government's contracting policies and procedures. NTI was concerned about the delay in the Territorial Government's formal approval of the agreed-on process of implementation.

Another major accomplishment in business development was the partnership between the Government of Canada and Inuit regarding the construction and ownership of the infrastructure requirements of the Nunavut Government. This arrangement allows for the maximum involvement of Inuit in the construction and ownership of the infrastructure, and not only meets but, in some aspects, exceeds the requirements of Article 24 of the Agreement.

Enrolment

NTI continued in its efforts to ensure all eligible Inuit are enrolled under the Agreement. In 1996-97, there were approximately 2020,000 Inuit on the limit Enrolment List maintained in NTI's Rankin Inlet office. The issue of enrolment cards is still being considered.

Land Management

Following the designations made by the Board of Directors of NTI, Inuit-Owned surface lands are managed by the Regional Inuit Organizations

while the sub-surface of Inuit Owned Lands is managed by NTI. NTI and the RIOs have adopted, and submitted to the Department of Indian Affairs and Northern Development for response, a Code for Expedited Access to Inuit Owned Lands pursuant to Article 21.7.9 of the Agreement. By March 1997, the NTI Lands Department had issued 44 prospecting licences to Inuit Owned sub-surface lands and 51 concession agreements.

Inuit Heritage Trust Incorporated

The Inuit Heritage Trust (IHT) plays a lead role in the management of archaeological sites and resources in the Nunavut Settlement Area. In 1996-97 the IHT reviewed 16 permit applications for archaeological field research in Nunavut, and facilitated an oral history project.

Other IHT activities included:

- review of Baffin Region Inuit Association's IIBA proposal;
- a workshop on sacred and spiritual places;
- participation in a meeting on environmental assessment and monitoring in Nunavut (Nunavut Research Institute):

- the review of a proposal for renaming Hudson Bay and associated waters as "Canada Sea";
- production of archaeology posters with support of the Department of Canadian Heritage; and
- a presentation at the Canadian Archaeological Association's Annual General Meeting (Canadian Arctic Working Group Session).



4. Summary of Activities: Territorial Government

Ministry of Aboriginal Affairs

During 1996-97, the Ministry of Aboriginal Affairs continued to work closely with parties to the Nunavut Land Claims Agreement and various implementing bodies established by the Agreement. The Ministry coordinated the implementation activities of all Territorial Government (TG) departments and reported on the status of those activities. Senior Ministry officials participated in meetings of the Nunavut Implementation Panel and the Panel's Working Group.

Article 23 addresses Inuit employment within federal and territorial governments and required each department of the TG to prepare an Inuit Employment Plan by July 9, 1996. The goal is to increase and maintain the employment of Inuit at a level representing the Inuit proportion of the work force in the Nunavut Settlement

Area. The Ministry assisted the Department of Education, Culture and Employment in the overall co-ordination of these departmental plans. In July 1996, the completed TG limit Employment Plan, including translated versions, was posted in TG offices throughout the Nunavut Settlement Area.

Article 14 requires municipal lands be transferred to individual community governments in the Nunavut Settlement Area. The Ministry participated in a working group with the departments of Municipal and Community Affairs and of Justice to ensure these municipal lands are transferred as expeditiously as possible.

On August 16, 1996, the former departments of Renewable Resources, Economic Development and Tourism, and Energy, Mines and Petroleum Resources were amalgamated into the new Department of Resources, Wildlife and Economic Development (RWED). This consolidation was an exercise in fiscal restraint, departmental restructuring and streamlining. Those implementation activities identified for the former individual departments have been assumed by the new department.

The Ministry, RWED and the Department of Justice jointly developed a draft Inuit Impact and Benefit Agreement (IIUA). Article 8 requires an IIUA be developed for all territorial parks in the Nunavut

Settlement Area. This document will be reviewed by TG! officials prior to presentation to Nunavut Tunngavik Incorporated.

The Ministry worked with land and water board transition teams and when these new Institutions of Public Government were established pursuant to Article 10 on July 9, 1996, ensured the TG's appointees were in place. The TG also nominated members for appointment to the boards, by the Minister of Indian Affairs and Northern Development.

Officials from the Ministry represented the TG in discussions of the draft legislation for the new Institutions of Public Government, and provided assistance to these Institutions as they are currently functioning in the absence of specific legislation.

The Ministry continued to meet with representatives of each department on a regular basis to share information, resolve issues and report on implementation activities.

Department of Resources, Wildlife and Economic Development

The Department of Resources, Wildlife and Economic Development (RWED) continued to provide support and advice to the Nunavut Wildlife Management Board (NWMB), Regional Wildlife Organizations (RWOs) and local Hunters and



Trappers Organizations (HTOs).

Regional land claims co-ordinators continued to work actively with RWOs and local HTOs and several Inuit associations on various projects related to renewable resource harvesting and resource development, and assisted them on administrative matters.

Several co-operative wildlife research and management projects were conducted with support from the NWMB in 1996-97. Funding provided by NWMB is in brackets.

- Polar bear population inventory and management, Lancaster Sound (\$101,000). Field work has been completed and the results have been provided to the NWMB.

The results indicated an additional field season in the spring of 1997 was needed to provide a precise estimate of the number of polar bears in the study area.

- Herd identification and seasonal movements of caribou east of Bathurst Inlet (\$30,000). Five satellite collars were deployed

on caribou in the spring of 1996. Movement of these animals will be monitored until the spring of 1998. A progress report and regular updates on the caribou movements were provided to NWMB.

- Wolverine ecology, distribution and productivity in the Slave Geological Province (\$24,000). This project began in March 1996, and a progress report was provided to NWMB in January 1997.
- The Akiliniq Planning Committee completed the Thelon Wildlife Sanctuary Management Plan in December 1996. The plan will be translated and provided to NTI, Kivalliq Inuit Association and the NWMB for comment before being presented to government.

With the assistance of the Ministry of Aboriginal Affairs and the Department of Justice, RWED developed a draft IIBA for territorial parks within the Nunavut Settlement Area, as required under Article 8. The draft is to be reviewed within RWED prior to presentation and negotiations with Nunavut Tunngavik Incorporated.

RWED continued to work in close co-operation and consultation with each individual Nunavut community to support the shared objective of encouraging employment opportunities and economic self-sufficiency within the Nunavut Settlement Area. The department

provided support to assist Nunavut businesses and individuals to get financing from its programs and from other government and private sources.

Department of Municipal and Community Affairs

The Department of Municipal and Community Affairs (MACA) continued to implement its responsibilities under the Nunavut Final Agreement during 1996-97, especially with regard to Article 14, the conveyance of municipal lands to Nunavut municipalities.

Departmental staff were extensively engaged in preparing all land transfer documents for municipal lots so the titles can be registered at the Land Titles Office when the by-laws of a community are finalized. The land turnovers were substantially complete in some communities (Baker Lake, Arviat, and Iqaluit). By the end of March 1997, 1,023 titles had been created for Nunavut municipalities.

MACA staff conducted a number of regional and community workshops to assist municipalities in processing the necessary by-laws for the land turnovers. Particular emphasis was placed on helping communities prepare their land administration by-law, which outlines the local rules and procedures for administering

municipal lands. The by-law process also involves consulting with community residents through a public hearing, and MACA staff were able to participate in a number of these meetings.

MACA continued to sponsor training programs for municipal land administrators in 1996-1997. The second class of students from the Community Land Administrator Certificate Program graduated from Nunavut Arctic College (Rankin Inlet campus) in December 1996. This brings the number of Inuit graduates from this program to a total of 24. MACA also continued with support and training for all of the students, including the graduates from years one and two.

Pursuant to the Bilateral Funding Agreement between Canada and the TG, a program began in July 1996 to fund the salaries of municipal land officers in Nunavut municipalities. Long-term contribution agreements were made with all the communities, and over \$750,000 was spent in 1996-97.

Department of Justice

The Department of Justice continued to contribute to the ongoing implementation of the Agreement. Legal advice and assistance were provided on a variety of topics to a number of departments. This included, but

was not limited to, advice and assistance in the areas of Article 5 - Wildlife, Article 24 - Contracting, Article 23 - Inuit Employment Plans, Article 8 - Inuit Impact and Benefit Agreements and issues relating to management boards and legislation.

The Land Titles Office completed the review and registration of the 280 descriptive map plans received in March 1996, which were required to replace the initial descriptions of Inuit Owned Lands.

The Land Titles office staff worked closely with Municipal and Community Affairs to convey the land within the built-up area of each municipality once the municipality enacted the necessary by-laws to acquire and administer the lands. In addition, numerous remedial surveys of municipal lands were received and registered.

Department of Education, Culture and Employment

The Department of Education, Culture and Employment continued to work with the Inuit Heritage Trust on matters related to heritage and culture. Applications for archaeological permits and for geographic place names were referred to the Trust for its recommendation, and a summary report of archaeological work conducted in 1996 has been completed and circulated widely within the Nunavut Settlement Area. The

Department continued to offer advice on the possible impact of previous activities on heritage sites.

Departmental officials provided a standard format and guidance to TG departments so the TG Inuit Employment Plans meet the obligations outlined in Article 23 of the Agreement. The Inuit Employment Plans were posted on July 5, 1996.

Department of Public Works and Services

The TG is obligated to contract for goods and services in the Nunavut Settlement Area in accordance with Article 24 of the Nunavut Final Agreement. The TG, represented by the Department of Public Works and Services, Transportation and the Northwest Territories Housing Corporation, met several times with Nunavut Tunngavik Incorporated and its team of representatives from all Regional Inuit Associations. Advisors from the Department of Justice and Ministry of Aboriginal Affairs also participated. As a result, the TG developed Interim Implementation Measures for Contracting in the Nunavut Settlement Area, which Cabinet approved.



5. Summary of Activities: Government of Canada

Economic Activity and Employment

The federal government continued to implement the objectives of Article 23 of the Nunavut Land Claims Agreement to increase Inuit participation in government employment to a representative level in the Nunavut Settlement Area. Activities included the completion and posting of Inuit Employment Plans by the Department of Indian Affairs and Northern Development, Human Resources Development Canada, Public Works and Government Services Canada, and the departments of Fisheries and Oceans, Justice Canada and Canadian Heritage.

Human Resources Development Canada (HRDC) also completed the Inuit Labour Force Analysis and devolved its labour market initiatives to Inuit authorities in the Nunavut Region. Regional bilateral agreements devolved the following funds: Consolidated Revenue

Funding, Employment Insurance Part II Funds, and Operations and Maintenance/Administrative funding. The agreements also include the potential transfer of HRDC responsibilities to Inuit communities. These regional bilateral agreements are in place until March 31, 1999, and subject to annual reviews.

More than 15 limit businesses attended a supplier awareness seminar in Cambridge Bay in June 1996 as part of the federal government's effort to enable Inuit firms to compete for government contracts in accordance with Article 24. The seminar was customized for limit businesses by Public Works and Government Services Canada's Centre for Client and Supplier Promotion. It was the first of its kind to combine several aspects of federal procurement and to be delivered co-operatively with an Aboriginal organization, the Kitikmeot limit Association.

Public Works and Government Services Canada (PWGSC) continued to notify NTI of procurement opportunities in the Nunavut Settlement Area, advertised these opportunities on the Open Bidding Service and provided information to new firms registered with the Nunavut Tunngavik Inc. limit Firm Registry. PWGSC also refined its Supply Manual to reflect the procedures put in place to meet its obligations under the Agreement.

Parks Canada applied the contracting provisions outlined in Article 24 of the Agreement mostly through contracts for operation, maintenance and services for Auyuittuq and Ellesmere Island National Park Reserves.

The first Inuit Impact and Benefits Agreement (IIBA) between the Kitikmeot Inuit Association and Echo Bay Mines was submitted to the Minister of Indian Affairs and Northern Development. After an assessment by DIAND, the Minister confirmed conformance with Article 26 of the Nunavut Land Claims Agreement.

Environmental and Wildlife Management

The objectives of Article 5 of the Nunavut Land Claims Agreement are to create a system of harvesting right: priorities and privileges, and a wildlife management system.

Environment Canada continued to fulfil its implementation obligations relating to the Nunavut Wildlife Management Board (NWMB). A member of the department is on the NWMB. A summary of Environment Canada's wildlife research in Nunavut was presented to NWMB and is listed in its report.

NTI and Inuit organizations were part of the discussions and negotiations that led to a revision of the Migratory Birds Convention, as well

as other initiatives of Environment Canada that could have an impact on Inuit. Environment Canada incorporated recommendations made by the NWMB to revise the *Canadian Endangered Species Act*.

Environment Canada sought NWMB approval, which was granted, for the proposed boundaries and establishment of two national wildlife areas, Nirjutiqavvik (Coburg Island) and Igalirtuuq (Isabella Bay). Both have informal co-management committees guiding the process of formally designating Igalirtuuq a national wildlife area and for the ongoing management of Nirjutiqavvik, which was established in 1995.

Since the Designated Inuit Organization (DIO) assignments had not all been made, work could not begin on IIBAs for Igalirtuuq, Nirjutiqavvik or other conservation areas administered by the Canadian Wildlife Service.

The Department of Fisheries and Oceans (DFO) continued to work closely with the NWMB and the three Regional Wildlife Organizations on clarifying roles and responsibilities under the Agreement. DFO also participated in meetings of the Nunavut Impact Review Board, the Nunavut Water Board and the Nunavut Planning Commission.

With existing resources augmented by DFO's implementation funds and NWMB research funds,

DFO addressed some fisheries management concerns identified co-operatively with various Hunters and Trappers Organizations through the NWMB. DFO and the NWMB continued to develop priorities for fisheries management, stock assessment and research. Co-operative efforts focused activities on Arctic charr in the Kitikmeot and Keewatin regions, and on Arctic charr, Greenland halibut (turbot), beluga and bowhead whales and walrus in the Baffin Region.

DFO co-ordinated the NWMB's participation in the Canada-Greenland Joint Commission on Beluga and Narwhal. Co-operative scientific research between Canada and Greenland continued on the Baffin Bay beluga stock.

DFO continued to advise the NWMB on national and international matters, such as the Committee on the Status of Endangered Wildlife in Canada, the International Whaling Commission, the Convention on International Trade in Endangered Species, the North Atlantic Fisheries Organization and others.

Two new resource harvest programs were carried out:

1. Bowhead

A total allowable harvest of one bowhead was established by the NWMB in 1996. The NWMB provided input and approved the

management plan developed by DFO. One bowhead was harvested under a DFO licence in Repulse Bay in 1996. In late 1996, the NWMB set a total allowable harvest of one bowhead whale for 1997 or 1998. The Minister of Fisheries and Oceans accepted the NWMB's recommendation.

2. Walrus Sport Hunting

DFO continued to support and work with the NWMB in the participation of several communities in a pilot walrus sport hunt. The NWMB and DFO co-operatively developed a harvest plan and the overall management plan.

While the Canadian Coast Guard has no direct responsibilities in the implementation of the Nunavut Land Claims Agreement, it has residual responsibilities in providing support for marine transportation matters to all committees and boards created under the claim.

Coast Guard representatives attended the Lancaster Sound Nunavut Planning Commission meetings in Pond Inlet and will submit an update of the Marine Transportation Article to the Commission for inclusion in the Lancaster Sound Regional Land Use Plan.

More than 40 Coast Guard employees attended a two-day Aboriginal Awareness Seminar. The seminar provided an understanding

of Inuit history and issues, as well as direction on procurement and employment policies to be followed according to the Agreement.

Heritage

Article 8 of the Agreement provides for the establishment of the Auyuittuq and the Ellesmere Island National Park Reserves as full national parks and for the establishment of a national park on Northern Baffin Island. The federal government and the Qikiqtani Inuit Association continued negotiation of an IIBA for these three parks. On September 17, 1996, the deadline for conclusion of the IIBAs for Ellesmere Island and Auyuittuq national parks was extended to July 9, 1997 through an amendment to the Agreement and the Implementation Contract.

In October 1996, with the support of local communities, Regional Inuit Organizations and the Territorial Government, the Department of Indian Affairs and Northern Development withdrew lands under the *Territorial Lands Act* for proposed national parks at Wager Bay and Northern Bathurst Island. As is the case with the 1995 withdrawal of lands around Bluenose Lake for the Nunavut Settlement Area addition to the Tuktu Nogait National Park, these land withdrawals are for a period of three years pending conclusion of IIBAs. The federal government and the Kivalliq Inuit Association have

initiated IIBA negotiations on the Wager Bay national park proposal. Community consultations and feasibility studies continued for the Bluenose Lake and Northern Bathurst Island proposals.

Oral histories in support of national park and national historic site initiatives were undertaken in the vicinity of Northern Foxe Basin, Thelon River, Pond Inlet, Cirise Fiord, Pangnirtung, Broughton Island and Iqaluit. Consultations continued with the people of Arviat and Baker Lake in the development of management plans for the Arvia'jaq and Fall Caribou Crossing National Historic Sites near those communities.

In keeping with provisions of Article 33 of the Agreement, all archaeology permit applications for work in Nunavut national parks were submitted to the Inuit Heritage Trust. Three permits were processed and beneficiaries were employed as archaeologists and field assistants.

Land and Water Management

The Legal Surveys Division of Natural Resources Canada is responsible for surveying Inuit Owned Lands and land jointly owned with the Inuit of northern Quebec. This task involves the survey and demarcation of approximately 1,155 parcels of Inuit Owned Lands, 12 parcels of jointly owned land and all Crown land excluded from these parcels.

By March 1997, approximately 311 percent of this area had been surveyed.

Priorities for the 1997-98 survey program were determined by representatives of the Nunavut Tunngavik Incorporated and the Designated Inuit Organizations at a workshop hosted by the Legal Surveys Division in Yellowknife in October 1996.

Defence

The Department of National Defence (DND) continued to inform Nunavut Tunngavik Incorporated (NTI), the Designated Inuit Organization, and Inuit communities of military training and exercises in the Nunavut Settlement Area.

DND's clean-up of closed Distant Early Warning (DEW) radar sites progressed with a schedule and clean-up protocol for 15 radar sites based on scientific research that recognizes the fragile nature of the Arctic ecosystems. NTI did not support this clean-up protocol based on its interpretation of Article 24 of the Nunavut Land Claims Agreement, stating lack of sufficient employment for Inuit and dissatisfaction with a number of environmental matters within the DND clean-up protocol. DND is waiting for an agreement before proceeding but continued the clean-up of the Cape Hooper site, agreed to by the parties as a test project.

Legislation

DIAND, in consultation with NTI and the Nunavut Water Board, developed and introduced the Nunavut Waters Bill to Parliament in June 1996. The Bill received second reading, and hearings were held with the Standing Committee on Aboriginal Affairs and Northern Affairs. However, DIAND and NTI disagreed about the role of government in the approval of water use in Nunavut.

NTI and DIAND agreed that no action would be taken at this time on the development of legislation for the Nunavut Impact Review Board and the Nunavut Planning Commission.

DIAND and NTI discussed further amendments to the Nunavut Surface Rights Tribunal Bill. Both parties continued to disagree over the role of government in the liability regime for wildlife compensation.

Federal Co-ordination of Implementation Activities

The Claims Implementation Branch of DIAND has responsibility for monitoring federal government activities to ensure Canada meets its obligations under the Agreement. The Branch is also responsible for funding arrangements with the Territorial Government and all implementing bodies established by the Agreement, as well as settlement payments to the Nunavut Trust.

During the reporting period, the Branch participated actively in all aspects of implementation of the Nunavut Land Claims Agreement including:

- participation in a three-party working group organized to identify potential problems and solutions if legislation for the resource management boards was not in place by July 9, 1996 (the working group's report was considered by the Implementation Panel on July 4, 1996);
- participation in discussions concerning the preparation of legislation and the tabling in the House of Commons of the Nunavut Waters Bill in June 1996;
- obtaining Governor in Council approval, September 17, 1996, of amendments to the Nunavut Land Claims Agreement and the Implementation Contract (see Appendix 2);
- facilitating the appointment process of members to the newly established Nunavut Planning Commission, Nunavut Impact Review Board and Nunavut Water Board;
- consulting with all the implementing bodies from November to December 1996, to assess their funding requirements to year-end, and making recommendations to the Implementation Panel on the funding levels to be re-allocated to the fiscal year 1997-98;

- continuing support to the Implementation Panel which oversees, monitors and provides direction on the implementation of the Nunavut Land Claims

Agreement, as well as participating on the Panel Working Group:

- participation in the Implementation Co-ordinators Workshop, in Cambridge Bay, which brought together officials from NTI, resource board members, the Government of Canada and the Territorial Government who are most involved in the implementation of the Agreement;
- participation in the clause-by-clause review of the Implementation Contract;
- co-ordination of the preparation of the 1995-96 annual report; and
- maintaining regular contact with all federal government departments and agencies with respect to their implementation activities, intervening as necessary, and maintaining comprehensive implementation status reports on its automated Land Claims Obligations System.

Federal Funding was provided during the reporting period as follows:

Nunavut Trust

- capital transfer payment
(net of loan repayment) \$84,825,841
- resource royalties 1,018,000

Government of the Northwest Territories

- to fulfil its responsibilities under the Implementation Contract 1,078,284
- land administration activities 816,781
- training for land administrators 13,699

Surface Rights Tribunal

- to fulfil its responsibilities under the Implementation Contract 289,085

Nunavut Wildlife Management Board

- to fulfil its responsibilities under the Implementation Contract 4,168,300
- Nunavut Wildlife Harvest Study 631,700

Nunavut Water Board Transition Team
(April to July 1996)

- to fulfil its responsibilities under the Implementation Contract 611,619

Nunavut Water Board
(July 1996 - March 1997)

- to fulfil its responsibilities under the Implementation Contract 1,029,360

Nunavut Impact Review Board
Transition Team (April to July 1996)

- to fulfil its responsibilities under the Implementation Contract 627,899

Nunavut Impact Review Board
(July 1996 to March 1997)

- to fulfil its responsibilities under the Implementation Contract 1,552,717

Nunavut Planning Commission
Transition Team (April to July 1996)

- to fulfil its responsibilities under the Implementation Contract 570,500

Nunavut Planning Commission
(July 1996 to March 1997)

- to fulfil its responsibilities under the Implementation Contract 1,890,390

Arbitration Board

- to fulfil its responsibilities under the Implementation Contract 25,698



6. Implementing Bodies

6.1 ARBITRATION BOARD

The Arbitration Board was created under Article 38 of the Nunavut Land Claims Agreement to resolve disputes arising from the implementation of the Agreement.

The Board held its 1996-97 annual meeting in Iqaluit. The agenda included a mock hearing to prepare for any arbitrations that may occur. The members also approved the rules, procedures and guidelines for the Board, which are now being translated into French and Inuktitut.



6.2 NUNAVUT WILDLIFE MANAGEMENT BOARD

The Nunavut Wildlife Management Board (NWMB) completed its third year as the main instrument of wildlife management in the Nunavut Settlement Area. The NWMB enjoyed a full complement of staff during the report period. Registration of the NWMB's Nunavut Wildlife Research Trust Fund as a charitable trust was completed. As well, a strategic plan was finished, and work began to develop a communications policy.

As in previous years, four NWMB meetings were held in 1996-97 and rotated through the three regions of Nunavut.

Wildlife Management Highlights

The NWMB assumed its full role in wildlife management in Nunavut. The decisions made and actions taken had, and will continue to have, important consequences for the people of Nunavut. Wildlife management actions taken by the NWMB in 1996-97 included:

- a strong role in planning the first authorized bowhead hunt in Nunavut in many years, in which a bowhead was harvested in Repulse Bay in August;
- commissioning a review of the 1996 bowhead hunt, so future hunts can benefit from that experience;

- establishment of a new total allowable harvest of one bowhead over the next two years *from* the Baffin Bay stock;
- allocation of 1,500 metric tonnes of turbot to Nunavut companies involved in the Davis Strait off-shore fishery;
- adjustment of commercial caribou and muskox quotas in the Keewatin and Kitikmeot regions;
- approval and establishment of regulations implementing the polar bear management agreements;
- establishment of a quota for shrimp within the marine area of the Nunavut Settlement Area;
- development of a research plan by the Southeast Baffin Beluga Management Committee for the beluga stock; and
- development of draft Basic Needs Levels for narwhal, walrus and beluga. Consultation on this issue continued.

Research

In 1996-97, the NWMB took major steps toward assuming an informed and effective role and in providing direction for wildlife research. In January 1997, the NWMB held a workshop to establish wildlife research priorities for Nunavut, attended by delegates from Regional Wildlife Organizations, Nunavut Tunngavik Incorporated and government. Wildlife stocks were prioritised

on a regional and Nunavut-wide basis, based primarily on their importance to residents. The information required to manage each stock was identified. These research priorities were then conveyed to government and non-governmental organizations for action. In addition, the NWMB used these priorities to direct its own research funding. This workshop is expected to become an annual event.

The NWMB has two programs for funding research: the Wildlife Research Trust Fund, which provides funding for government departments to carry out research at the direction of NWMB; and a funding program for non-governmental organizations to carry out research. In 1996-97, a policy for NWMB research funding was approved, which outlines the rules and procedures for non-governmental organizations to gain access to research funding from NWMB.



The following projects were sponsored by NWMB in 1996-97:

Department of Fisheries and Oceans

- walrus population studies;
- a study of movements and diving behaviour of Baffin Bay belugas in northern and western Baffin Bay using satellite telemetry;
- Keewatin coastal fishery monitoring program;
- Baffin community Arctic charr fishery information collection;
- habitat selection, behaviour and length distribution of bowheads in the Nunavut Settlement Region;
- marine mammal DNA genetic methods; and
- stock delineation of Arctic charr using DNA techniques.

Department of Resources, Wildlife and Economic Development

- polar bear population inventory and management, Lancaster Sound;



- herd identification and seasonal movements of caribou, east of Bathurst Inlet; and
- wolverine ecology, distribution and productivity. Slave Geological Province.

Canadian Wildlife Service

- selection of denning habitat and associated behaviour of adult female polar bears on the western coast of Hudson Bay.

Ikajutit Hunters and Trappers Association

- Marcel Lake River improvement, Arctic Bay; and
- narwhal identification project, Arctic Bay.

Gjoa Haven Hunters and Trappers Association

- fish tagging program, Gjoa Haven.

Qikiqtaaluk Wildlife Board

- traditional knowledge of harp seals, South Baffin.

David Igutsaq

- Taloyoak marine exploratory fishery.

Inuit Bowhead Knowledge Study

By April 1996, 257 individual interviews had been completed in 18 communities in Nunavut. The last set comprised 68 interviews in four communities of the South Kivalliq (Keewatin) region and three in the High Arctic region between February and April 1996.

From January to May 1996, follow-up workshops were held in seven communities which had participated in the 1995 individual interviews. In March 1997, two more workshops were held in the Pond Inlet and Arctic Bay communities, which had been part of the 1996 individual interviews. The workshops collected knowledge on bowheads from limit experts in a group setting, and verified and corrected information collected in individual interviews.

By the end of March 1997, the data gathering phase of the study had been completed.

During 1996-97, 126 interview tapes were translated, bringing the total to 175. All tapes from the workshops were translated and transcribed during 1996-97, except for those from Arctic Bay and Pond Inlet, which will be done early in 1997-98. The 82 interviews, not yet translated, will be archived until funds can be allocated.

A second interim report on the limit Bowhead Knowledge Study was presented at the NWMB's regular meeting held in Pangnirtung, in February 1997. It summarized Inuit knowledge of bowhead whales for the communities of Pond Inlet, Arctic Bay and Grise Fiord (based on individual interviews), and Repulse Bay and Coral Harbour (based on individual interviews and community workshops). Maps showing seasonal



distribution and migration routes of bowheads were included in the report, which was widely distributed to limit organizations, government agencies, individuals and non-governmental organizations.

Nunavut Wildlife Harvest Study

The Nunavut Wildlife Harvest Study continued to be a priority for the NWMB. The study will help stabilize current harvesting levels and contribute to the sound management and rational utilisation of wildlife in Nunavut.

During April and May 1996, a pilot of the Harvest Study was undertaken in three communities, one in each region of Nunavut. The Harvest Study itself began in all communities in June 1996. Over 5,000 hunters have been registered, and a majority of these report their harvest monthly. The data were then organized for easy analysis.

The Harvest Study provides employment in every community of Nunavut with a team consisting of 27 field workers, three data entry clerks, three regional liaison officers and a Harvest Study co-ordinator. The co-ordinator's position was restaffed in February 1997.

6.3 NUNAVUT IMPLEMENTATION TRAINING COMMITTEE

The Nunavut Implementation Training Committee (NITC) completed the Implementation Training Plan for distribution. It addressed the implementation training requirements identified under the Inuit Implementation Training Study and provided a framework for NITC to co-ordinate and meet the training needs of the implementation organizations. The training plan includes a completed Consolidated Implementation 1997-98 Workplan. This tool will be used by the Committee to set, for each fiscal year of operation, training priorities and expected results.

In February, NITC held a strategic planning session for its board of directors, trustees and staff to review the changes in the service environment, undergo board development and determine priorities. This complemented the process associated with the implementation training plan and the related Consolidated Implementation Workplan for 1997-98.

NITC contracted the pilot project, "Building From-Within", which has been completed in draft, with Nunavut Tunngavik Incorporated. It will provide NTI and other implementation organizations with the necessary tools to identify, prioritize and link training needs with the programs and services of NITC. As a result, NITC has a template of training policies and procedures, which has been transferred and adapted to the client organizations.

The Nunavut Beneficiaries Scholarships program has been refined to meet the needs of post-secondary students. It provides encouragement and incentive for students to pursue academic excellence.

NITC shared in funding a conference/workshop for the Hunter Support Program. This workshop was a training session for hunting organizations from the three regions of Nunavut.

6.4 NUNAVUT PLANNING COMMISSION

The Nunavut Planning Commission (NPC) was formally established on July 9, 1996. PNC's work was facilitated by the Nunavut Planning Commission Transition Team during its term (January 1995 to July 1996). The first meeting was held at Wager Bay in early August 1996, and the Commission adopted a plan to guide its work over the next five years. Its first order of business was to approve a process to bring existing land use plans in the Keewatin and Lancaster Sound regions under the terms of the Nunavut Land Claims Agreement.

During the course of the year, the NPC consulted on the development of rules and procedures to guide the public review of land use plans in the Keewatin and Lancaster Sound regions.

NPC also reviewed the 1991 Keewatin Regional Land Use Plan by holding pre-hearing meetings in Baker Lake, Whale Cove, Arviat, Repulse Bay, Rankin Inlet, Coral Harbour and Chesterfield Inlet to determine the land use planning issues in the region and what changes needed to be made to the plan. Meetings were held with hamlet councils, hunters and trappers organizations, community lands and resources committees and members of the community. NPC also held a public review in November in Arviat.

Participants included Nunavut Tunngavik Inc., Kivalliq Inuit Association, community representatives and several government departments. The board met several times to consider written and oral submissions, hearings, transcripts and other material as it revised the plan. The revised plan was made public and sent to both the Minister of Indian Affairs and Northern Development and the Territorial Government's Minister of Resources, Wildlife and Economic Development.

NPC launched a review process for the Lancaster Sound Regional Land Use Plan in the North Baffin by holding a workshop in Cambridge Bay to review recommendations in the Nunavut Planning Commission Transition Team's draft Final Report on Resource Management Planning in West Kitikmeot, submitted to the NPC in July 1996). The report provides background information and recommendations on land use planning issues



in the region. Recommendations and ideas from the workshop, as well as comments on the NPC Transition Team report, are being used to produce a draft land use plan for the West Kitikmeot. NPC also continued land use planning research and mapping work in the West Kitikmeot and conducted community meetings on caribou protection measures and other issues in the region.

Under the contribution agreement with DIAND, NPC delineated and mapped all watersheds along the Northwest Territories-Nunavut boundary. Geographical Information System (GIS) techniques were used to calculate watershed areas and stream lengths.

NPC also:

- hired Mapping Co-ordinators Luke Suluk and Jayko Aooloo, who have attended NPC training courses and have begun updating traditional and local knowledge maps for the Keewatin and North Baffin, respectively;
- hired Regional Co-ordinator Luke Coady, who has attended a number of NPC training courses and has begun updating traditional and local knowledge maps for West Kitikmeot;
- worked with the Beverly and Qamanirjuaq Caribou Management Board gathering and mapping traditional knowledge about caribou habitat in the Keewatin;
- continued to develop data bases related to land use planning work (NPC incorporated Nunavut-wide layers on ecozones/ecoregions, Inuit Owned Lands and National Topographical data bank indexes; NPC also began conversion of National Topographical data bank 1:250,000 series base maps to Arc/Info format, digitized Nunavut Atlas information for North Baffin, South Baffin, East Kitikmeot and Sanikiluaq and converted Keewatin land use information from DIAND into NPC GIS);
- expanded information available, via the Internet, including the Nunavut Environmental Data Base and the Nunavut Data Base of Experts (it also produced CD-ROMs of digital mapping information and made them available to communities, schools and other users in Nunavut, and developed custom mapping applications to make digital environmental information readily available to non-technical users);
- developed a prototype "one-window" Internet-based project registry for the use of lands managers and potential Nunavut developers;
- opened offices in Arviat and Pond Inlet, which brings to seven the number of offices NPC has in Nunavut (the others are in Taloyoak, Rankin Inlet, Cambridge Bay, Iqaluit, Kugluktuk and Ottawa);

- mapped eskers in a part of the West Kitikmeot. under a contribution agreement with DIAND (it used GIS techniques to link attribute data and photographs to eskers mapped on 1:250,000 NTS sheets, and acquired satellite imagery for use as a visual backdrop to esker information);
- conducted a training course on gathering traditional and local environmental knowledge in Nunavut, which was attended by employees of NPC, regional Inuit groups and the Beverly and Qamanirjuaq Caribou Management Board (it also developed and distributed a companion manual for the course);
- provided GIS mapping services to the Nunavut Research Institute in support of its Inuit Place Names study in South Baffin; and
- provided GIS mapping services to the Nunavut Wildlife Management Board in support of its bowhead whale study in Keewatin and Baffin regions.

6.5 NUNAVUT IMPACT REVIEW BOARD

The Nunavut Land Claims Agreement provides for the establishment of the Nunavut Impact Review Board (NIRB) to screen development proposals, measure and define the impact of projects, review the ecosystemic and socio-economic impact of proposals, determine whether projects should proceed and monitor approved projects. The NIK B Transition Team was created to lay the foundation for the NIRB, which was established July 9, 1996.).

The Transition Team established the policies and processes that govern NIRB operations to date. Many documents were created to promote the general understanding of NIRB and to assist in the smooth shift of responsibility among the various agencies functioning within Nunavut. To establish a structure for the full NIRB, the Transition Team developed various documents and initiatives.

NIRB Transition Team documents include:

- recommended environmental assessment (EA) procedures;
- NIRB draft operational procedures for screening and review of development proposals;
- the NIRB screening form;
- NIRB's mandate and policy directives:

- draft operations and administrative manual;
- draft human resources manual; and
- legal response to the draft legislation.

NIRB Transition Team initiatives include:

- hiring regional co-ordinators in May 1996, in conjunction with the Nunavut Water Board and the Nunavut Planning Commission;
- participation in training courses, workshops and conferences (Environmental Assessment Training, a mock environmental assessment and social impact assessment workshop, a mock environmental assessment with legal and community consultations skills workshop, alternative dispute



resolution course, national habitat workshop. Internet training, Prospects North Conference, World Congress on the Environment Conference, Circumpolar Aboriginal People and Co-Management Practice Conference, Workshop on Aboriginal Self-Government -The Navajo, Calyx GIS training workshop);

- the Incorporation of Traditional Knowledge Project;
- the Organizational Structure and Staffing Plan Framework; and
- the NIRB promotional package.

Effective July 9, 1996, all but two former board members were reappointed, and one member was added later to the NIRB. The Board consists of Larry Aknavigak (Chairperson), Kane Tologanak, Ruby Arngna'naaq, Duncan Cunningham, Elizabeth Copland, Ludy Pudluk, Henry Kablalik, Leona Aglukkaq and David Iqaqrialu.

The first board meeting and annual general meeting was held in Cambridge Bay, July 26 to 28, 1996. At this meeting, the Board unanimously adopted the NIRB mandate and policy statements. An executive committee, comprising four board members, was established to determine specific responsibilities for each executive member. The NIRB staff structure was delineated by

establishing the following positions: executive director, executive secretary, environmental assessment screener, environmental technologist, public relations officer, interpreter/translator and financial officer. These positions were filled between October 1996 and January 1997.

From August 28 to 30, 1996, the NIRB hosted the Partnership Workshop in Yellowknife. Its primary goal was to ensure that co-operative and enduring relationships were fostered between NIRB and the stakeholders working in Nunavut. Sessions were devoted to federal and territorial departments, Designated Inuit Organizations, industry, the public and the media. Issues of concern were expressed and items for future consideration were identified. Consultation with the stakeholders continued, and solutions have been found for many of the contentious issues identified at the workshop.

In December 1996, all the co-management boards held a joint executive meeting in Yellowknife to discuss concerns and develop a common vision for Nunavut. The boards generated a list of potential cost-sharing initiatives and discussed the formation of the Nunavut Marine Council.

In January 1997, the NIRB and staff attended an Alberta Environmental Appeal Board public hearing and received legal training

to understand further the role of the NIRB. Other training initiatives for the new staff included cumulative effects assessment training, Arcview 3.0, Calyx GIS training and mining technologies training.

As of July 9, 1996, NIRB became the official screening and review agency for Nunavut. Between July 9, 1996 and March 31, 1997, NIRB received 61 project proposals. Applications ranged from amendments and project permit extensions to land leases, winter road applications, research permits, access permits, exploration activities and a bulk sample project. NIRB has a commitment to inform the mining industry of the NIRB process in Nunavut by attending key mining conferences, such as the Geosciences Forum, the Prospectors and Developers Association Conference, the Rankin Mining Symposium, Iqaluit's Pivviq Symposium and the CIM Tradex Conference. Ongoing consultations with project proponents were conducted on a daily basis to encourage industry understanding and compliance.

Certain administrative difficulties have arisen with respect to the applicability of the NIRB process on Inuit Owned Lands. Both DIAND and Nunavut Tunngavik Incorporated are negotiating under Article 12.2.4 of the Nunavut Land Claims Agreement, to delineate the role

of NIRB on these lands. Furthermore, effective resource management practice, as outlined by the Agreement, relies on the Nunavut Planning Commission's process of checking for conformity with land use plans. Since land use plans are not in place, confusion has developed with regard to the flow of project proposals in Nunavut. In order to clarify these issues, NIRB consulted with the Nunavut Water Board, Nunavut Planning Commission and DIAND about the need for administrative agreements.

6.6 NUNAVUT WATER BOARD

The Nunavut Water Board (NWB) has operated formally as a full board since July 9, 1996, after almost two years as a Transition Team. Effective that date and following the appointment of a chairperson from the existing eight members and the untimely death of one member, six board members were duly appointed by the Minister of Indian Affairs and Northern Development. Two additional members remained to be appointed by the Minister.



The members and staff of the Nunavut Water Board were saddened by the death of board member Allan Woodhouse, from the community of Iqaluit. Allan is missed by many people across Nunavut. He will be remembered for his personal qualities, his sense of community involvement and his professional abilities.

The NWB draws its powers and authority from Article 13 of the Agreement until implementing legislation is passed. The Nunavut Waters Bill was tabled in the House of Commons in June 1996. After second reading, it was referred to the Standing Committee on Aboriginal Affairs and Northern Development in the fall of 1996, where the NWB presented its views on the proposed legislation. The Bill was the subject of major disagreements between the signatories of the Agreement.

In the absence of implementing legislation, the NWB operates strictly under the provisions of the Agreement. Accordingly, all water use and waste disposal activities in the Nunavut Settlement Area, except for emergency or domestic purposes, will be approved by the Board. This means that any activity involving the use of water, regardless of size, is subject to NWB's approval. Furthermore, the Board is obliged to hold public hearings before approving any application, except if no public concern is expressed in relation with the project's water use or waste disposal.

One of the key features of the new water management regime is the integration of limit ecological knowledge and Western science in the decision-making process. The Board initiated a pilot project in all the communities of Nunavut to gather limit knowledge on water and water-related issues.

Under the new regime, several proponents filed water licence applications with the Board in 1996-97. Most of these projects relate to the mining industry, an active economic sector in Nunavut in general and in the western Kitikmeot region in particular. The projects reviewed and approved by the Board are:

- Meliadine Lake, Gold Exploration, WMC International Ltd;
- Windy Lake, Gold Exploration, BHP Canada:
- Anteater Lake, Base Metals Exploration, Rhonda Mining;
- Heninga Lake, Base Metals Exploration, Inco:
- Rockinghorse Lake, Diamond Exploration, Monopros;
- Victoria Island, Monopros; and
- George Lake, Gold Exploration, Canamera.

The Board also reviewed and approved an amendment to Lytton Minerals' Jericho Lake water licence to upgrade the camp's sewage disposal and water supply systems. As well,

the Board reviewed an application from Breakwater Resources Ltd. to renew the water licence of the Nanisivik Mine. Located near the community of Arctic Bay, this lead and zinc mine has been in operation since 1976, and should be in production for a further seven-to-ten years. Following public hearings in Arctic Bay in September 1996, the Board prepared a draft licence taking into account the oral and written submissions received.

The NWB has jurisdiction over inland freshwater in the Nunavut Settlement Area. However, consistent with its holistic view of the water cycle and the interdependence of ecosystems, the Board is concerned about the impact of development on marine waters and resources. In accordance with the Agreement, the NWB will be one of the four members making up the future Nunavut Marine Council. In close co-operation with the Nunavut Impact Review Board, the Nunavut Planning Commission and the Nunavut Wildlife Management Board, a draft discussion paper on the Marine Council was prepared and reviewed by all members.

In 1996-97, the Board worked on its operational procedures. The Administration Manual was completed and adopted, and the Board drafted rules of procedures for the conduct of public hearings, a guide

for applicants, water licence application forms and supplementary questionnaires.

The Board was an active partner in a wetlands treatment study, as well as in formulating guidelines for the preparation of operations and maintenance manuals for sewage and waste disposal facilities. The Board and DIAND concluded an agreement regarding technical and scientific assistance to the Board, and the inspection and enforcement of water licences, permits and approvals issued by the Board.

6.7 NUNAVUT SURFACE RIGHTS TRIBUNAL

The Nunavut Surface Rights Tribunal (NSRT) is responsible for regulating entry and access to lands, for determining rights of, and compensation payable to, the titleholder and for determining the amounts for wildlife compensation claims in the Nunavut Settlement Area.

In preparing to assume the Tribunal's role in 1996-97, NSRT members participated in a series of training workshops such as planning sessions and meetings. Other workshops have concentrated on areas of administrative law and mining.

A workshop on administrative and operational planning was held, resulting in the development of a draft operations/administration manual and by-laws.

The NSRT established its office in Iqaluit. An administrator was to oversee and manage the office. The chief administrative officer was hired in October.

Workshops introduced administrative law in the context of Nunavut. Workshop material included the Canadian legal system, administrative law and administrative hearing practices and procedures.

Further workshops were held on administrative law. The principles of administrative law were applied to the development of the draft NSRT rules of process and procedure. During these workshops, members recognized the importance of traditional knowledge and decided to incorporate this in their decision making when holding hearings.

NSRT members or staff have also attended a number of workshops or conferences on mining to enhance their knowledge of the industry, including the Mining Fundamentals Workshops, Joint Ventures in Mining Workshops, Mining in Aboriginal Communities Conference, Nunavut Mining Symposium and Pivvik Mining Conference.

The NSRT members plan to continue their training and to focus on the substantive issues of surface rights law and policy which they will be called on to consider when rendering decisions.

Appendix 1: Glossary of Terms

CWS	Canadian Wildlife Service	NIKB	Nunavut Impact Review Board
DIAND	Department of Indian Affairs and Northern Development	NITC	Nunavut Implementation Training Committee
DEW	Distant Early Warning	NPC	Nunavut Planning Commission
DFO	Department of Fisheries and Oceans	NSRT	Nunavut Surface Rights Tribunal
DIO	Designated Inuit Organization	NTI	Nunavut Tunngavik Incorporated
DND	Department of National Defence	NWU	Nunavut Water Board
GIS	Geographical Information System	NWMB	Nunavut Wildlife Management Board
HRDC	Human Resources Development Canada	RWED	Department of Resources, Wildlife and Economic Development
IIBA	Inuit Impact and Benefit Agreement	TG	Territorial Government
MACA	Department of Municipal and Community Affairs		

Appendix 2: Features of the Nunavut Land Claims Agreement

The Nunavut Land Claims Agreement, also referred to as the Nunavut Final Agreement:

- was signed on May 25, 1993, in Iqaluit by representatives of the Tungavik Federation of Nunavut, the Government of Canada and the Government of the Northwest Territories;
- received royal assent in Parliament on June 10, 1993, and came into force on July 9, 1993: and
- involves the largest number of claimants and the largest geographic area of any comprehensive claim in Canadian history.

Today, there are approximately 20,000 Inuit in the central and eastern Northwest Territories described as the Nunavut Settlement Area. This area includes approximately 1.9 million square kilometres in the Northwest Territories (one fifth of the total land mass of Canada), as well as adjacent offshore areas. Inuit constitute approximately 85 percent of the population in the Nunavut Settlement Area.

In exchange for ceding, releasing and surrendering to Her Majesty the Queen in Right of Canada all their Aboriginal claims, rights, title and interests, in and to lands and waters anywhere in Canada, the Agreement provides the Inuit of Nunavut with:

- title to approximately 350,000 square kilometres (136,000 square miles) of land, of which, 35,257 square kilometres (14,000 square miles) include mineral rights;
- equal representation of Inuit with government on joint management boards related to wildlife management, land use planning, environmental assessment and the regulation of water use;
- the right to harvest wildlife on lands and waters throughout the Nunavut Settlement Area:
- capital transfer payments of \$580 million in 1989 dollars with interest payable over 14 years (totalling \$1.173 billion less repayment of negotiating loans totalling \$39.8 million);
- a \$13 million training trust fund;
- a \$4 million implementation fund;
- a \$500,000 bowhead knowledge study fund;
- a share of government royalties from oil, gas and mineral development on Crown lands;
- a right of first refusal on sport and commercial development of renewable resources in the Nunavut Settlement Area; and
- a commitment to recommend legislation to establish a Nunavut government and territory.

Appendix 3: Membership of Implementing Bodies (AS of March 31, 1997)

Arbitration Board

Andrew Tagak, *Chairperson*

Elizabeth Copland, *Vice-chairperson*

Anne Crawford Keith Crowe

Violet Mae Ford Letha J. MacLachlan

David T. McCann Edward Picco

Robert Stanbury

Nunavut Implementation Training Committee

Mary Wilman, *Chairperson*

Kenny Adams Peter Kritiqiluk

Conrad Pilon Joy Suluk

Peter Tapatai Wilfred Wilcox

Nunavut Wildlife Management Board

Ben Kovic, *Chairperson*

David Aglukark Malachi Arreak

Harry Flaherty David Igutsaq

Joannie Ikkidluak Gordon D. Koshinsky

Kevin J. McCormick Meeka Mike

Makivik Corporation Nominees

Henry Alayco Johnny Peters

Nunavut Planning Commission

Bob Lyall, *Chairperson*

Bob Aknavigak Jobie Nutaraq

Louis Pilakapsi Ronald Tologanak

Peter Suwaksiork Akalayok Qavavau

Loseeosee Aipellee

Surface Rights Tribunal

Patricia Angnakak, *Interim Chairperson*

Eva Adams-Klaassen Emile Inimaroitok

Peter Katorka Tom Sammurtok

Nunavut Water Board

Thomas Kudloo, *Chairperson*

George Porter Kono Tattuinee

Frank Ipakohak David Oolooyuk

Peter Kattuk Rose Okpik

Nunavut Impact Review Board

Larry Aknavigak, *Chairperson*

Kane Tologanak Ruby Arngna'naaq

Duncan Cunningham Elizabeth Copland

Ludy Pudluk Henry Kablalik

Leona Aglukkaq David Iqaqnalua

Appendix 4: Amendments

The following is a list of amendments to the Nunavut Land Claims Agreement and to the Implementation Contract, which received Governor in Council approval following all-party recommendations:

(Effective April 26, 1995)

Nunavut Land Claims Agreement	Implementation Contract
<ul style="list-style-type: none"> • 5.4.2: extension to January 1, 1996 from July 9, 1994 for the start of the Nunavut Wildlife Harvest Study; and • 5.6.25: extension for the Nunavut Wildlife Management Board to establish the basic needs levels for beluga, narwhal and walrus within 24 months, rather than 12 months, from the establishment of the Nunavut Wildlife Management Board. 	<ul style="list-style-type: none"> • 5.2: extending funding provided to the transition teams to year three of implementation; • Schedule 1, Page 5-6: extending the time-frame for the Nunavut Wildlife Management Board to develop the methodology and design of the wildlife harvest study (to October 1, 1995), to identify the Designated Inuit Organization required to collect data (to January 1, 1996), and to prepare a multi-year budget for the study (to July 1, 1995); • Schedule 1, Page 5-13: extending the time-frame for establishing Hunters and Trappers Organizations and Regional Wildlife Organizations from the first anniversary of the Agreement (July 9, 1994) to the second anniversary (July 9, 1995); • Schedule 1, Page 19-13: deleting the department of Energy, Mines and Petroleum Resources as a responsible agency respecting the rights to carving stone; and • Schedule 2, Part 2: transferring funding from the Nunavut Water Board and Nunavut Impact Review Board Transition Teams to the Territorial Government to provide additional funding for the training of municipal land administrators.

Appendix 4: Amendments (continued)

(Effective September 17, 1996)

Nunavut Land Claims Agreement	Implementation Contract
<ul style="list-style-type: none">• 5.6.25: extension of the deadline for the establishment of the basic needs levels for beluga, narwhal and walrus to March 31, 1997;• 8.2.2: extension to negotiate and conclude an IIBA for Auyuittuq National Park by July 9, 1997;• 8.2.3: extension to negotiate and conclude an IIBA for Ellesmere Island National Park by July 9, 1997; and• 35.5.7: extension to the deadline for the Appeals Committee to hear and determine appeals to July 9, 1996.	<ul style="list-style-type: none">• Schedule 1, Page 8-2: replacing the entry under the heading, "Timing" to July 9, 1997;• Schedule 1, Page 8-3: replacing the entry under the heading, "Timing" to July 9, 1997;• Schedule 1, Page 24-1: replacing the first entry under the heading, "Referenced Clauses" by 24.2.1; and• Schedule 1, Page 35-6: replacing the entry under, "Timing" for the second activity by July 9, 1996.