



NUNAVUT WATER BOARD

NUNAVUT WATER MANAGEMENT STRATEGY

Steering Committee Terms of Reference

DRAFT



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1.0 INTRODUCTION

The Nunavut Water Board (NWB) is an institution of public government established under Article 13 of the Nunavut Agreement with responsibilities and powers over the regulation, use and management of water in the Nunavut Settlement Area..." As further and more specifically developed under the federal *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSRTA), the NWB has been given very broad jurisdiction over the management of all freshwater in Nunavut

The NWB is planning a coordinated approach to the development of a comprehensive water management strategy for Nunavut that reflects watershed, regional and territorial issues and priorities around freshwater. Currently, Nunavut does not have a territory-wide comprehensive and inclusive policy respecting freshwater as a precious natural resource. Over the past 15 years, there has been increasing interest by the NWB, Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), and the Government of Nunavut (GN), in developing an integrated water management strategy for Nunavut. The goal is to incorporate community and other water management initiatives, including data collected and community information supplied during the Nunavut Planning Commission's land use planning activities, as well as the water licensing process, under an umbrella water management strategy that sets a benchmark for the development of consistent approaches to water management across Nunavut's watersheds and sub-watersheds.

The NWB is establishing a Steering Committee, whose purpose is to support the development of a strategy that provides a coordinated approach to freshwater management, conservation and preservation. This committee brings Nunavut's Institutions of Public Government, Designated Inuit Organizations, federal and territorial government departments, communities and other non-governmental organizations and agencies together to address the challenge of developing an integrated water management strategy for Nunavut.

The purpose of this document is to outline the Terms of Reference under which the Steering Committee will operate.

1.1 Terminology

Throughout this document the following terminology will be used and is defined here for clarity.

Nunavut Water Management Strategy (Strategy) – The overarching policy for the management of freshwater resources in Nunavut.

Framework – The outline of the key components for the Strategy.

Policy – a definite course of action adopted for the sake of expediency and facility.

Stakeholder – Institutions of Public Government, Designated Inuit Organizations, federal and territorial government departments, and non-governmental organizations and agencies as well as all residents of Nunavut.

2.0 STEERING COMMITTEE

The Steering Committee will provide a centralized, coordinated and focused approach within the Territory to address water issues. It will create a comprehensive water management strategy which ensures that policies, programs and services of the various stakeholders are compatible and supportive of the objectives of sustainable water management.



2.1 Structure

The Steering Committee will be comprised of one member and one alternate from each of the NWB, CIRNAC, GN, Nunavut Tunngavik Inc. (NTI) and Nunavut Planning Commission (NPC). The NTI may wish to designate an alternate or additional members from any or all of the Regional Inuit Associations (RIA). Additional members may be added by agreement.

Two Co-Chairs will be selected, one from each of the NWB and CIRNAC. A third-party facilitator, as selected by the NWB, Golder Associates, will be provided to provide logistical and technical support to the Steering Committee in the fulfillment of this work.

2.2 Responsibilities

Chairs

In addition to the responsibilities that come by virtue of being a Steering Committee member, Chair responsibilities will also include those discussed below.

Unless otherwise agreed upon, the Chairs will be available to attend all Steering Committee meetings to ensure effective coordination and communication of proceedings and progress.

Chairs shall ensure that the conduct of the Steering Committee is consistent with its own Terms of Reference, and those legitimately imposed upon it from outside the Steering Committee.

The Chairs are empowered to:

- Chair Steering Committee meetings with all the commonly accepted powers of that position.
- Confine meetings to those issues which, according to policy, are to be decided by the Steering Committee.
- Keep discussion timely, fair, efficient, thorough, and to the point.
- Ensure that within the formal business part of the meetings, Robert's Rules of Order are observed.

The Chairs are the only people authorized to speak on behalf of the Steering Committee.

The Chairs are also responsible for directing the facilitator and approving the meeting agendas and meeting minutes.

Members

- Members acknowledge that they are participating in a representative capacity and accept the responsibility to keep their organizations informed of the progress of discussions and comments throughout this process, and to seek advice and authority as may be appropriate.
- Members are proceeding on the basis that what is said or done by a member is reasonably believed to reflect, or likely to reflect the concerns, interests and wishes of the organization whose interest a member represents, and where there is uncertainty, such uncertainty should be made known.
- Each member may designate an alternate to be seated in that member's absence. It is understood that it is the intent of the Steering Committee that regular members are in attendance except for unusual circumstances.



- It is the responsibility of the member to ensure that an alternate is fully briefed on progress and meeting agenda. Alternates should be empowered to act in the stead of the member on agenda matters.
- Members may invite other persons, such as technical and policy advisors, to attend specific meetings of the Steering Committee. It is expected that the Steering Committee will be informed in advance about invitees. Invitees should abide by the Steering Committee's Terms of Reference.
- Members may take notes for their internal uses as they see fit.
- At times technical advisory groups (see section 4), sub-committees or working groups may be formed to address particular issues or to perform specific tasks.
- At times, it may be necessary to involve other groups and the public. The Steering Committee could consider including broader participation through workshops, focus groups, and/or by inviting participation to the working group.
- The NTI will have the additional responsibility of either liaising with RIAs or identifying RIA Members to join the Steering Committee and soliciting Inuit Qaujimaningit (IQ) to provide back to the Steering Committee for consideration and potential inclusion in the draft Framework.

Facilitator

The responsibilities of the facilitator will be to provide administrative and technical support as directed by the Chairs, including meeting organisation, drafting agendas, drafting minutes, tracking action items, document distribution and coordination of comments and inquiries.

3.0 GUIDING PRINCIPLES

There are six proposed guiding principles that can guide the development of the Strategy by the Steering Committee. These six principles have been developed from previous discussion papers on development of a Nunavut water management strategy. Each is discussed briefly below.

1. Sustainability
 - Ensuring social well-being is preserved as the survival and quality of life of Nunavumuit depends on preserving healthy ecosystems
 - Reflecting a commitment to sustainable development
 - Adoption of the precautionary principle and acknowledgement of its relationship to conservation
 - Reflecting the value of conservation
 - Finding the balance of renewability of water resources and limits to available water supply at any one time, while still allowing for a healthy ecosystem.
 - Protecting surface water and groundwater quality
2. Values and valuation
 - Acknowledgement of the existence of multiple uses, users and values for any one water resource
 - Recognizing that water resources can have spiritual and social value



3. Fairness and equity
 - Understanding the unique territorial context of land claims, water rights and ownership and recognizing existing legal and constitutional rights and responsibilities
 - Emphasizing compliance with all policies and statutes of Nunavut and Canada
4. Water stewardship
 - Understanding that while water stewardship is a shared responsibility, and as such, collaboration and partnership are essential for successful management, but also acknowledging that r accountability must still be maintained.
 - Reflecting that a water management strategy should be built around a model of general consensus from stakeholder groups and individuals, all of whom represent a diverse range of interests.
5. Data and knowledge
 - Emphasizing the essential role of information to support informed decision-making
 - Ensuring that Inuit Qaujimajatuqangit (traditional knowledge) and Western science are considered in combination
6. Allowing for the management of water at various scales, using watersheds as laid out in the *Nunavut Waters Regulations* as management systems

4.0 TECHNICAL ADVISORY GROUP

A Technical Advisory Group (TAG) is expected to be formed to provide technical guidance on the science and Inuit Qaujimaningit components of the Framework, including expertise related to, but not limited to, water quality, hydrology, hydrogeology, aquatic organisms and climate change. The TAG will be comprised of members from various stakeholder groups who are identified by the Steering Committee as having the appropriate expertise to address specific issues. The composition of the TAG will be decided by the Steering Committee and invitations will be issued to prospective TAG members. TAG would then be called upon to provide expert feedback as and when the Steering Committee considers it necessary.

The Steering Committee recognises the commitment of the TAG and the valuable expertise they will provide. The Steering Committee will consider all input from the TAG before finalising decisions on matters that have been reviewed by TAG.

5.0 DEFINING AND BUILDING CONSENSUS

“Consensus” is defined as “the agreement of all participants”.

In an effort to build consensus, Members will recognise and seek to follow these principles:

Each Member has an obligation to:

- Fully explore issues and search for mutually-acceptable solutions in a problem-solving atmosphere; and
- Articulate interests, propose alternatives, and listen to proposals and endeavour to build agreements.



Each Member has the right to expect:

- Adequate time and opportunity to become informed and discuss issues as appropriate to their relative complexity and importance; and
- A full articulation of areas of agreement and disagreement.

When unable to reach consensus, each Member has an obligation to:

- Explain how the matter at issue is of importance to that participant and those whom she/he represents;
- Describe how that participant would be adversely impacted; and
- Suggest an alternative that takes into account of the interests of the other participants as well as their own.

Reaching agreement may include agreeing to disagree on certain recommendations. These will be recorded in the minutes of Steering Committee meetings.

All agreements on Steering Committee recommendations will be embodied in a product(s) or document(s), including any areas of disagreement, and will be available to each body being represented by Members, or as the Steering Committee may determine.

Interim understandings reached during discussions of the Steering Committee shall remain tentative pending agreement on a total package of recommendations addressing all issues before the Steering Committee, unless otherwise agreed.

It is recognized that when initial agreement is reached, or recommendations are made at the Steering Committee, that Members may still need to bring the agreements or recommendations back to their constituencies or possibly a higher decision-making authority for ratification.

6.0 CONSULTATION PROCESS

The Steering Committee will implement the Communication, Consultation and Engagement Plan in the consultation process. For details and a timeline of the proposed discussion process please see the Communication, Consultation and Engagement Plan.

7.0 OUTCOMES

The Steering Committee will develop a draft Water Management Framework which will then be provided to a Technical Advisory Group (TAG) for feedback (Figure 1). In parallel to the TAG feedback process, community consultation and engagement will be conducted as detailed in the Community Consultation Plan.

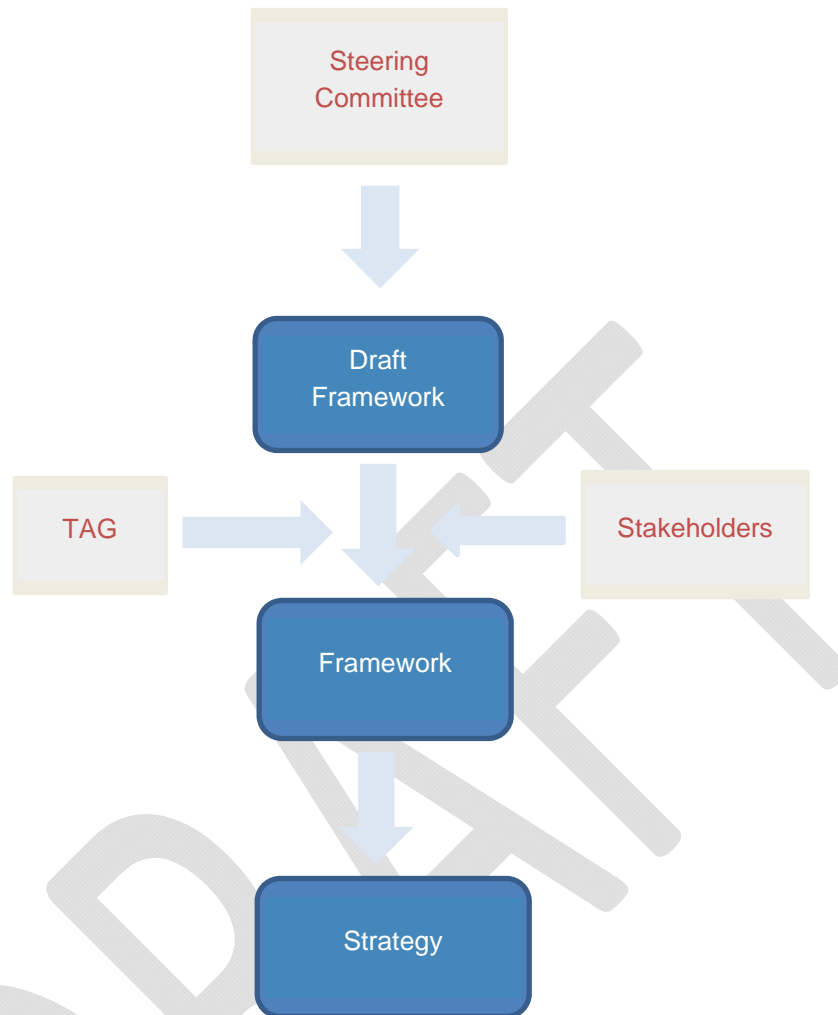


Figure 1: Strategy development process overview.



8.0 CONFIDENTIALITY

If a Steering Committee Member believes that it is necessary to protect certain information provided to the Steering Committee from disclosure to persons outside the Steering Committee, the Steering Committee may designate that the document be treated as confidential. Only such pages of a document that include confidential or proprietary information should be designated confidential.

Subject to the *Access to Information Act*, R.S.C. 1985, c. A-1 or other applicable privacy and disclosure obligations, the Members of the Steering Committee agree that once designated confidential, no confidential information should be revealed, used or disclosed except for the purposes of the Steering Committee, and that such information shall only be revealed, used, or disclosed by, or to Members of the Steering Committee as required to fulfill their obligations under these Terms of Reference.

Work done, or interim work done by the Steering Committee, or statements made by Members of the Steering Committee are for use by the Steering Committee and exclusive to the process and shall not create or otherwise affect the existing mandates and obligations for freshwater management of the parties represented on the Steering Committee, nor shall this work or statements be used or sought to be used in any other public working committee except as may be agreed upon by the Steering Committee in writing.

9.0 EXTERNAL COMMUNICATIONS

Steering Committee meetings shall be closed to the public and meetings will not be required to be advertised. For all other external communication, refer to the Communication, Consultation and Engagement Plan.

9.1 Media

Only the Chairs of the Steering Committee may comment to the media on the progress of the work if the Chairs so choose. If providing remarks to the media, the Chairs' remarks should reflect an accurate record of the Steering Committee's progress on work.



Signature Page

Nunavut Water Board

Indigenous and Northern Affairs Canada

Government of Nunavut

Nunavut Tunngavik Inc.

Nunavut Planning Commission

