



July 26, 2013

Aboriginal Affairs and Northern Development Canada
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Attn: Alain Grenier, A/ Regional Director General

Nunavut Tunngavik Incorporated
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Attn: James T. Arreak, Chief Executive Officer

Government of Nunavut
P.O. Box 1000, Stn. 1320
Iqaluit, Nunavut X0A 0H0
Attn: David Akeeagok, Deputy Minister, Department of Environment

Delivered By Electronic Mail

Re: Update on Implementation of the Independent Third Party Review

Gentlemen,

A year ago, on June 15, 2012, the Independent Third Party Review (ITPR) was finalized. Since then, the Nunavut Planning Commission has undertaken numerous activities intended to implement key recommendations in the report. A first step was the October 2012 meeting of the Parties in Yellowknife to review Part 8 of the ITPR and to set the stage for the planning process. Following that meeting the Commission has undertaken a series of steps intended to follow the general direction set in the ITPR and the consensus reached at the October meeting. Among these activities are the following:

- **Sections 6.3.5 and 8.1.8 (public registry):**
 - the NPC website (www.nunavut.ca) has been updated and includes the complete record of NPC's public consultations and all documents relevant to the formulation of the Draft Nunavut Land Use Plan to date.
- **Recommendation 8.2.1 Step I: Engagement with other institutions of public government:**
 - (1) to assemble information from regulatory hearings and decisions on the concerns with land use issues that have been identified by the public and stakeholders:

Dillon Consulting assembled the information from the regulatory hearings and decisions with land use issues that have been identified by the public and stakeholders. From this review the Commission provided recommendations to the Nunavut Impact Review Board and Nunavut Water Board on the redesigned website and public registry.

- (2) to more carefully consider how and to what extent a first generation Nunavut-wide plan could contribute to improved decision making within Nunavut's integrated regulatory system:

On February 20, 2013 Steve Kennett facilitated a workshop with the Nunavut Water Board, Nunavut Impact Review Board and Nunavut Wildlife Management Board to consider how and to what extent a first generation Nunavut wide land use plan could contribute to improved decision making within Nunavut's integrated regulatory system. Following this meeting, the NWB, NPC, NIRB and NWMB met on April 12, 2013 to discuss research needs and identify priorities to support implementation of the Nunavut General Monitoring Plan.

- **Recommendation 8.2.2 Step 2: Public and stakeholder participation:**

- The documents "Community Engagement Strategy" and "A Guide to Engagement" were prepared and made public by the Commission to increase awareness and inform participation in the land use planning process.
- Communication materials are included in the Community Engagement Strategy document. These materials and the consultation process were designed and are being implemented with the support of external experts including: Paul Okalik – Community Consultation Tour Facilitator, Okalik Egeesiak, President Qikiqtani Inuit Association - advisor - Community Engagement Strategy, James Eetoolook, 1st Vice President NTI advisor - Community Engagement Strategy, John Todd – independent advisor, David Boote, MCIP RPP - independent advisor, Paul Smith – Legal Counsel / Legal Review, and Kellett Communications.
- The Commission completed two visits to each of the 13 Qikiqtani Region municipalities. The Commission has also hosted meetings in Salluit, Ivujivik and Kuujjuaq, Quebec to fulfill Nunavut Land Claims Agreement Article 40 obligations. Nearly 50 workshops, meetings and open houses were held. Consultations begin in the Kivalliq Region in October 2013 and in the Kitikmeot during the winter of 2014.
- "A Guide to Engagement" sets out timelines and the process for Institutions of Public Government, government departments and agencies, Inuit organizations, Industry, NGOs and others opportunities to formally engage in the land use planning process.

- **Ongoing Implementation:**

- In accordance with the 'A Guide to Engagement' timeline an initial workshop is arranged for September 2013 in Cambridge Bay. The purpose of the workshop is to provide a mix of opportunities and venues to encourage a broad range of interests to engage in the land use planning process. Invitations have been delivered and public advertisements will be released shortly.

- The Commission Chairman Paul Quassa and Facilitator Paul Okalik have worked with Qikiqtani communities over the past months to ensure there is support for making the Community Consultation Tour Reports public. This is a change to the process original being considered in the Community Consultation Strategy. This enhancement to the strategy has received broad support from residents, Municipalities and the Qikiqtani Inuit Association. This addresses the concern raised in the Government of Canada DNLUP expectations submission regarding the reports being publically available.
- Following completion of Steps 1 and 2 the Commission staff will develop an Options and Recommendations Document (ORD). The ORD will contain; the research / data considered; the formulated options; and proposed recommendations for the Commission to consider as possible revisions to the DNLUP. The ORD will be made public in September 2014 at least 60 days before the public hearing. Planning partners will be encouraged to provide feedback on the ORD during the Public Hearing. This approach will support conclusion of the ITPR Step 3 requirement to have the GoC, GN and NTI to submit clearly identified “bottom lines’ as conditions for approval of the DNLUP.
- The public hearing to be held in November 2014 will conclude the Public and Stakeholder Participation process.
- **Recommendation 8.2.3 Step 3: Structured Process for Clarifying Expectations by the Parties:**
 - The Commission has contracted Dillon Consulting Limited, Ann Peters to draft the Terms of Reference (TOR) for a facilitated process as recommended in ITPR 8.2.3. The TOR to support a facilitated process will be provided to GoC, GN and NTI this Fall for input.
 - NPC will release the RFP and solicit proposals and with input from the Parties will review and award the contract the Winter 2014. Facilitated sessions would begin in winter/spring 2014 and be complete prior to the public hearing November 2014.
 - The results of the structured process will allow the Parties to present the bottom line expectations for the DNLUP at the November 2014 Public Hearing. This approach provides all planning partners with the opportunity to directly inform the Commission’s decisions and as such facilitate a timely joint review and approval process.
- **Recommendation 8.2.4 Step 4 Preparation of a Revised DNLUP by NPC:**
 - The ITPR suggests that based on the input received from Steps 1 -3 and any additional information or analysis the 2011-2012 Draft NLUP will likely be revised. This approach is supported by the Nunavut Land Claims Agreement 11.5.5 and Nunavut Planning and Project Assessment Act Part 53, following the Public Hearing the Commission will consider the submissions from the hearing (December 2014) and will submit the original or a revised plan, along with a report of the Public Hearing, to the Parties for approval March 2015.

- The Commission will also make the original or revised draft land use plan public as required under NLCA 11.5.5 and NUPPAA Part 53.
- The ITPR suggests that the NPC will develop options for revisions to the DNLUP in parallel with the preceding [three] steps. The ORD achieves this as it contains; the relevant information and options formulated to support recommendations being proposed to the Commission. By making the ORD public in advance of the public hearing planning partners and the Parties in particular can provide their 'bottom line' input on staff revisions being proposed to the Commission.

In support of the implementation of the approved Land Use Plan the Commission is preparing a "Working Together" document. The purpose of this document is "to provide an understanding of the role and responsibilities of the NPC, other regulators and land managers in implementing the policies and objectives of the Nunavut Land Use Plan." We appreciate the feedback many of your organizations have provided in support of this important Land Use Plan implementation document. The internal processes used by the Nunavut Planning Commission to implement land use plans are contained in this document. These processes will be finalized over the winter 2013/2014.

The Independent Third Party Review (ITPR) states that "all the Parties need to be more realistic about what can be achieved in the first iteration of the Nunavut land use plan". The Commission views this as a central guiding principle necessary to enable development of a land use plan acceptable to all parties within a reasonable timeline.

The Commission looks forward to further engagement with the GoC, GN and NTI as we work to implement the recommendations of the ITPR and finalize the formulation of the draft Nunavut Land Use Plan in a timely manner.

Respectfully,



Brian Aglukark,
A/Executive Director

Attachments:

Results ITPR 8.2.1 (1) and 8.2.1(2)