



OCT 11 2011

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Mr. Ron Roach
Chairperson
Nunavut Planning Commission
RANKIN INLET NU X0C 0G0

Dear Mr. Roach:

I would like to acknowledge the Nunavut Planning Commission's efforts in the development of the July 2011 Draft Nunavut Land Use Plan. As a regional plan attempting to address land use issues for an area as vast as Nunavut, the task is clearly a challenging one. This plan has been the product of several years of work and resources expended by the Nunavut Planning Commission and your staff. The planning process has now reached a critical stage.

I have been informed that the Commissioners are meeting in mid-October in Iqaluit to consider the approval of the current draft plan for public consultations scheduled to begin in early 2012. Unfortunately, the Government of Canada has found that this document has not met with our expectations. There has been a lack of a clear and defined planning process. The proposed land use designations and conformity determination are not easily understood, and we see the draft plan as adding further complexity to the Nunavut regulatory system. It is difficult to see how the draft plan in its present form can evolve into a satisfactory land use plan without fundamental change in the approach to the planning process.

From all indications, a Nunavut Land Use Plan will need to be informed by broader and improved stakeholder engagement, as well as increased transparency in a well-defined planning process. Stakeholders such as Nunavummiut, industry, government departments, non-governmental organizations contributions are essential to the development of a draft plan that adequately addresses key land use issues and provides increased clarity and guidance for all land users in Nunavut.

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The Government of Canada wishes to continue to support the Commission in its work. However, it is imperative that we ensure the path forward will lead us to success in the most efficient way possible. I would like to suggest to you that the Commission and the planning partners undertake a third-party review of the planning process. The review should consider the content of the draft plan and provide recommendations to all planning partners on how to reach the mutually shared goal of a successful planning process.

As the Government of Canada moves toward improving the northern regulatory regime, the development of a land use plan that clearly directs resource use and management in Nunavut will assist in providing certainty to all stakeholders in the territory.

In closing, I thank you for your ongoing efforts and look forward to following the continued progress of this initiative. If you wish to have your officials contact the Department to discuss this matter further, Mr. Robin Aitken, Regional Director General, Nunavut, will be available at 867-975-4501 and at robin.aitken@aadnc-aandc.gc.ca.

Sincerely,



John Duncan, PC, MP

c.c.: The Honourable Robert Nicholson, PC, QC, MP
The Honourable Peter Gordon Mackay, PC, QC, MP
The Honourable Christian Paradis, PC, MP
The Honourable Denis Lebel, PC, MP
The Honourable Keith Ashfield, PC, MP
The Honourable Peter Kent, PC, MP
The Honourable Ed Fast, Minister, PC, MP
The Honourable Joe Oliver, PC, MP
The Honourable Daniel Shewchuck, MLA
Ms. Cathy Towntongie, President, NTI

To: *Howe*
Ministre des Affaires autochtones
et du développement du Nord



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Minister of Aboriginal Affairs and
Northern Development

Ottawa, Canada K1A 0H4

DEC 13 2011

Mr. Ron Roach
Chairperson
Nunavut Planning Commission
RANKIN INLET NU X0C 0G0

Dear Mr. Roach:

Thank you for your letters of October 20 and November 29, 2011, pertaining to your Commission's land use planning process. As you are aware, I was also copied on your October 25, 2011 letter on the same topic to each of the Honourable Daniel Shewchuk, then Minister of the Environment for the Government of Nunavut, and Ms. Cathy Towntongie, President of Nunavut Tunngavik Inc., respectively.

I am pleased that your Commission has agreed to participate in a third-party review of the planning process. Consistent with our ongoing engagement, the Department remains ready to collaborate on the development of the land use plan.

However, I note with considerable concern the implication repeated in each of your letters that deficiencies in the process, to date, lie principally with the governments of Canada and Nunavut, or with Nunavut Tunngavik Inc. It is important to remember that, as an administrative tribunal, the Commission should be open to reconsideration of the procedural fairness and effectiveness of the processes.

You indicated that the rationale provided to your Commission for the third-party review is that Canada, the Government of Nunavut and Nunavut Tunngavik Inc. "are unable to determine whether the land use planning process is appropriate." Canada has assessed the present process and has raised serious concerns. Most recently, on October 11, 2011, I wrote to you to highlight that the planning process was inadequate and have identified the need for a "fundamental change in the approach to the planning process."

I understand from the previous correspondence that the Government of Nunavut and Nunavut Tunngavik Inc. share my expectation that the third-party review is an important step toward developing a process capable of producing a satisfactory plan. I would expect that this review would be concluded in advance of any public consultation.

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I look forward to your Commission's collaboration and co-operation on working with the Government of Nunavut, Nunavut Tunngavik Inc., and the Government of Canada to develop and support the third-party review with the objective of developing a satisfactory land use plan. I trust that your Commission will give serious consideration to its recommendations and ultimately work toward a process that will produce a plan acceptable to the parties that will eventually consider the plan for approval.

The Government of Canada is committed to the success of the Nunavut land use planning process and I look forward to the results of the third-party review.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Duncan', with a large, stylized initial 'J' and 'D'.

John Duncan, PC, MP

c.c.: The Honourable Robert Nicholson, PC, QC, MP
The Honourable Peter Gordon MacKay, PC, QC, MP
The Honourable Christian Paradis, PC, MP
The Honourable Denis Lebel, PC, MP
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Ms. Cathy Towntongie, President, NTI