



GHOTLENENE K'ODTINEH DENE

NORTH OF 60
DENE NÉNÉ

LAND CLAIM NEGOTIATIONS



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October 21, 2014 *6 W-W*

Sharon Ehloak, Executive Director
Nunavut Planning Commission
P.O. Box 2101
Cambridge Bay, Nunavut
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Dear Ms. Ehloak;

The NPC consultation record includes correspondence from the Sayisi Dene First Nation (May 15 2014) and Northlands Denesuline First Nation (May 27, 2014) and correspondence between the NPC and the GKD North of 60 Chief Negotiators for both First Nations between October 2014 and February 2015.

This document is intended to provide additional context to these communications to ensure there are no misunderstandings among the NPC Commissioners, staff or the public hearing participants regarding the positions put forward by the Denesuline in May 2014 and understandings reached with NPC in February 2015.

Since 2009, both Denesuline First Nations (collectively referred to as Ghotelnene K'odtineh Dene or GKD), through the GKD North of 60 Chief Negotiators have been working with the NPC to incorporate the area within Nunavut that is subject to ongoing land claims negotiations into the land use planning process in a way that meets the objectives of both NPC and GKD North of 60.

In February 2015, those efforts led to an understanding between NPC and GKD North of 60 acknowledging that designating lands as Protected Areas in the DNLUP that were withdrawn under Federal legislation for the purposes of concluding the land claims negotiations, would hinder completion of the land claims negotiation process. Based on this understanding, the NPC provided the following notation for the public record;

***Notation:** The area of land withdrawn under Order in Council #PC 2013-0625 will be considered and presented during the public hearing on the Draft Nunavut Land Use Plan as an area of Mixed Use. The area will be re-evaluated in light of any representations that may be made during the public hearing. Following the public hearing, the Commission will revise the draft plan to reflect the most appropriate land use designation to manage the areas.*



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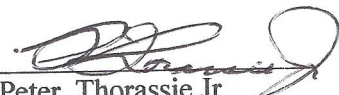
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In the May 2014 correspondence, the Denesuline Chiefs requested that the DNLUP include protection for caribou by prohibiting industrial development (including mineral exploration) in caribou calving areas and post-calving areas and include restrictions on land use activities around key water crossings and seasonal migration routes.

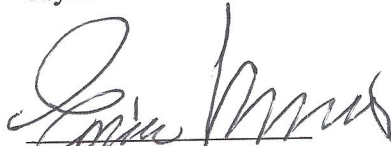
The understanding reached between NPC and GKD North of 60 reflected in the Notation and the positions put forward in the May 2014 correspondence are complementary. Caribou protection is not compromised by presenting the area as Mixed Use in the DNLUP. Despite the proposed Mixed Use Designation, the Federal Interim Land Withdrawal Order will prohibit all new land dispositions (including mineral dispositions) in calving areas, post-calving areas, around key water crossings and seasonal migration routes.

The protections afforded to caribou habitat under the Federal withdrawal provisions will continue until the land claim negotiations are completed. Once completed, appropriate measures to protect caribou habitat on GKD Settlement Lands can be discussed as part of the ongoing NLUP review and amendment process. At that time, the Denesuline will give full consideration to the protections requested in the May 2014 correspondence as those protections may apply on GKD Settlement Lands in accordance with the provisions of the ratified GKD land claims agreement.

It is important that the Commissioners, staff and public hearing participants understand that caribou are at the core of Denesuline culture and are the underlying factor determining Denesuline land use and occupancy. This caribou based land use and occupancy is the foundation for the land claim. Concluding the land claim and sustaining healthy caribou populations are inextricably linked and both are necessary to provide for a strong and sustainable Denesuline culture and economy in the future. The February 2015 understanding reached between NPC and GKD North of 60 and the Federal Interim Land Withdrawal Order results in caribou protection and facilitates completion of both the land claim negotiations and the NPC NLUP process.


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