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Re: DNLUP Public Hearings and Process Forward

The Nunavut Planning Commission recently announced that it has suspended the remaining regional public hearings intended to examine the Draft Nunavut Land Use Plan, pending the resolution of several key process issues. These issues are described in more detail below, and include agreement on the process to move the Plan forward and the funding necessary to support that process. These two issues have been impeding the development of the first-generation Nunavut Land Use Plan for almost a decade. I think we can all agree that it is time to put an end to the delays and uncertainties plaguing the planning process.

Since 2007, the Nunavut Planning Commission has been working steadily with communities, regional Inuit organizations, government agencies and non-government organizations and industry to develop a Nunavut-wide land use plan. The Plan, pursuant to section 11.3.2 of the Nunavut Land Claims Agreement, is intended to:

"... protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, taking into account the interests of all Canadians, and to protect, and where necessary, to restore the environmental integrity of the Nunavut Settlement Area."

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On June 5, 2012 Dillon Consulting Limited tabled the report entitled “*Independent Review Nunavut Draft Land Use Plan*”. The approving Parties and NPC agreed to implement the recommendations and to be guided in their future relationships by the observations and considerations contained in the report.

However, there remains a substantial amount of work, including an agreement on the nature of the remaining regional hearings, timing of the remaining regional hearings, the process that will follow the final regional hearing, the content of the Plan, and funding. Many of these challenges are evocative of the Dillon report, of which the following are most notable (emphasis added):

- Clearly, many of these points remain wholly or partially unresolved despite genuine efforts by all to not only improve working relationships with solid lines of communication, but to clarify expectations with respect to the planning process and the content of the Plan. Part of the problem stems from differing expectations of the planning process and what the first-generation Nunavut Land Use Plan can reasonably accomplish. The many workshops sponsored by the NPC over the past three years, the numerous public meetings since 2012 and the recent Qikiqitani Public Hearing have highlighted the broad range of views that the NPC must address if it is to prepare an approvable first-generation Nunavut Land Use Plan.

Recently, NPC announced the postponement of the planned Kivalliq and Kitikmeot public hearings. In large part the postponement is a direct result of the lack of collective agreement on the following outstanding issues:

- Assurance that there will be adequate funding for the remaining hearings and the post-hearing process.
- The timing and nature of the remaining public hearings;
- The post-hearing process leading to the submission of the final Draft Nunavut Land Use Plan for approval by the Parties; and

Without agreement on the above points, continuation of the Nunavut-wide planning process is put at risk. Our collective failure to move forward puts in jeopardy the years of planning and hard work on the part of all involved and the millions of dollars that have been spent. Public and stakeholder engagement, good will, and good faith expectations would be dissipated and we would lose the credible progress that has been made to date.

We need to collectively find a way forward. I am proposing a structured and purpose-driven meeting of the Parties and NPC to resolve the above points, through a binding agreement which will set out the process by which planning will move forward, including the necessary funding commitments.

Further, I am proposing that the meeting be facilitated by a mutually acceptable, neutral and highly qualified facilitator; that each Party and NPC send no more than four representatives (including legal counsel) to the meeting; and that each Party and the NPC be represented by individuals who are mandated to make binding decisions on behalf of their respective organizations at the meeting. The meeting would last as long as it takes to reach agreement on the key issues.

I am making this proposal to reflect what I believe is a shared sense of urgency to put the planning process on a track that will produce an approvable and approved plan within a reasonable, and clearly defined, time frame. It is evident that a renewed collaborative effort by NPC and the three approving Parties is essential to achieve this objective. I look forward to your careful consideration of this proposal and respectfully request that you indicate to me and the other Parties whether you agree in principle with this path forward. If we can secure agreement in principle, ideally by June 15, 2017, I expect that we could work together over the following weeks to finalize more precise terms of reference for the meeting, agree on an acceptable facilitator, and set a time for the meeting that works for all four parties.

In conclusion, I offer the following final statement from the Dillon report:

"There is no silver bullet for resolving the multitude of interrelated issues that currently affect the planning process and the relationships among the Parties. We are convinced, however, that significant progress has in fact been made by the Parties and that pragmatism and a renewed focus on the common goal of completing and approving a first generation Nunavut-wide land use plan can lead to success".

Failing to do so is a failure by all of us, and more importantly, a failure to address the needs and aspirations of Nunavummiut. However, and despite the challenges ahead, I remain very optimistic about the prospects for land use planning in Nunavut. I look forward to working closely with each of you to develop a roadmap for the final stages of this process.

Respectfully,



Andrew Nakashuk
Chair, Nunavut Planning Commission

CC: NPC Commissioners
Sharon Ehloak, Executive Director,
James Eetoolook, Vice President, NTI
Mr. PJ Akeeagok, President, Qikiqtani Inuit Association
Mr. David Ningeongan, President, Kivalliq Inuit Association
Mr. Stanley Anablak, President, Kitikmeot Inuit Association
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Joe Savikataaq, Minister of Environment, GN
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