

Mr. Aitken suggests that an independent third party be retained to review the planning documents and process and make recommendations.

It is necessary to recognize that this impasse is in part a result of the current process. Government has significant, active roles in land use planning under the NLCA, in the development of broad planning policies, objectives and goals (s.11.4.1); in departments and agencies being solicited to provide comments on the draft plan (s.11.5.3); and in the Ministerial approval process (ss.11.5.5-11.5.9). Detailed engagement at the current planning stage is not anticipated.

The consultation process envisioned in s. 11.5.2 is ascertainable by reference to s. 11.2.1, which firmly anchors land use plans in the priorities and values of the residents. The active and informed participation of Inuit in the preliminary stages, and throughout the planning process, is the core feature of Article 11. Special attention must be devoted to protecting and promoting the existing and future well-being of Inuit and Inuit Owned Lands (s.11.2.1(b)). It is also expected that an Inuit approvals role for new land use plans will be formalized in the upcoming NPPA legislation.

Given the above, further steps in the development of substantive features of the Nunavut land use plan must fully engage the Inuit of Nunavut at all levels.

In terms of content, NTI shares many of the governments' concerns with the draft planning documents. In particular, NTI agrees that a major flaw exists in the NPC's reliance on "recommendations," rather than using its own authority to set terms and conditions for land uses. As you know, the NPC's authority to set terms and conditions on permitted uses is a key feature of the draft *Nunavut Planning, and Project Assessment Act*. The NPC's authority to conditionally permit land uses under the draft Act will apply to newly permitted and grandfathered uses, and will form the basis for plan implementation and enforcement.

In view of the overall status and the nature of the issues that have been raised, NTI concurs in the proposal that an independent planning expert be retained, with the participation of the NPC, as well as the GN and NTI, to review where the planning process now stands, and the content of the planning documents developed to date, and provide recommendations for our collective consideration, prior to the plan being made public. I am confident that such a review can, with appropriate levels of shared involvement and support, be organized and conducted within a reasonable period of time.

I look forward to our continuing discussions on these matters.

Sincerely,



Terry Audla,
Chief Executive Officer

cc: Peter Tumilty, Executive Director, Qikiqtani Inuit Association
Justin Merritt, Executive Director, Kivalliq Inuit Association
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