



September 14, 2021

Mr. Andrew Nakashuk
Chairperson
Nunavut Planning Commission
P.O. Box 1797
IQUALUIT NU X0A 0H0

Re: Deadlines and Issues Related to the Review of the Draft Nunavut Land Use Plan (DNLUP) 2021

Dear Mr. Nakashuk:

I am writing on behalf of Nunavut Tunngavik Incorporated (NTI) and the Regional Inuit Associations (RIAs) with a few key requests related to the review of the DNLUP 2021. Our first request is that the Nunavut Planning Commission (NPC) extend the date for parties to provide written submissions on the DNLUP 2021 to at least October 22, 2021. Secondly, NTI and the RIAs request that NPC provide additional clarifications and direction before written submissions are due on the content of the DNLUP 2021 and accompanying documents, as well as the regional public hearing process.

The DNLUP 2021 was released on July 8, 2021 and on July 23, 2021 the NPC provided a notice that the record was being reopened and that regional public hearings would take place this November in the Kivalliq and Kitikmeot Regions. Additionally, NPC set September 30, 2021 as the deadline for written submissions on the DNLUP 2021 and to confirm attendance at regional public hearings. NTI and the RIAs will not be able to provide a complete written submission by September 30th. The DNLUP 2021 and accompanying documents are complex and require further detailed analysis and review. To meaningfully participate in this land use planning process, NTI and the RIAs require more time and support from NPC.

NTI and the RIAs have had to reassemble a team to work on this critical file after many months of inactivity as the NPC prepared the DNLUP 2021. It has taken some time to ensure key staff are available to partake in the intensive task of reviewing the DNLUP 2021. It must come as no surprise that reviewing such a lengthy and technical document such as the DNLUP 2021, accompanying maps and documents requires significant time and resources for organizations such as NTI and the RIAs and that this task is even more challenging for regional and community organizations with limited resources.

NTI and the RIAs as directed by the NTI Board will produce a joint submission to the extent possible and the work required to achieve this collaborative result necessitates an adequate amount of time for extensive communications and cooperation, including in person meetings.

Additionally, in its review of the DNLUP 2021, NTI and the RIAs are encountering difficulties in assessing the content of the DNLUP 2021, the Options and Recommendations document and maps as the content of these documents do not always appear to be completely aligned. For

example, there are differences in the information provided for migratory bird habitat and caribou designations between the documents that need to be clarified for our review of potential impacts of the land use proposals. There are also considerable challenges in using the electronic maps that are an essential component of the DNLUP 2021. To address these issues, NTI and the RIAs propose the following actions:

- NPC staff meet with NTI and the RIAs at the earliest possible time in order that questions on the content of the DNLUP 2021, Options and Recommendations documents and maps that are relevant to the ability of NTI and the RIAs to provide informed written submissions be answered; and
- NPC forward to NTI and the RIAs printed maps to facilitate a comprehensive review of the DNLUP 2021.

NTI and the RIAs recommend that NPC make printed copies of the DNLUP 2021 and the accompanying maps available to all participants, particularly community organizations in English and Inuktitut as soon as possible. The active and informed participation of Inuit in this process requires ready access to all relevant materials as set out in subsection 11.2.1 (d) of the *Nunavut Agreement* and necessitates the delivery of land use planning materials in both printed and electronic formats. We stress that the DNLUP 2021 and accompanying materials must be available in Inuktitut to facilitate Inuit participation in this review process.

There are additional process issues related to safeguarding Inuit oral participation at the regional public hearings that NTI and RIAs are raising that are of critical importance. We note that the NPC notice of July 23, 2021 requests that parties intending to participate in the regional public hearings submit their presentations and questions to the Commission or other parties by October 20, 2021. This direction suggests that the ability of Inuit to provide oral evidence and ask questions may be restricted at the regional public hearings. NTI and the RIAs are seeking confirmation from NPC that the public hearing procedures will support Inuit oral communication and decision-making in the conduct of the hearings as set out in the *Nunavut Agreement* by allowing Inuit participants to freely provide oral evidence and ask questions of all parties regardless of the written submissions they may have provided in advance of regional public hearings.

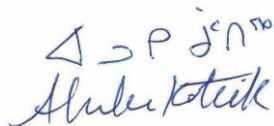
Concerns regarding protecting Inuit oral tradition and participation at NPC public hearings are not new. During and after the Qikiqtani Regional Public Hearing on the 2016 DNLUP (March 22 to 26, 2017), NTI and the RIAs raised concerns regarding lapses in meeting the requirement that Inuit oral tradition be respected and Inuit participation be promoted. Preserving Inuit oral participation at the regional public hearing is essential to a successful process and is in keeping with the governing principle in NPC's Public Hearing Rules that states that the Commission shall ensure that all activities undertaken are conducted in a manner that encourages Inuit participation and are respectful of Inuit culture and practices. Additionally, Rule 26 (1) supports participants asking any other participant relevant questions orally at a public hearing. The ability of Inuit participants to ask oral questions and make submissions in response to information presented at the regional public hearings is fundamental to facilitating a full understanding of the land use planning proposals and issues, as well as to ensuring that the record before the Commission is complete and reflects Inuit knowledge and priorities.

We also request that the October 20, 2021 deadline for presentation and written question be extended to support increased Inuit participation in this process. There is no question that the current deadlines will limit Inuit participation in the review of the DNLUP 2021. Additionally, the scheduling conflict, between NPC's regional public hearing from November 1-7 in Rankin Inlet/Thompson and the Nunavut Impact Review Board's (NIRB's) public hearing in Iqaluit scheduled for the same week for the review of Phase 2 Mary River proposal, creates another significant hurdle. NTI and RIA staff, as well as that of government and other participants are

required to actively participate in both processes. This scheduling conflict impedes active and effective participation of NTI, the RIAs and many other participants in two critical regulatory processes. Although NPC provided its notice before NIRB did so, NTI and the RIAs strongly recommend that the regional public hearing in Rankin Inlet/Thompson be rescheduled to allow for extended timelines for providing written submissions and questions that better serve all land use planning participants and that facilitates increased Inuit participation in the review of the DNLUP 2021.

I thank you in advance for considering our requests. The development of this first-generation Nunavut Land Use Plan is of great consequence to Inuit and I look forward to your responses.

Sincerely,



Aluki Kotierk
President

CC:
Stanley Anablak, President, Kitikmeot Inuit Association
Kono Tattuinee, President, Kivalliq Inuit Association
Olayuk Akesuk, President, Qikiqtani Inuit Association