

Andrew Nakashuk
Chairperson
Nunavut Planning Commission
P.O. Box 1797
Iqaluit, NU X0A 0H0
Delivered by email to: submissions@nunavut.ca

October 6, 2021

RE: Draft Nunavut Land Use Plan, 2021

Dear Chairperson Nakashuk,

Please accept the enclosed submission as per the reopened public record on the Draft Nunavut Land Use Plan.

I submit this as Senator for Nunavut, a registered participant, and a concerned citizen who is resident in Iqaluit in the hopes that it may prove useful in the review of this proposed draft.

Respectfully,

Dennis Patterson,
Senator for Nunavut

On September 17, 2021, the submission deadline was revised to October 8, 2021 in an effort to “[recognize] the desire for all parties to have adequate notice and time to prepare for the upcoming proceedings.” Within that same notice, it was communicated that “a corrected English version of the DNLUP is available on the NPC’s Public Registry that addresses issues with references to site numbering on Map A.”

PROCESS OF DEVELOPMENT

The authority for the NPC to develop a land use plan(s) is derived from both the Nunavut Land Claims Agreement (NLCA) and the *Nunavut Project Planning and Assessment Act* (NuPPAA).

Section 42(1) of NuPPAA states “The Commission must identify planning regions and may, for each planning region, identify specific planning objectives and planning variables regarding the conservation, development, management and use of land.”

Section 42(2) goes on to clarify that “The specific planning objectives must be consistent with the broad objectives established for the designated area.”

Section 44 clarifies that “The principles and factors set out in sections 11.2.1 and 11.2.3 of the Agreement must guide the development of broad policies, priorities and objectives under section 41 and specific planning objectives under section 42.”

For ease of reference, Article 11.2.1 of the NLCA states,

The following principles shall guide the development of planning policies, priorities and objectives:

- (a) people are a functional part of a dynamic biophysical environment, and land use cannot be planned and managed without reference to the human community; accordingly, social, cultural and economic endeavours of the human community must be central to land use planning and implementation;
- (b) the primary purpose of land use planning in the Nunavut Settlement Area shall be to protect and promote the existing and future well being of those persons ordinarily resident and communities of the Nunavut Settlement Area taking into account the interests of all Canadians; special attention shall be devoted to protecting and promoting the existing and future well-being of Inuit and Inuit Owned Lands;

Under the NPC's published policies and objectives, the first goal, "Strengthening Partnership and Institutions," states that the NPC will [establishes] targets and timelines to inform Government, Inuit Organizations and other planning partners of annual work plan activities in order to facilitate coordination of activities and maximize opportunities for multi-party participation and interaction.

It should be further noted that a June 21, 2018 joint letter from all three signatories (Appendix A) – the Government of Canada, the Government of Nunavut and Nunavut Tunngavik Incorporated – required that a revised draft be “subject to public hearings in all three regions.” Any plans and budgeting by the NPC **must include all three regions**. According to the Government Response to the Senate Special Committee on the Arctic (Appendix B), an additional \$2M in funding was provided in 2020-21 to complete a new draft. According to the timeline posted on the NPC website, the NPC solicited additional

To underscore the importance of such expertise, GIS analysts that were retained for this submission and a previous submission on the 2016 DNLUP reported that the data sets between the 2014, 2016 and 2021 drafts have no consistency and none of the polygons directly correlate to the definitions in subsequent iterations. This makes direct

The NPC's policy point C1 under this section states that the NPC will ensure, "environmental, economic, Inuit cultural and social concerns are considered in decisions regarding transportation."

A review of the VCs suggests that future economic activity, including the construction of transportation linear infrastructure could be constrained by the proposed draft. As demonstrated in the map provided (Appendix C), VECs and VSECs surround several densely populated areas and those existing mineral rights identified by the Commission. Their presence creates barriers for transportation linear infrastructure vital to the development of some known mineral deposits. This would have a domino effect on surrounding communities that could benefit from improved infrastructure constructed in an effort to develop resources and would result in an overall lack of jobs and monetary investments through IIBAs and other means. Other impacts include the socio-economic impacts of stable, well-paying jobs that support healthier communities and local economies.

Further to the statements made above, policy point A.2 under Goal 4 clearly states that land use planning should support “social and economic development initiatives”, which is in line with NLCA Article 11.2.3(a).

Many of the VCs could limit the construction of hydro-electric dams and wind turbines, further limiting the options for alternative energy sources, and potentially increasing affected communities' reliance on traditional diesel energy.

Policy point A.2 directs that planning must, “to the extent possible provide for a mix of the economic sectors to secure balanced economic development. The relative weighting of

In order to support economic development in Nunavut, the Commission has identified projects with existing mineral rights in Limited Use areas in Appendix A that will not be subject to prohibitions on that type of activity at the time they undergo significant modifications, but will require a further conformity determination under the Act.

Much heed seems to have been paid to interventions stressing the conservation and protection of lands, but there does not appear to be a balanced consideration for the economic potential of the land as further emphasized by policy points C.1, C.2 and E.

During the July 8 introduction, only the bilingual floor feed was available to those watching. The lack of an English only feed was constraining for those participants that do not speak Inuktitut. While it is important that Inuktitut be protected and promoted within the Nunavut Land Claim Area, it is equally important that those who choose to access NPC documents or proceedings in the other three official languages of the territory – English, French and Innuinaqtun – are freely able to do so. There was a public commitment made by the NPC that a transcript of the launch would be provided in English. However, to date, no such transcript has been made available.

1. The NPC revise its timelines to allow for the fulsome and informed participation of all participants, particularly the Government of Canada, the Government of Nunavut and all municipalities and hamlets. This would include revising the deadline for

2. The NPC negotiate, in its funding agreement with Canada, that participant funding for this round of consultations be widened in scope to enable hamlets and municipalities to retain the technical expertise required to participate fully in discussions on the DNLUP;
3. The NPC revise schedules and budgets to ensure that public hearings are held in all three regions of Nunavut; and
4. The NPC post a full transcript of the launch in all four official languages of Nunavut.