

January 21, 2014

Atanguyaq
Chief Executive Officer

Ms. Sharon Ehloak
Executive Director
Nunavut Planning Commission
PO Box 2101
Cambridge Bay, NU X0B 0C0

Dear Sharon:

re: Proposed Structured Decision-Making Process – draft TORs

This is in response to the NPC's request for comments on the draft Terms of Reference for the proposed Structured Decision-Making Process.

The May 2012 *Independent Review* of the Draft Nunavut Land Use Plan (DNLUP) recommended that the Government of Canada, GN, NTI and NPC engage in a high-level “structured decision-making process” (SDMP). The draft TORs indicate that the purpose of the SMP is to try to achieve consensus on difficult issues, particularly in cases where government or DIO priorities are in apparent conflict with community priorities. Decisions regarding the approach to land use and development in caribou calving grounds are provided as an example.

The *Independent Review* recognizes that it may be unrealistic to expect the NPC to be more definite on the particular issue of caribou calving grounds where government and the DIOs have not provided more clarity:

“It seems unrealistic to us to expect NPC to provide a more detailed planning response to this issue in the absence of additional input from GN and others who have the specialized expertise and capacity to address the issues. . .”

NTI supports the NPC's effort to move issues such as these forward through an SDMP. We have the following specific suggestions.

1. The Regional Inuit Associations are key players in important land use planning decisions and they should be invited to attend the SDMP.
2. The draft TORs states that “a relatively intensive process that could extend over several months is anticipated.” Given schedules and the distances involved, expectations as to the time and effort that can be devoted to the SDMP should be adjusted downward. The suggestions that follow, and others, may make for progress in a more limited amount of time.

3. We believe the NPC should be the main generator of questions to be addressed in the SDMP, since the NPC is the drafter of the DNLUP and has the best sense of the items that need to be resolved.

4. A list of issues to be discussed in the SDMP and proposed meeting dates on the issues, should be provided to the parties several months in advance, in order to give the governments and DIOs adequate opportunity to come to internal consensus on issues, where necessary, before the SDMP.

5. A process of this kind cannot, of course, detract in any way from the NLCA process of land use planning and, specifically, ss. 11.2.1(c), that land use plans reflect the priorities and values of the residents; and 11.2.1(d), that the planning process provide for the active and informed participation and support of Inuit and other residents. The NPC should be careful not to create any impressions to the contrary. Protections must be built in to ensure that the primacy of the NLCA is foremost. NTI proposes that:

- i. in preparation for the SDMP, the NPC provide the parties with detailed community consultation documentation of the views and priorities of the residents on the issues to be discussed;
- ii. the NPC relay how it intends to incorporate the results of the SDMP into an open and transparent process that allows for adequate public opportunity to comment, consistent with notions of fairness and natural justice.

We hope these ideas are helpful and we look forward to participating in the SDMP.

Sincerely,



James T. Arreak, NTI CEO

cc: Ms. Navarana Beveridge, Executive Director, Qikiqtani Inuit Association
Mr. Steve Hartman, Executive Director, Kivalliq Inuit Association
Mr. Paul Emingak, Executive Director, Kitikmeot Inuit Association
Mr. Alain Grenier, Acting Regional Director General, INAC
Mr. David Akeeogak, Deputy Minister, GN