



June 30, 2010

Robin Aitken, Regional Director General
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Delivered via Electronic Mail

Re: INAC file # – 8505-1-2 - The Nunavut Land Use Planning Process

Dear Robin,

Thank you for your correspondence of June 16, 2011. For our part, the Nunavut Planning Commission also felt that the workshop held in Iqaluit in the first week of June was productive. The input received and ideas suggested to assist in the progress of the draft Land Use Plan were welcome.

I first note your concern about the notice given for the workshop. The timeline was as follows. The first letter of notice for the June 1st workshop went out to all parties May 1, 2011 and the detailed agenda followed on May 15th, 2011. For that reason, the Commission is somewhat at a loss as to your comment about an “absence of a pre-circulated agenda.” Further, we requested when we sent out the detailed agenda, (which included the purpose of the workshop), that if any further information regarding the workshop was required, to please contact the Commission. The Commission received no inquiries from Canada, or any other party. The Commission is also sensitive to your comments with respect to the background information. But again, the facts are that the Commission has been seeking input from planning partners on these matters for 4 years. As we indicated during our May 11, 2011 teleconference the purpose of the workshop was to finalize GOC and the GN outstanding information requests.

We appreciate hearing INAC’s suggestions to enhance the Nunavut Land Use Plan planning process. We are preparing a draft of the next steps and detailed information on the tour of communities as

well as a timeline for those activities and will provide it to both Canada and the other parties as soon as it is prepared. In addition, and as you note, the Commission will provide you shortly its response to the comments provided by Canada and others with respect to the previous working drafts of the Nunavut Land Use Plan.

In regards to your comment about responses from other parties involved in this process of which Canada may be unaware, all of the comments and submissions we have received to date are being posted on the Commissions website as we discussed in Iqaluit. This is of course subject to our organizational ability to do so within the resources available to us.

One point further does however need to be made with respect to the posting of comments on submissions. By way of example, we do not necessarily feel it would be helpful for us to post correspondence related to working draft land use plans which INAC and the GN requested not be made public. We view these concept plans as internal working documents and not for public distribution. Once the Draft plan is made public, then obviously comments upon it will be posted.

Regarding your "consultation and engagement initiative" comments, we engaged the Nunavut Impact Review Board many months ago and are currently considering secondment of staff opportunities. To assist with our process we would ask that you provide us with further detail in respect to that specific issue. How is it, for example, that you envision this "consultation and engagement initiative" to either look or operate? Given INAC's role in land use planning in the NWT since 1983 we request the Commission be provided with a sample of similar advice given to the Sathu, Gwich'in or the Dehcho land use planning process. We would appreciate these details prior to the Commission meeting September 19, 2011.

Regarding the matter of "ready access to all relevant materials", our deliverables are only constrained by our level of annual funding. We have requested, on a number of occasions additional funds. Our needs based budget submitted annually over the past 5 years to government has never been funded. As such, we must work within the funding provided to the Commission, realizing, as we hope that Canada does, that this has a clear impact on the Commission's ability to comply with requests such as this.

As you acknowledge, the draft Nunavut land Use Plan will be a significant development. I frankly suspect that it is impossible for us to please all of our working partners with what they would view as an "ideal" starting document. Our challenges include the high staff turnover of our planning partners, at times their limited understanding of the land use planning process and objectives, and less than timely responses to requests made by the Commission. And, as I indicated, our financial constraints limit the deliverables that we can produce. We will do our utmost to ensure that as the draft LUP document moves forward through the consultation process all of the relevant parties' inputs, concerns, and questions will be addressed and factored into whatever the final version of the Land Use Plan looks like.

In closing, the Commission recognizes its lead role in the planning process as outlined in the NLCA and timely participation from our planning partners contributes to the overall success. But that leadership role is not one which can stand alone – it must be met by cooperative input and timely responses from all the Commission's planning partners. The Commission remains committed to addressing issues with our planning partners proactively.

As one further example of the situation the Commission faces in this regard, you will recall the suggestion from the Commission that our legal counsel communicate directly on overall process and legal issues. Mr. Smith, our legal counsel, followed up on that suggestion with written correspondence dated June 8th 2011 to the three other Counsel. Ms. Pelly, we understand replied positively, as did Ms. Silke (if only just last weekend). Mr. Smith has yet to hear from Ken Landa about the legal working group suggestion. The fact that Mr. Smith received no reply from counsel for Canada on his suggestion to cooperatively interact in order to address matters in relation to the LUP and to expedite the LUP process, speaks rather directly in response to your reference to section 11.2.1 of the NLCA and its requirements for the “active participation by both Government and Inuit”.

In the mean time we thank you for your correspondence and look forward to working with Canada as this process moves forward.

Respectfully



Sharon Ehaloak,
Executive Director

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