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Nunavunmi Parnaiyiit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

September 25, 2011

Mr. Robin Aitken
Regional Director General
Nunavut Regional Office
Aboriginal Affairs and Northern Development
Box 100,
IQALUIT, NU X0A 0H0

Delivered via Electronic Mail

Re: Draft Land Use Plan; Public Consultation Process

Dear Robin:

Thank you for arranging the conference call on September 22, 2011 between Nunavut Tunngavik, the Government of Nunavut and Aboriginal Affairs and Northern Development. It was good to speak with all once again, although, as I said during the call, the comments made by you came as a surprise to the Nunavut Planning Commission (NPC). For that reason, I think it important now to summarize your comments and the position advanced to the Commission about its planned consultation process on the draft land use plan as required by Part 5 of Article 11 of the Nunavut Land Claims Agreement.

As others were on the call from both the government of Nunavut and Nunavut Tunngavik Inc., I am copying this correspondence to each as a courtesy.

Your comments as I recall were essentially as follows:

- the Government of Canada (GOC) is frustrated and disappointed in the draft land used plan and feels quite strongly that the document should not go out for public consultation at this time;
- The GOC, supported by the Government of Nunavut (GN) offered to NPC the idea of hiring a contractor, a professional planning firm to look at the form the draft plan, what parts of the plan should be improved upon, and also take a look at the planning process; in sum, GOC and GN want to compile independent land use planning advice on the Commission's draft plan and planning process; you also noted that this review would be completed by this coming Christmas;

- The GOC also indicated that the NPC will not be receiving any detailed comments from federal departments until a professional planning firm has assessed the plan and planning process of the Commission.
- the GOC now feels that ministerial intervention is required and that a formal letter from Minister Duncan will be forthcoming to the Commission;
- finally you said that you thought that both NTI and the GN shared the GOC's concerns.

You can imagine our surprise at these developments. Instead of communicating and raising questions with the Commission about the draft land use plan, the GOC now recommends an option which would in effect suspend implementation of the Nunavut Land Claims Agreement land use planning obligations. We acknowledge that GOC and GN are optimistic that the independent assessment of the Commission's land use planning activities, undertaken over the past 4 years, will be concluded by Christmas. The Commission must remind you that it is an independent public land use planning agency employing nationally registered professional land use planning staff and we do not share others' optimism that a fair assessment of the plan and process can be concluded in the timeframe GOC proposed.

As you already know, the Commission has previously scheduled meetings set for mid-October. At that time, this matter will of course be raised with Commission members. So, to ensure that we clearly understand Canada's position, we are asking GOC to provide us in writing the specific concerns you spoke of on our conference call. We are entitled to know from you the, cost, timeframe, scope of review, interactions with the parties, and the conceptualized terms of reference and deliverables contemplated. Which party will undertake to pay the costs of this late proposal if it proceeds, must also be identified.

The Commission, while disheartened by the comments you and others on the call made, is not necessarily opposed to the GOC and GN suggestion. But we need to know exactly what that suggestion is before we can helpfully respond, and we need to have that well in advance of the Commission meetings set for Iqaluit commencing October 7th.

But, equally important is that the primary purpose of these meetings is for the Commission to review the draft land use plan in order to decide whether to make it public, as we had indicated earlier. I must ask then, that you provide us your written comments explaining Canada's opposition at this time to the public consultation process for the land use plan, and the details you propose regarding the independent consultant by next Wednesday, September 28, 2011. That will leave the Commission enough time to obtain any clarifications necessary from you, and to provide it to Commission members in advance of their travel to Iqaluit the following week. Again, the primary purpose of the meetings is to review and possibly approve the draft plan for public release.

I'll look forward to receiving your reply.

Respectfully,

Sharon Ehaloak
Executive Director

David Akeeagok, Deputy Minister, GN
Terry Audla, Chief Executive Officer, NTI
Brad Hickes, Director Policy and Planning, NTI