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September 28, 2011,

Sharon Ehaloak  
Executive Director  
Nunavut Planning Commission  
P.O. Box 2101  
Cambridge Bay, NU, X0B 0C0

Via e-mail: [sehaloak@nunavut.ca](mailto:sehaloak@nunavut.ca)

Dear Sharon,

**Re: Draft Nunavut Land Use Plan**

As per our discussion on September 22, 2011, and your letter of September 25, 2011, I am pleased to provide you with some general comments from federal departments and agencies on the current draft land use plan. As I mentioned in our call, after two rounds of comprehensive reviews and submissions of detailed comments during the last 12 months, departments are disappointed in the resulting draft plan and concerned that our comments and input have not materialized in a comprehensive and meaningful manner in the current draft plan.

Specific areas of concern relate to both the planning process and the content of the draft plan (see Annex A). Broader concerns relate to the general lack of a clear and defined planning process, the plan itself is quite confusing in the absence of understanding how partner comments have contributed to the present status of the planning process and, in our opinion, it is not user-friendly. Further, the proposed land use designations and conformity determinations are not easily understood.

I understand that you and your staff share our sense of frustration from our recent telephone conversation.

The Government of Canada wants to continue working with and supporting NPC's efforts. However, we feel strongly that a well understood process and draft plan are required for a successful and meaningful planning process in Nunavut. Therefore, I would like to reiterate our invitation to NPC to join with the GOC, GN and NTI in undertaking an independent, third-party review of the planning process to date and the draft plan itself. This review will surely assist all of the planning partners in finding a way to move forward in finalizing the development of a land use plan for Nunavut.



As we also discussed on our call, if NPC is prepared to work with the planning partners on a review, we may wish to formalize a terms of reference for such an exercise through the four-party forum that has been discussed previously. Other matters such as timeframes and budgeting could also be discussed.

Please contact me at (867) 975-4501, or at my e-mail address [Robin.Aitken@aadnc-aandc.gc.ca](mailto:Robin.Aitken@aadnc-aandc.gc.ca), if you wish to discuss any aspect of this letter or other matters.

Sincerely,

Robin Aitken  
Regional Director  
Aboriginal Affairs and Northern Development Canada

- cc. David Ageeagok, Government of Nunavut  
Brad Hickes, Nunavut Tunngavik Inc.  
Nancy Anilniliak, Parks Canada Agency  
Mike Norton, Environment Canada  
Amin Asadollahi, Natural Resources Canada  
Karen Hurst, Fisheries and Oceans Canada  
Harvey Nikkel, Transport Canada  
Susan Chambers, National Defence Canada



## ANNEX 1

### Government of Canada Comments on the July 2011 Draft Nunavut Land Use Plan

#### The planning process:

- The timing, purpose and expected outcome of each step or activity in the planning process have not been defined by NPC.
- A process for external communication that sets appropriate and realistic schedules with government, the public and industry has never been provided.
- The results of previous engagement and consultation with the public, government, municipalities and industry, as well as how these consultations have informed the development of the draft plan, have not been made available.
- A public registry or some form of depository that provides ready access to all relevant materials to ensure active and informed participation of government and Inuit has not been established.

#### Draft plan content:

- There are significant structural and coherency problems with the document. The need to continually cross-reference between text, maps, schedules, tables and recommendations, which at times are inconsistent, and confusing.
- The draft plan lacks context — it does not include a vision of what land use in Nunavut should look like in 20 years. Additionally, the draft does not provide the reader with Nunavut-specific background information relevant to areas such as demographic trends, the renewable and non-renewable resource base, economic opportunities, needs and etc.
- Key information provided by federal departments has been misrepresented or misinterpreted, for example, federal department ownership of sites.
- Federal department recommendations are identified and referenced in the draft plan, whereas, NPC should be making use of its own authority to set land use terms and conditions.
- Land use designations are not easily understood. For example, the difference between the conservation designation and the environmental protection designation is not clear, especially considering that permitted and /or prohibited uses are generally the same in both and the fact that there are some inconsistencies within the designations.
- While the draft plan does identify the permitted and prohibited uses associated with the land use designations they are either too broad or too restrictive. For example, tourism within both the protection and conservation designations has no restrictions and therefore, could range from limited infrastructure for wilderness camping to full-blown commercial installations, i.e., lodges, docking facilities for cruise ships and etc.
- Other key elements of the draft land use plan such as conformity and variances lack clear descriptions of how these will be determined. Conformity



is presented as a yes/no response, providing no certainty for land users and there are no indications within the plan as to how variances will be granted.

- The draft plan proposes to make use of an onerous plan amendment process, requiring ministerial and pending passage of NUPPAA, NTI Board approval, to consider additional uses.
- The draft plan does not substantially improve an already challenged regulatory process. Instead of resolving potential land use conflicts, the draft plan returns much of the burden of land use decision-making to the regulatory bodies.
- The draft plan does not guide and direct resource use and development in a balanced manner, taking into consideration economic opportunities and needs, as well as environmental management and protection.