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Nunavunmi Parnaiyit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

December 9, 2013

Honourable Bernard Valcourt, Minister Aboriginal Affairs and Northern Development Canada
Aboriginal Affairs and Northern Development Canada
Government of Canada
Executive Offices
10 Wellington Street
Gatineau, Quebec K1A 0H4

Honourable Johnny Mike
Minister of Environment
Department of Environment
Government of Nunavut
P.O. Box 1000, Stn 1300
Iqaluit, Nunavut, X0C 0A0

Delivered Via Electronic Mail

Dear Ministers Valcourt, Mike,

Re: Proposal to Amend the North Baffin Regional Land Use Plan

The North Baffin Regional Land Use Plan (NBRLUP), approved June 2000, has in place terms that apply to public and private transportation corridors and a process outlining a procedure for possible amendment to the NBRLUP. The term 3.5.12 of the NBRLUP states that:

NBRLUP s.3.5.12

The Nunavut Planning Commission (NPC) and either the Nunavut Impact Review Board (NIRB) or a panel acting under section 12.4.7 of the Nunavut Land Claims Agreement (NLCA), shall publically review the proposed corridor to determine whether the proposal adequately meets the guidelines set out in Appendices J and K. Once it is determined that the proposal does meet the guidelines, the NPC may request to the ministers to amend the plan to include the new transportation corridor. (Emphasis added)

The term 5.3 of the *NBRLUP* also directs the NPC to Article 11, part 6 of the *NLCA* to follow the procedures as outlined when considering a recommendation to amend the *NBRLUP*.

NBRLUP s.5.3

Article 11, Part 6 of the NLCA governs amendments and review of land use plans. The NPC will consider all recommendations for amendments and will recommend those it considers suitable to the Minister of DIAND (AANDC) and the Minister of Environment. (Emphasis added)

The *NLCA*, under article 11, part 6 outlines a procedure for plan amendment process

NLCA, Article 11, Part 6

- *11.6.1 Government, a DIO, or any person affected by a plan, may propose amendments to the plan to the NPC.*
- *11.6.2 The NPC shall consider a proposed amendment and, if it deems a review appropriate, review the proposal publicly.*
- *11.6.3 Upon completion of the process in Section 11.6.2, the NPC shall recommend to the Minister of Indian Affairs and Northern Development and the Territorial Government Minister responsible for Renewable Resources that:
(a) the proposed amendment be rejected in whole or in part; or
(b) the proposed amendment be accepted, in whole or in part.*

As background the proposed Mary River Project (the proposal) is located partially in the *NBRLUP* planning region. Approximately 35 km of the 180 Km long land portion of the transportation corridor is located inside the North Baffin planning region. The NPC and NIRB reviewed the proposal publically through a series of scoping sessions and agreed on May 30, 2012 that the Mary River project proposal meets those guidelines.

The NPC has determined that in accordance with the *NLCA* and *the NBRLUP* that an amendment to include the "transportation Corridor" in the *NBRLUP* is necessary and therefore recommends to the Ministers to amend the *NBRLUP*. I have enclosed two documents 1) The proposed amendment to the *NBRLUP*, 2) A map showing the location of the "Transportation Corridor"

I look forward to hearing from you at your earliest convenience.

Yours truly,



Percy Kabloona, Acting Chairperson
Nunavut Planning Commission

CC. Ryan Barry, Nunavut Impact Review Board
Karen Costello, Aboriginal Affairs and Northern Development
Stephen Bathory, Qikiqtani Inuit Association
Phyllis Beaulieu, Nunavut Water Board
Georgina Williston, Department of Fisheries & Oceans