



06 SEP 2016

Mr. James Arreak, Chief Executive Officer  
Nunavut Tunngavik Incorporated

Mr. David Akeeagok, Deputy Minister  
Department of Environment, Government of Nunavut

Ms. Sharon Ehaloak, Executive Director  
Nunavut Planning Commission

Mr. Ryan Barry, Executive Director  
Nunavut Impact Review Board

**SUBJECT: NuPPAA Implementation and Mineral Claim Staking**

Dear Colleagues:

I am writing to you in relation to concerns about interpretations of the new *Nunavut Planning and Project Assessment Act* that have resulted in referrals of mineral staking proposals to the Nunavut Planning Commission.

Specifically, I understand some staking proposals are being interpreted as a "project" under the Act and being referred to the Nunavut Planning Commission and subsequently being posted on the Commission's public registry. In some instances, these proposals are also being referred to the Nunavut Impact Review Board for screening.

During the development of the legislation no party made representation to suggest the activity of staking mineral claims meets the definition of a "project"; in fact, it has been understood for many years that the impacts of such activities are "manifestly insignificant" and as a result are usually exempt from screening as reflected in schedule 12-1(6) and section 12.3.2 of the NLCA. As such, mineral staking now generally falls outside of the definition of "projects" to be submitted to the Commission under *NuPPAA*.

Consequently, no authorization for staking activities on Crown lands is required from Indigenous and Northern Affairs Canada, and we do not forward such proposals to the Commission as they do not constitute a "project" under *NuPPAA*.

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There are two significant unintended consequences resulting from interpreting mineral staking as a "project". First, it undermines the "free entry" process that is at the core of the Mineral regime in Nunavut and across Canada. The relationship between the prospector and the issuer of subsurface rights is one that is based on a high degree of confidentiality due to the commercial risks associated with bringing a claim from registration to exploration. Prospecting is a low impact activity that is a high cost to the proponent. Maintaining commercial confidence between the mineral claim holder and the surface and subsurface rights holders is necessary to avoid speculative behaviors by other companies who could gain an advantage without incurring the same costs and risks as the original prospector.

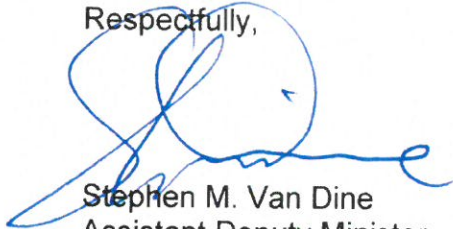
The second unintended consequence is the delay to proponents intending to undertake staking activities during the very short staking season. Each step resulting from the referral of staking proposals to Nunavut's planning and project assessment process takes time, results in uncertainty for proponents about when staking activities may proceed, and potentially delays the subsequent steps of the resource development process. Sending mineral claim staking proposals for review also has the potential to tie up the regulatory system with registrations and authorizations that are unnecessary.

Given the unintended consequences listed above, I would like to extend an invitation to you to help plan and participate in a *Nunavut Planning and Project Assessment Act* Implementation Workshop to more fully examine the technical issues and operational practices that we need to address to ensure the co-management regime in Nunavut operates effectively.

I have asked David Rochette, Regional Director General of INAC in Nunavut to lead the planning and organizing of this workshop and, for the sake of efficiency, propose it be held immediately following the Commission's Nunavut Land Use Plan Pre-Hearing Conference, scheduled in Iqaluit September 27-29, 2016. To this end, I invite you to contact David directly on your organization's interest and availability to participate in this workshop.

Thank you in advance for your consideration of this matter. Please do not hesitate to contact me if you have any questions or concerns.

Respectfully,



Stephen M. Van Dine  
Assistant Deputy Minister  
Northern Affairs  
Indigenous & Northern Affairs Canada

c.c.:

Mr. Bernie MacIsaac, Assistant Deputy Minister, Economic Development  
& Transportation, Government of Nunavut  
Mr. Paul Emingak, Executive Director, Kitikmeot Inuit Association  
Mr. Gabriel Nirlungayuk, Executive Director, Kivalliq Inuit Association  
Ms. Navarana Beveridge, Executive Director, Qikiqtani Inuit Association  
Ms. Stephanie Autut, Executive Director, Nunavut Water Board  
Mr. Gary Vivian, President, NWT & Nunavut Chamber of Mines  
Dr. Janet King, President, Canadian Northern Economic Development  
Agency



20 SEP 2016

Mr. James Arreak, Hivulliuriyanga Ihumaliuqtip Piliriyi  
Nunavut Tunngavik Timigutit

Mr. David Akeeagok, Ministam Tugliata  
Avatiliqiniq Pilirivvik, Nunavut Kavamangit

Ms. Sharon Ehaloak, Ihumaliuqtip Aulapkaiyi  
Nunavut Parnaiyaiyit

Mr. Ryan Barry, Ihumaliuqtip Aulapkaiyi  
Nunavut Avatiliqiyit Katimayit

**HIVUNIGIYANGIT: NuPPAA Pilimmakhainirnut unalu Uyararnut  
Nanminiliurahuarniq**

Turaarvigiyatka Parnauqatigiit:

*Colleagues,*

Titirarvigiyagit ilingnut ilagiyumavlugu ihumaaluutigiyauhimayut haffumani kangiqhidjutainit haffumani nutaamik *Nunavunmi Parnaiyaiyut Havaanullu Qauyiharnikkut Maligaq* pivalliyukhaq uuminnganit uyararnut turaaqtauhimayut haffumani uyararnut nanminiliurahuarnikkut tukhiutikhait ukunangat Nunavut Parnaiyaiyit.

Tutqinnaqtumik, kangiqhiyara ilanganit nanminiliurnikkut tukhiutinit kangiqhiyauyut uumani "havaariyauyukhaq" malikhugu Maligaq unalu kiugiaqaqtumik ukunangat Nunavut Parnaiyaiyit unalu kinguani naunaiyaivik nivinngaqtauhmayut uvani Parnaiyit kitunuliqaak atiliurvikhami. Ilaani, tahapkuat havaariyauyukhat turaaqhimayauvaktuq uvunga Nunavut Avatiliriyuat Katimayit nakuutqiyahiuraangamik.

Hamna pivalliavlutik haffumani maligaliurvingmi katimayiuqanngittuni turaarnikhanut ihumaliuriangani hamna hulidjuhiq nanminiliurahuagtunut uyararnut katilviugumiuk tukiliugainit haffumani "havaariyauyukhanut"; taimailiurniqqat, kangiqhiyauhimayut qangaraalungmi ukiunganit hamna aktuqtauhihmaningit haffumani hulidjuhingit "nalunaittuq ihumagiyaunngitpiaqhuni" unalu huurmikhaq ahivaqtauvaqtut hamangat nakuutqiyahiurnahuaraangat takunnaqhuni uvani havauhirmi 12-1 (6) unalu ilainnaa 12.3.2 haffumani NLCA. rom screening as reflected in schedule 12-1(6) and section 12.3.2 of the NLCA. Inmikkut, uyarait

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nanminiliurahuarniq tadjä taunngauhimavlutik hiltaanit haffumani tukiliutainit "havaariyauyukhanut" tuniyaugiaqaqtuni Parnaiyaiyunut malikhugu haffumani *NuPPAA*.

Talvangaanit, aulattitihimannaittuni nanminiliurahuarnikkut hulidjuhiit uvani Kuin nunangani maligiaqaqtangit kiugialiglu hamanngat Inuliqiyit Ukiuqtaqtumi Kanatami, hivuniukhayuinnapta tukhiutauhimayunut uvunga Parnaiyaiyunut aullaqtilihaalimainnamiuk "havaariyakhanut" malikhugu *NuPPAA*.

Malrurnik tukihinnaqtumik ihumagiyaunngittangit pivalliahimayangit hamanngat kangiqhinahuarnikkut uyarat nanminiliurahuarnikkut "havaariyauyukhanut". Hivunngani, hakuqhimavagaat "akiqanngittumik itirvikhamaat" piliriangit taamna hivulliutigiyauyuq haffumani Uyararnikkut ningiqtaaqhimanangit iluani Nunavunmi tamainnullu Kanatami. Hamna ilagiingniq uvanngat uyarakhaqhiuqti unalu tuniqhaiyi haffumani nunaup qaangani piyunnautingit kiklikhautauryurlu kingiktumik ukturautikhamut uumani ahinut hiamittitiyakhaunngittumi uumani maniliurahuarnikkut ingattaqhittailinahuagtunut ilagiyamingnit ukunanngat agyaqtuigumik nanminiliurahuarnikkut atiliurvikhanut qauyiharnikhanut. Uyaraqhiuqtunut naittumik aktuqtauhimavaktut hulidjuhianit taamna akitunnakpiaqhunilu haffumani havaakhaliuqtunut. Ikayughimanahuagtangit maniliurahuarnikkut ikayulluaqhimayuq ukunanngat uyararnut nanminiliqtangit unalu qaangani nunaup qaangani piyunnautingit amiqhaiyut taimaa pittailinahualaagtangit hivuuranaqtumik ilitquhiita ahinit kampaninit taimaa ikayugtaulluaqhimavaktutut ayuqhautihimaittumik aadjigiit akiliakhait hivuuranarningillu nanminiugaluami uyaraqhiuqtinit.

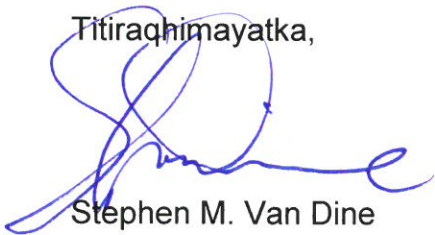
Hamna tugliatattaup upalungaiqhimaittuq ihumaaluutauhimayuq kinguvaqattaraangamiuk havaakhaliuqtunut naahugivlugit angirutihimanahuarlugit nanminiurahuagtangit hulidjuhiit naitpiaqtumik uyaraqhiurvikhainit. Iniliurvikhangit pivalliahimayuq hamanngat kiuningit uumani nanminiliurahuarnikkut Nunavutiup upalungaiyautikhait havaariyauyukhanullu qauyiharningit piliriangit hivituuvluni, pivallaaqpakhunilu naunaqtumik haffumani havaakhaliuqtunut qakugu uyaraqhiurvikhait hulidjuhiit aullaqtirialik, unalu kinguvainnaqhuik iniliurahuarnikhanut haffumani avatikhait pivallianingit pivalliyukhaq. Turaaqhigiangani uyaraat nanminiliurahuarnikkut tukhiutauyut qimilruriaqaqtut taimaattaup katilviugiangani haffumani maliguarutikhait ukunanngat aulattitivikhaillu pittailinahuarnaqhuni.

Tunihimaluni naaguhinngittangit kiuningit titiraiqhimayuq qulaani, uvanga ilautquiyagit ikayuriangani qanuq upalungaiyaigiangani ilautquyagillu ukunani *Nunavut Parnaiyainikhanut Havaariyauyukhanullu Qauyihainikhanut Maligainit* Pilimmakhainikhanut Havaarilugu katimatilluta ihivriudjarikhiyaamingni haffumani ayurnaqtumik ihumaaluutigiyait aulavikhanikkut uuktuqhimalugit turaaqhimagiaqaqtavut amiqhaiqatigiigluta hamna ningiqtaarutikhait iluani Nunavut aulattiaqhimagiangani.

Apirihimayara David Rochette, Aviktuqhimayumi Aulapkaiyi uumani INAC uvani Nunavunmi hivuliqtiuluni upalungaiyainirnut aulattitigianganilu katimaniarupta unalu, nakuulluarnikhainut, tukhiqhimaluni qilamuiqtumik piyukhautauyuq malikhugulu Parnaiyaiyiup Nunavut Nunat Atuqtaunikhainut Parnaiyautit Naalagvikhaat Katimalirumik, aulavikhaat katimavikhait Iqaluinmi uvani Saptaiya 27-29, 2016 mi. Nutqarutaanit, ilautquiyagit turaarvigilugu David, qilamuiqtumik havaativit timinganit ilauiyumagumik ukunani havaariyakhait katimaniarumik.

Quanaqqutit ihumaliurnikhanut haffumani mikhaagut.  
Turaarvigiinnariaqaqtarma ihumaaluutiqarniruvit apiquutiqarniruvilluuniit.

Titiraqhimayatka,



Stephen M. Van Dine  
Ministam Tugliata Ikayuqtinga  
Inuliqiyit Ukiuqtaqtumi Kanatami

C.C.:

Mr. Bernie MacIsaac, Ministam Tugliata Ikayuqtia,  
Havaanut Pivallialiqiniq Ingilrayunillu, Nunavut Kavamanga  
Mr. Paul Emingak, Ihumaliuqtiuyuq Aulapkaiyi Kitikmeot Inuit  
Katudjiqatigiit  
Mr. Gabriel Nirlungayuk, Ihumaliuqtiuyuq Aulapkaiyi, Kivalliq Inuit  
Katudjiqatigiit  
Ms. Navarana Beveridge, Ihumaliuqtiuyuq Aulapkaiyi, Qikiqtani Inuit  
Katudjiqatigiit  
Ms. Stephanie Autut, Ihumaliuqtiuyuq Aulapkaiyi, Nunavut Imaliqiyit  
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Dr. Janet King, Angayuqaanguyuq, Canadian Northern Economic  
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