



Inuvialuit Regional Corporation

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SEP 10 2012

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5 September 2012

Environmental Impact Review Board
P. O. Box 2120
Inuvik, Northwest Territories
X0E 0T0

Attention: Eli Nasogaluak
Environmental Impact Review Coordinator

Re: Tuktoyaktuk - Inuvik Highway Public Hearings

We write in response to your letter of August 10, 2012 to Inuvialuit Land Administration ("ILA"). In the letter you have asked that ILA present its views about the proposed project and "specifically the Panel would like ILA to address the potential effects on Category E lands and on community use of Inuvialuit lands, in Tuktoyaktuk and Inuvik".

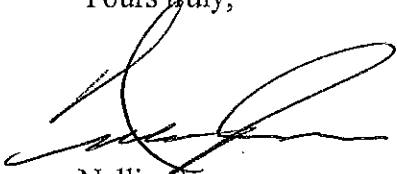
Addressing first the so-called Category E lands, I would refer you to the letter of 19 July, 2012 from Inuvialuit Regional Corporation to the Environmental Impact Review Board ("EIRB") on the subject. A copy of the letter is attached.

On the second matter of potential effects on community use of Inuvialuit lands, the Inuvialuit Final Agreement, the ILA Rules and Procedures and the Husky Lakes Management Plan would continue to apply to Inuvialuit owned lands in the area of the proposed highway. It is ILA's expectation that it will be a recipient of the EIRB report in this matter and that and other information gathered by ILA will be used to formulate recommendations respecting future action in this matter.

ILA is a division of Inuvialuit Regional Corporation ("IRC"). The board of directors of IRC have not yet taken a position on the Tuktoyaktuk to Inuvik Highway. IRC is awaiting the conclusion of the EIRB process which will help to inform any decision relative to Inuvialuit lands and the proposed highway.

The acting Chief Land Administrator, Josh Mackintosh, will attend the public hearings in both Inuvik and Tuktoyaktuk but will not be making any presentation.

Yours truly,

A handwritten signature in black ink, appearing to read 'Nellie Cournoyea', with a large, stylized loop at the end.

Nellie Cournoyea
Chair and Chief Executive Officer



Inuvialuit Regional Corporation

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19 July 2012

Environmental Impact Review Board
107 Mackenzie Road, Suite 204
P. O. Box 2120
Inuvik, Northwest Territories
X0E 0T0

Re: Community Conservation Plans, Category E Lands

We are writing to you in relation to Community Conservation Plans ("Plans") and a question which has arisen in relation to the Category E Lands designation in the Plans and the proposed Tuktoyaktuk to Inuvik Highway. We have been approached by the Government of the Northwest Territories Department of Transportation who have advised that in the process of conducting a public review of the proposed Tuktoyaktuk to Inuvik Highway, the Environmental Impact Review Board ("EIRB") have asked the project proponents to:

provide evidence and records of discussions with the affected community and community organizations that confirms that the use of these Category E lands for the ITH is acceptable. Failure to provide this information could force the Review Board to ask the Developer to provide information on an alternative routing that would avoid the Category E lands along the current preferred ITH alignment.

It appears that the EIRB may be according a status to the Plans that Inuvialuit Regional Corporation ("IRC") does not believe is supportable. Under the Inuvialuit Final Agreement ("IFA"), IRC is given responsibility "to generally represent the Inuvialuit and their rights and benefits" as well as "to administer the Inuvialuit lands ... and to take responsibility for matters related to the supervision, management and administration of such lands".

Despite IRC's responsibilities under the IFA and its role in relation to Inuvialuit lands, the Plans were developed without the participation of IRC and neither was IRC nor we understand, the other significant landowner, the federal Crown, invited to participate.

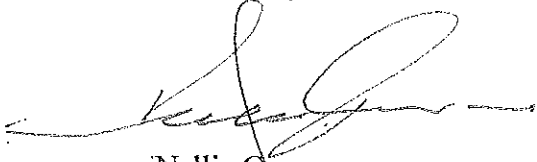
The Plans purport to prevent development in areas designated as "Category E". The Category E designation in the Plans covers a substantial portion of the Inuvialuit Settlement Region ("ISR"). The Category E description in the Plans reads as follows:

Lands and waters where cultural or renewable resources are of extreme significance and sensitivity. There shall be no development on these areas. These lands and waters shall be managed to eliminate, to the greatest extent possible, potential damage and disruption. This category recommends the highest degree of protection in this document.

There is neither IFA nor legislative authority for this prohibition or for any particular status for the Plans. The IFA has established institutions such as IRC, Inuvialuit Land Administration, Environmental Impact Screening Committee and EIRB which have responsibilities in relation to activities in the ISR. In exercising those responsibilities, consultation with and input from Hunters and Trappers Committees, Community Corporations and other institutions is sought and considered in the decision making process. The opinions expressed are entitled to be heard and respected but it is the job of the decision maker to evaluate the product of the consultation exercise and the conflicting information which may be presented. The Plans and their content represent the product of one such consultation exercise and nothing more.

While IRC respects and appreciates the effort that went into assembling the information contained in the Plans, IRC cannot and does not acquiesce in the direction taken to include a very broad prohibition against development in a substantial area of the region.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Nellie Gurnoyea', with a long horizontal flourish extending to the right.

Nellie Gurnoyea
Chair and Chief Executive Officer