



Summary Report

Resource Co-management Workshop

March 25 & 26, 2024



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EXECUTIVE SUMMARY

A Resource Co-Management workshop (workshop) was held March 26 & 27, 2024 in Łídlı́ Kúé (Fort Simpson), NWT. The event was hosted by the: Land and Water Boards of the Mackenzie Valley (Gwich'in, Sahtú, Mackenzie Valley, and Wek'èezhì), Government of the Northwest Territories, Crown-Indigenous Relations & Northern Affairs Canada, and Mackenzie Valley Environmental Impact Review Board (Review Board).

The goal of the workshop was to help familiarize participants with co-management and integrated systems of land and water management established through the *Mackenzie Valley Resource Management Act* (MVRMA), Land Claim and Self-Government Agreements. Interpretation was provided in Dene Zhatié/English during both days. The workshop also provided a venue for sharing information and facilitating feedback from developers, governments (Federal, and Territorial), consultants, Indigenous governments as well as other invited groups from across the Territory.

The workshop was attended by over 75 people, in-person (*See **Appendix A** for full list*). Participants included representatives from current and potential developers, resource management boards and committees, Federal and Territorial Governments, Indigenous Governments, and NWT community members. Over the two-day workshop there were presentations, panel discussions, question & answers periods, as well as an opening prayer. Following the workshop participants were welcome to join a community feast and attend a drum dance. The objectives of the workshop were to:

1. Familiarize participants with the co-management and integrated system of land and water management established through the MVRMA and Land Claim and Self-Government Agreements;
2. Provide an opportunity to share knowledge, ideas, experiences, and to discuss how to meaningfully participate in existing resource co-management processes; and,
3. Increase community capacity to effectively participate in co-management decision-making and the ongoing review of proposed and ongoing regional project developments.

The workshop allowed participants to meet in person, network, and share from learned experiences. A graphic recorder was also present during the two days. The graphic recorder captured key concepts of the workshop and synthesized information in a visual narrative.

This report presents a summary of the presentations and conversations which took place at this workshop and includes the following items:

- **Report** Workshop Synopsis
- **Appendix A** Attendance List
- **Appendix B** Agenda
- **Appendix C** Presentations

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1.0 WORKSHOP GOAL

The goal of the workshop was to help familiarize participants with co-management and integrated systems of land and water management established through the *Mackenzie Valley Resource Management Act (MVRMA)*, Land Claim and Self-Government Agreements. The workshop provided an opportunity for participants to share their knowledge, ideas, and experiences related to land management. It also provided a collaborative space to discuss how to meaningfully participate in existing resource co-management processes. The overall goal of the workshop was to increase community capacity, support effective participation in co-management decision-making, and the review of both proposed and ongoing regional project developments.

1.1 Acknowledgments



Photo of Dene National Chief Gerald Antoine & ǂııdııı Kúǂı First Nation Chief Kele Antoine

We would like to begin by acknowledging that we are in Treaty 11 territory and that the land on which we gather is the traditional territory of the ǂııdııı Kúǂı First Nation and the home of the Fort Simpson Métis Nation. We are grateful to the many Indigenous peoples of the NWT for allowing us the opportunity to learn, work and live on their lands. We are also deeply grateful for the generous sharing of traditional knowledge, wisdom, and ways of knowing, being and doing.

We respectfully acknowledge that Boards of the Mackenzie Valley, Government of the Northwest Territories, and Crown-Indigenous Relations & Northern Affairs Canada provide services on the traditional territories and homelands of the Dene, Inuit, and Métis peoples within the boundaries of the Northwest Territories. We are also deeply grateful for the sharing of wisdom and ways of knowing, being and doing with our members and employees.

With Thanks:

Special thanks to the planning committee of the host organizations, all the participants of the workshop and the organizers for their hard work and dedication in making the event a success. Your contributions and enthusiasm are greatly appreciated. Additionally, a big thank you to the following groups and individuals for supporting learning and collaboration at the workshop:

- Dene Nation, National Chief Gerald Antoine;
- Łíídlı́ Kúé First Nation and Chief Kele Antoine;
- Métis Nation;
- Dehcho First Nations and Grand Chief Herb Norwegian;
- Jessica Plummer, Graphic Note Taker, Bridge Building Group;
- Pido Production Limited;
- Interpreters Mary Jane Cazon and Elizabeth Hardisty;
- Ashley Okrainec, Community Liaison;
- Tanya Hardisty, host for Cultural Activity;
- Ginette Martineau and team, Catering;
- Village of Fort Simpson;
- Dehcho Drummers; and,
- K'iyeli Tourism Services.

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2.0 DAY 1 – WORKING WITH CO-MANAGEMENT RESOURCE BOARDS

The workshop opened with a prayer song from Dene National Chief Gerald Antoine and Łíídlı̨ Kúé First Nation Chief Kele Antoine and Dehcho Drummers from K'iyeli Tourism Services. The overarching theme of Day 1 was “Working with Co-management Resource Boards” which focused on collaborative governance structures and an integrated system of land and water management established through the Mackenzie Valley Resource Management Act (MVRMA) and Land Claim and Self-Government Agreements. Co-management typically involves multiple groups such as government agencies, Indigenous communities, non-governmental organizations, and other relevant parties, working together to make decisions regarding the sustainable management of natural resources.

During this day there were 8 presentations as well as a panel. Participants discussed various aspects of co-management, including the establishment, and functioning of resource management boards, decision-making processes, conflict resolution mechanisms, community engagement strategies, and the integration of traditional knowledge with scientific approaches.

Day 1 allowed attendees to reflect on the importance of decisions being made by co-management boards and how Treaties play a role in co-management in the Mackenzie Valley. Recognizing that most resource management processes rely on participation (from communities, treaty holders and other groups) and that human resources are the key to success, it is important to learn from legal decisions that are coming out (such as cumulative effects and how they impact traditional territories). Continuing dialogue among Indigenous signatories to the treaties, co-management boards, Government of the Northwest Territories, and Crown-Indigenous Relations & Northern Affairs Canada is very important for sharing information and collaborating.

2.1 Co-Management & Reconciliation Under Modern Treaties

Presentation by John Donihee, Of Counsel, Wilms & Shier Environmental Lawyers LLP.

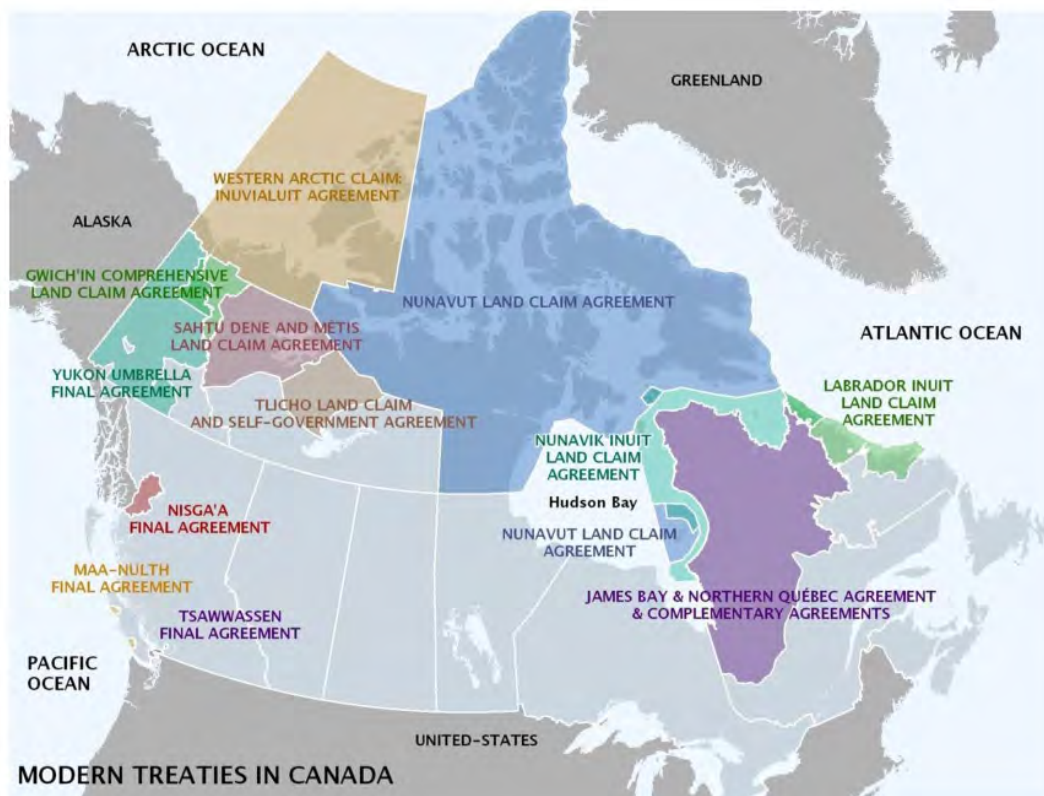
John is an expert in environmental, regulatory, administrative, and Aboriginal law in Canada's north. His particular focus is on environmental approvals for resource development, land claims implementation and modern treaties in Northwest Territories and Nunavut.

Key Points

The following is a summary of the key points from John Donihee’s presentation. The full presentation is appended to this report in **Appendix C**:

- The management and protection of renewable resources (land, water, wildlife etc.) in a large portion of Canada is subject to modern treaty-based co-management frameworks which are protected by section 35 of the *Constitution Act, 1982*, so their resource management frameworks are effectively permanent (**Figure 1**).
- Modern treaties include resource management frameworks intended to ensure sustainable use of wildlife, fisheries, forests, plants, land, water, and the environment, including protected areas. They also establish decision-making systems such as land use planning and environmental impact assessment which have direct effects on land use and natural resource development by third parties and give treaty holders a role beyond their traditional lands, in environmental and resource decision-making and provide for their involvement in resource management in all three Territories, and much of Northern Canada.
- Treaty-based co-management must be recognized as a compromise, formalized, and further developed at successive land claim negotiating tables.

Figure 1: Geographic Areas Covered by Comprehensive Land Claim Agreements



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Questions & Answers

A question-and-answer period followed the presentation. The following questions were asked by workshop attendees and responded to by John Donihee. The questions and responses have been lightly edited for length and clarity.

Q1. The term ‘reconciliation’ has become a political term which is connected to trauma for some (i.e., residential school experience). People who use the term may not know what they are saying. Some believe there is no way to bring back to original relationship, as there was not one. How do you undo the past and what does ‘reconciliation’ really mean?

A1. In this presentation the use of word ‘reconciliation’ has more to do with court rulings (accommodation and reconciliation - *create a more equitable and inclusive society by closing the gaps in social, health, and economic outcomes that exist between Indigenous and non-Indigenous Canadians*). The courts are part of the system, and they mean to find a relationship between Indigenous people, their rights, place on the land and the assertion of sovereignty the crowns historically made (French, Spanish, English etc.). There is not a way to undo the past, we cannot make it un-happen.

Q2. How can Engagement and Consultation Policies/Guidelines be created to support greater participation in co-management tribunals?

A2. There are variety of ways for improvement such as board processes, local connections and review of community supports. Through devolution, responsibilities can be transferred from GNWT to boards. For example, the Inuvialuit Regional Corporation Management Board of Directors has been established to support continual economic and social development as well as the cultural well-being of the Inuvialuit through the implementation of the Inuvialuit Final Agreement (IFA) and by all other available means.

2.2 Transboundary Assessments in the Mackenzie Valley

Presented by Mark Cliffe-Phillips, Executive Director of the Mackenzie Valley Environmental Impact Review Board. He was previously the Executive Director of the Wek’èezhì Land and Water Board (WLWB), as well as holding other roles prior with the WLWB and the Sahtu Land and Water Board.

Key Points:

The following is a summary of the key points from Mark Cliffe-Phillips’ presentation. The full presentation is appended to this report in **Appendix C**:

Mark gave an overview presentation of the integrated resource co-management system under the *Mackenzie Valley Resource Management Act* (MVRMA). The system is a result of the system outlined within modern comprehensive claims in the Gwich’in, Sahtu and Tłıchq regions. A brief description on the various components of the system was provided, including land use planning, land and water permitting and licensing, and wildlife and renewable resource management processes. A more detailed description of the environmental assessment

process and the role of the Mackenzie Valley Environmental Impact Review Board (Review Board) was described in a video and further discussion.¹

An overview of the following three types of transboundary assessment processes in the MVRMA under Part 5 was provided:

- Transboundary effects, where a proposed development is wholly within the Mackenzie Valley, but might have significant adverse impacts in another region. This may require a coordinated or joint review of those effects;
- Transboundary projects, where the physical footprint of the project is within the Mackenzie Valley and within one or more additional jurisdictions. Again, this may require an examination by a Review Panel with the Impact Assessment Agency of Canada, a joint review panel with another jurisdiction, or a coordinated review process; and,
- Transregional regional effects assessment, where a project is wholly outside of the Mackenzie Valley in an adjacent region of the NWT, Territory or Province, might have significant adverse effects within the Mackenzie Valley. The Review Board, with the approval of the federal Minister of Northern Affairs, may enter into an agreement with the responsible authority in the respective jurisdiction where the project is being proposed to provide for the Review Board to participate in the examination of the effects within the Mackenzie Valley.

Mark described the various Memorandums of Understanding (MoU) and Co-operation agreements the Review Board has with adjacent jurisdictions and with the Canada Energy Regulator.

The MoU's and cooperation agreements focus on:

- Minimizing duplication and overlap in the respective processes;
- Contributing to the timely review of projects with the potential for transboundary impacts;
- Sharing resources; and,
- Supporting capacity building across jurisdictions .

Additionally, Mark provided an overview of how the Land and Water Boards of the Mackenzie Valley consider transboundary projects. If the project overlaps two or more management areas within the Mackenzie Valley, the Mackenzie Valley Land and Water Board (MVLWB) forms a transboundary panel made up of Board members from the regions where the project overlaps. Additionally, if a project is Transboundary with a jurisdiction outside of the Mackenzie Valley it falls within the jurisdiction of the MVLWB for the portion of the project within the Mackenzie Valley.

¹ Video in [English](#) and [Dene Zhatié](#) (South Slavey)

Questions & Answers:

A question-and-answer period followed the presentation. The following questions were asked by workshop attendees and responded to by Mark Cliffe-Phillips. The questions and responses have been lightly edited for length and clarity.

Q1. Is there a panel between Wek'èezhìi and Sahtu Land and Water Boards?

A1. A panel is created for each project.

Q2. Is there an advisory process as part of the transboundary projects?

A2. Part of Memorandums of Understanding (MOUs), still working on details for guidelines for notifications.

Q3. With ongoing review and development in the north, climate change is a concern. Does the Review Board have baseline studies they use to review development?

A3. Follow up and monitoring programs are important to adapt processes and/or projects as climate change impacts are identified, especially for phased approaches.

Q4. A lot of us live by the water that flows to us from other provinces and territories, so it is important to let people know what is coming downstream and that residents have a say in what goes in our water. Are we monitoring water that comes into territories?

A4. Yes, community-based monitoring is happening. However, monitoring may be happening in silos and information is not being shared widely for planning, permitting or Land & Water Board decision-making.

2.3 Northern Regulatory Initiative

Presented by Tyla Ahluwalia, of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

Website: <https://www.rcaanc-cirnac.gc.ca/eng/1545150205116/1547478360408>

Key Points:

The following is a summary of the key points from Tyla Ahluwalia's presentation. The full presentation is appended to this report in **Appendix C**:

- Modern treaties form the basis of northern regulatory systems.
- Northern Regulatory Initiative is designed to respond to these needs by helping to advance a more clear, trusted, and functional regulatory system(s) in each Territory.
- Currently developing processes to support Indigenous participation in pre-submission and post-decision stages of impact assessments and land use planning initiatives.
- Northern Participant Funding Program, established in 2018, was renewed for an additional 5 years (April 1, 2023, to March 31, 2028):
 - Funding up to \$150,000 per recipient, per project, per year; and,
 - Supports meaningful participation in the environmental and socio-economic impact assessment processes established under land claims agreements.

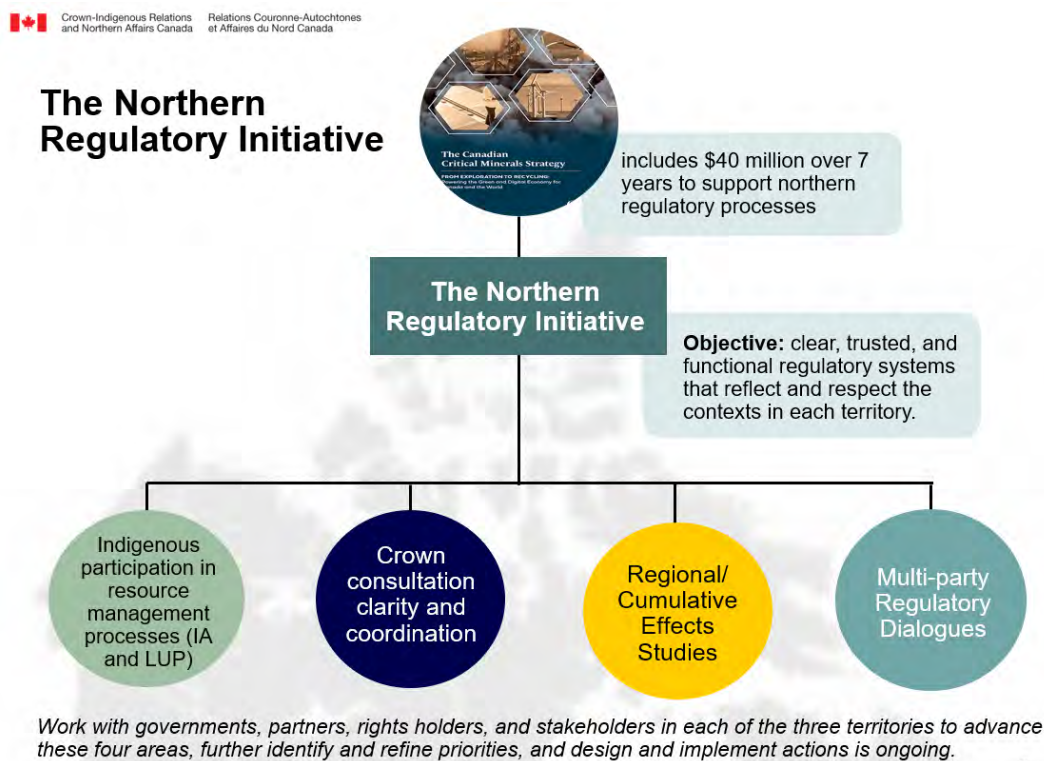
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- Dedicated funding streams include:
 - Environmental Assessments;
 - Certain Regulatory Processes (Water Licences with Hearings); and,
 - Capacity Building.

Figure 2: CIRNAC Northern Regulatory Initiative



2.4 The Yahey Decision: Treaty Rights and Regulatory Failure

Presentation by Larry Innes, OKT LLP. Larry has worked with First Nations on lands and resources issues for more than 25 years and has developed extensive experience in the negotiation of impacts and benefits agreements, environmental assessment, co-management measures, self-government, and treaty provisions.

Website for Case Law:

<https://www.bccourts.ca/jdb-txt/sc/21/12/2021BCSC1287.htm>

Key Points:

The following is a summary of the key points from Larry Innes' presentation. The full presentation is appended to this report in **Appendix C**:

- In 2021, the BC Supreme Court ruled that the Province of British Columbia had unjustifiably infringed the Treaty 8 rights of the Blueberry River First Nation by "permitting the cumulative impacts of industrial development to meaningfully diminish Blueberry's exercise of its treaty rights".

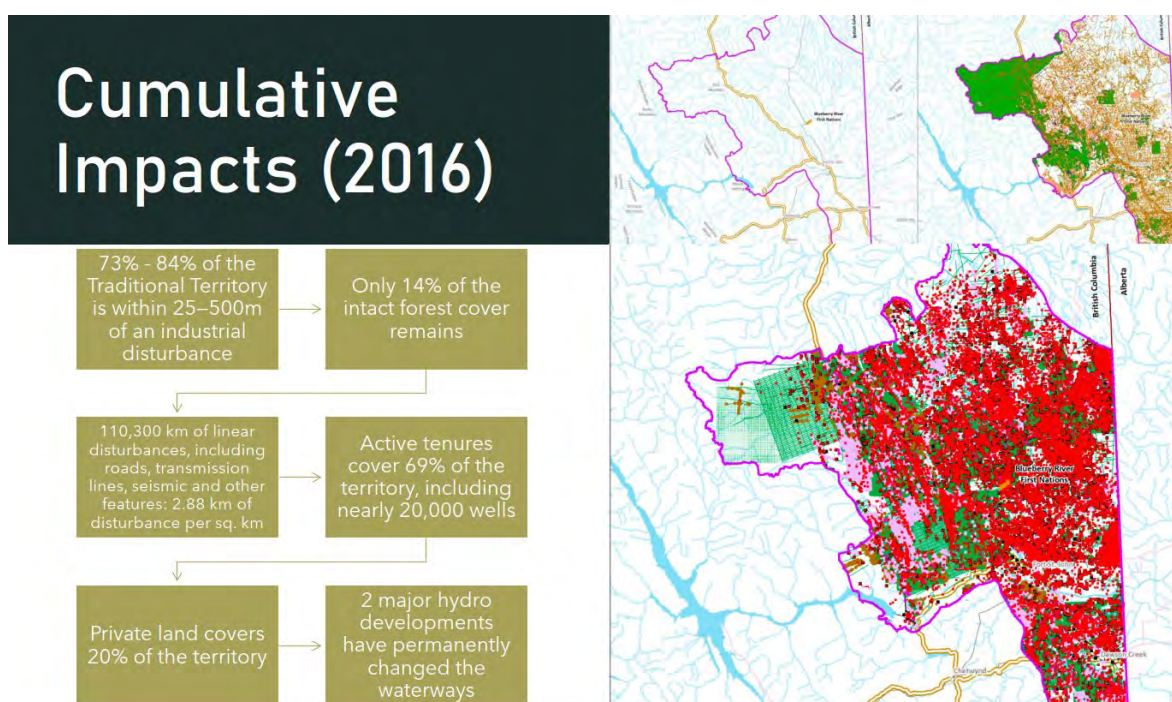
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- Court ruled that the Province had failed to:
 - Develop processes to assess whether the ecological conditions in Blueberry River First Nation's traditional territories are sufficient to support Blueberry River First Nation's way of life;
 - Develop processes to assess or manage cumulative impacts to the ecosystems in Blueberry River First Nation's traditional territories and/or on their treaty rights;
 - Implement a regulatory regime or structure that will consider and protect treaty rights, and that will guide decision-making for taking up lands or granting interests to lands and resources within Treaty 8; and,
 - Put in place interim measures to protect Blueberry River First Nation's treaty rights while these other processes are developed.

Figure 3: Cumulative Impacts on Blueberry River First Nation



2.5 Panel Discussion: Indigenous Perspectives on the Yahey Decision

This panel discussion provided a format of public discourse where a group of experts including **John Donihee**, **Larry Innes** and **Dene National Chief Gerald Antoine** convened to discuss the Yahey Decision. Each member of the panel offered their insights, experiences, and expertise on the subject matter, contributing to a diverse and multi-faceted conversation about Treaty Rights and Regulation.

Questions & Answers:

A question-and-answer period followed the panel discussion. The following questions were asked by workshop attendees and responded to by members of the panel. The questions and responses have been lightly edited for length and clarity.

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Q1. How do we feel about NWT based on Blueberry River First Nation's experience?

A1. The NWT still has a lot of pristine areas, but industry brings a lot of pressure and desire to use lands. At some point in time the Northwest Territories and Federal Governments could allow areas to be greatly impacted by mining. The Land and Water Boards have an important role. Blueberry River First Nation's lands have been greatly impacted by fracking (e.g., need to bring drinking water out on the land). The court case was a victory but also occurred after the fact. What is done is done, you cannot undo it.

Q2. Based on the Supreme Court decision, are there important things for regulators here to think about?

A2. Land claims settlements take a lot of energy. Once you have the agreement you still have to be vigilant to make sure rights that are granted are in fact protected. When governments change (and in the case of devolution) land claim agreements need to be shared. Cumulative effects assessment looks into future and guide how development occurs. Funding is not always adequate and does not cover all the steps of the process. If you want to have a real conversation you must consider the fairness in resources.

Q3. Provinces (and Territories) believe it is up to the Crown to consult as part of Treaty, can you provide clarity?

A3. Treaty is constitution; everything else is a permit. In the Dehcho, Treaties are made through Chiefs, Territorial and Federal Governments. Treaty right meetings occur with Indigenous lawyers who understand treaty concept extensively and work at the United Nations level (UNDRIP), so there is understanding that treaties are powerful instruments and supersede other laws in the country.

The Supreme Court decision about Blueberry River First Nation showed that Treaty 8 was elevated, and this can be done across the country. The design of a system should make Treaty Rights part of the process up front.

Q4. Does the Devolution Agreement require considerations for working together?

A4. The *Waters Act* S.N.W.T. 2014, c.18 and *Mackenzie Valley Resource Management Act* S.C. 1998, c. 25 have shared the Land and Water Boards including their roles and responsibilities. As part of the review and update of the *Waters Act* the Territorial and Federal Governments as well as the First Nations will need to work together and share seats at the table. It will also require leaders to think outside the box in terms of unconventional, or new perspectives on co-management. For example, administrative tribunals may be able to make decisions that they were not originally designed for.

Q5. How should external stakeholders navigate instances of conflict, where some First Nations agree, and some do not?

A5. The fundamental purpose of Treaty is to ensure good relationships going forward. Where relationships descend into arguing points, relationships and good communications are very important. However, there are times when regulations do not help with the answer, so it is important to ensure there is conversation and communications among the parties. Use of traditional approaches to problem solving is encouraged. For example, in the summer older people from their families would get together and talk about important issues such as hunting, fishing, food security etc., and the groups would take steps to act in ways that were good for everyone.

Q6. Considering the different policies and vastness of NWT, what can be protected, what is possible for the Dene world view?

A6. The governments in the territory are using powers that are very old. Where the territories are now (devolution) and with new governments in NWT there are opportunities to keep focus on treaty rights by developing and maintaining relationships. The key is to hold onto the opportunities you have and not let them slip away. After the Blueberry River First Nation decision, BC did not appeal but sat at table and negotiated (form of co-management).

Q7. GNWT has different points of failures, can you talk about the most pressing?

A7. The top that come to mind:

- Canada passed lands to GNWT through devolution, but it is unclear what the plans are for Lands and Waters in the territory;
- Dehcho Land Use Plan has been sent to GNWT but not really approved by GNWT (<https://dehcho.org/resource-management/stewardship/dehcho-land-use-plan/>);
- GNWT may decide it's we (government) and they (other groups), so boards and tribunal are outside of the government, which is not truly co-management;
- Information not being shared among governments; and,
- Written comments provided during consultation may not be within the mandate of the department facilitating the communications (e.g. thanks for your comments, we don't know what to do with them).

2.6 Prairie Creek Project Update

Presented by Claudine Lee, VP CSR NorZinc Ltd.

Project Website:

<https://norzinc.com/prairie-creek/>

Key Points

The following is a summary of the key points from Claudine Lee's presentation. The full presentation is appended to this report in **Appendix C**:

- Located in traditional Dene territory in Canada's Northwest Territories. The Prairie Creek Project consists of the Mine and surrounding land and access.
- Surrounded by, but excluded from, the Nahanni National Park Reserve.
- The 2021 Mineral Resource Estimate for the Prairie Creek Project includes 9.8 M tonnes of total Measured & Indicated ("M&I") Resources at 22.7% Zinc equivalent metal grade (ZnEq. %) and 6.4 M tonnes of total Inferred Resources at 24.1% ZnEq² and is estimated to have a 20-year mine.
- 170km all-season access road is proposed to be constructed in 3-year construction schedule.

² ZnEq - Zinc Equivalent metal grade

- Using existing infrastructure.
- Strong relations with local communities and governing bodies.
- Small environmental footprint.
- No tailings.
- Use of alternative energy.
- Social responsibility and social licence.
- Agreement with GNWT.
- Naha Dehé Dene Band Impact Benefit Agreement.
- Łíídlı́ Kue First Nation Impact benefit agreement, Road benefit agreement.
- Acho Dene Koe Transportation Corridor Agreement.
- Northern Benefits still to be determined.

Questions & Answers

A question-and-answer period followed Claudine Lee's presentation. The following questions were asked by workshop attendees and responded to by Claudine. The questions and responses have been lightly edited for length and clarity.

Q1. Can the zinc you are mining be used for supplements?

A1. Yes, a very small part of it can be used.

Q2. Was the exploration project grandfathered into the reserve?

A2. Lots of exploration has been done over time, the park expanded around the mine which is on Dehcho Lands and have been accounted for in LWB review. There will be a little loss of water through evaporation. Water being used will be covered in water licence.

Q3. Can you talk about potential acid rock drainage?

A3. Rock that is there has low acid generating potential. Geotech study for the road will investigate acid and have verifications that are included in the plan.

Q4. Is evaporation considered as part of the recycled water?

A4. Milling happens inside the building so limited evaporation, which is good because it reduces how much water is being used (i.e. drawn under water licence).

Q5. Is it hard to get the approval because it's going through a National Park?

A5. Yes, there are various regulators, so things are more complicated with different policies. Currently, there is an MOU with Nahanni National Park Reserve. Mackenzie Valley Land and Water Board is also working with Parks Canada.

2.7 Mackenzie Valley Highway All Season Road Update

Presented by Kelly Bourassa, Senior Environmental Analyst with GNWT Department of Infrastructure

Project Website:

<https://www.inf.gov.nt.ca/en/MVH>

<https://reviewboard.ca/registry/ea1213-02>

Key Points:

The following is a summary of the key points from Kelly Bourassa’s presentation. The full presentation is appended to this report in **Appendix C**:

- Two-lane gravel highway, 321 kilometres in length (Wrigley to Norman Wells).
- 40 of 42 bridges are already constructed.
- Part of GNWT Transportation Strategy that is intended to connect all season gravel road from Wrigley to Tuktoyaktuk.
- 10 years to build over a 20-year period (depends on funding).
- Engagement completed in affected communities.
- 2023 submitted Developer’s Assessment Report to MVIRB.
- Currently undertaking engagement and consultation, Engineering & Design studies as well as Traditional Knowledge Studies.
- Next Steps:
 - 2024:
 - Environmental Assessment Review Board Process;
 - Engineering & Design Studies;
 - Engagement & TK Studies; and,
 - Indigenous Consultation.
 - 2025:
 - Public Hearing and Follow-up;
 - Report of Environmental Assessment;
 - Federal Lobbying for Construction Funding;
 - Engineering & Design Studies; and,
 - Responsible Ministers’ Final Decision.
 - 2026:
 - Application for Construction Regulatory Authorizations;
 - Federal Lobbying for Construction Funding;

Project History

- 2010-12 Project Description Reports
- 2013 EA Referral
- 2015 MVEIRB TOR Issued
- 2018 Federal Funding
- 2019-2023 Technical Studies Completed

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- Procurement (Pending Funding); and,
- Engineering & Design Studies.
- 2027-20xx:
 - Start Construction (Pending Regulatory Authorizations & Funding); and,
 - Construction & Construction Monitoring.

Figure 4: Proposed Mackenzie Valley Highway All Season Road



Questions & Answers

A question-and-answer period followed Kelly Bourassa's presentation. The following questions were asked by workshop attendees and responded to by Kelly. The questions and responses have been lightly edited for length and clarity.

Q1. Have you considered climate change in this project?

A1. Yes, we have factored in climate change and will continue to do studies on ground conditions to help determine location and construction details. We are using gravel which is also easier to maintain through climate change impacts.

Q2. Are you only expanding from Wrigley on?

A2. Long term vision is to get to Tuktoyaktuk, but this project is currently with the Review Board and currently it is only from Wrigley to Norman Wells. Fort Providence to Wrigley has a lot of gravel areas that are very rough, especially during breakup. From the Junction to km 232 is all chip sealed and from that point to Jean Marie River turn off (375) have area that is not chip sealed (472), which leaves about 570km that are not chip sealed.

Q3. Are there any thoughts about chip sealing in the future?

A3. No, not as part of this project.

2.8 OROGO Reclamation Activities Update

Presented by Pauline de Jong, Office of the Regulator of Oil and Gas Operations (OROGO)

Relevant Websites and Resources:

<https://www.oroqo.gov.nt.ca/>

https://www.oroqo.gov.nt.ca/sites/orogo/files/resources/2022-05-25_-_revised_well_suspension_and_abandonment_guidelines_and_interpretation_notes.pdf

https://www.oroqo.gov.nt.ca/sites/orogo/files/resources/orogo_annual_report_2022-2023.pdf

Key Points:

The following is a summary of the key points from Pauline de Jong's presentation. The full presentation is appended to this report in **Appendix C**:

- OROGO regulates oil and gas operations in the Northwest Territories, outside federal areas, and the Inuvialuit Settlement Region, for the primary purposes of ensuring: Safety, Environmental protection and Conservation of oil and gas resources.
- Responsibilities include Reviewing applications; Monitoring; Inspections and Responding to incidents (Emergency response and investigation).
- Work with other regulators (such as Land and Water Boards, Workers Safety and Compensation Commission, Canada Energy Regulator).

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- Preliminary screenings, post season briefings, weekly meetings with operators for all regulators, joint inspections, and discussion on areas of joint regulation.
- Oil and Gas Reclamation:
 - Wells:
 - Permanently plugged, cut, and capped (abandoned);
 - Potable groundwater protection;
 - Oil and gas zones isolated; and,
 - Signage installed.
 - Pipelines:
 - All pipelines pigged and purged (cleaned);
 - Above-ground components removed; and,
 - Underground components capped.
 - Infrastructure:
 - Separator shacks, batteries, and other above ground infrastructure;
 - Must be removed within 12 months of well abandonment; and,
 - Any remaining spills or debris must be cleaned up.



2023-24 data to
March 22, 2024

Figure 5: Suspended Wells (2017-2024)

- Abandoned Wells Update:
 - Went from 90 to about 15 suspended wells between 2017 – 2024 (see **Figure 5**); and,
 - About 85% of wells have been capped.

Questions & Answers

A question-and-answer period followed Pauline de Jong's presentation. The following questions were asked by workshop attendees and responded to by Pauline. The questions and responses have been lightly edited for length and clarity.

Q1. For joint inspections, who was contacted in the Sahtu for GNWT Department of Environment and Climate Change?

A1. OROGO was not able to make a joint inspection happen yet but will continue to try and coordinate inspections going forward.

Q2. Can you clarify what Paramount site you are referring to?

A2. There was a site abandoned last year that is located directly north across the river from Fort Liard (west Liard field) along the all-season road.

Q3. Do you have a digital map of the wells?

A3. Yes, maps are currently being updated and should be available in the next month or so.

2.9 Cantung Project Update – NATC/A&M

Presented by Sam Kennedy (CIRNAC) and Sharleen Hamm (Consultant to NATC).

Relevant Websites and Resources:

https://www.iti.gov.nt.ca/sites/iti/files/13250_iti_commodity_fact_sheets_tungsten.pdf

<http://natungsten.com/s/Cantung.asp.html>

Key Points:

The following is a summary of the key points from Sam Kennedy's presentation. The full presentation is appended to this report in **Appendix C**.

- The Cantung Mine is located northeast of Watson Lake in the Flat River Valley of the Selwyn Range close to the Yukon border and is road-accessible via Watson Lake, Yukon.
- Discovered in 1954 and mined since 1962, the Cantung Mine produced tungsten, off and on, until October 2015. At its height, there were about 230 employees and the townsite housed 600 people.
- The mine predates MVRMA, 2000s decision to continue mining and milling was exempt from impact assessment.

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- In 2009, a feasibility study was completed for Mactung; an underground mine was envisioned with a mining rate of 2,000 tonnes/day. Mine life for the underground development was predicted to be 11 years, while an open pit had the potential to expand the mine life by 17 years.
- 2015-2016 relicensing and authorization of dry stack tailings facility:
 - Cantung re-entering C&M;
 - Through processes set out in the NWT Devolution Agreement, Cantung became the responsibility of Canada at the request of GNWT; and,
 - Attempt to sell Cantung was not successful.
- 2017-2023:
 - Attempt again to sell was not successful;
 - Decision to move towards final closure;
 - Undertook technical work to support closure plan; and,
 - Continued care and maintenance, contractor now in place, seasonal site presence, new water licence in place.
- 2024:
 - Have to follow guidelines for reclamation from LWB (goals and objectives) which are being updated based on engagement;
 - Post closure use of the site is being investigated;
 - Risk reduction work can happen (i.e., asbestos abatement) as remediation design is being prepared; and,
 - next phase of the project is remediation design.

No Questions & Answers

There was no discussion after this presentation.

2024 RESOURCE CO-MANAGEMENT Workshop! *kiidly Kijé*

WOOD-HOO!

IT IS MORE THAN JUST 'RESOURCES' IT IS THE LIFE BLOOD OF OUR CULTURE

THE LAND DOES NOT NEED US BUT WE NEED THE LAND

Water Knows no boundaries

IT IS A SHARED Responsibility THAT WE ALL SHARE

We must work together to safeguard these resources for future generations

RECOGNITION

CO-MANAGEMENT IS AN IMPORTANT PART COMPONENT TOWARDS RECOGNITION BUT IT IS ONLY PART OF THE PUZZLE.

IT IS HARD TO ACHIEVE RECOGNITION BECAUSE IT INVOLVES RE-ESTABLISHING THE ORIGINAL RELATIONSHIP

IT IS TRUE I WOULD PREFER TO LIVE ON MY OWN LAND BUT I WOULD PREFER TO LIVE WITH YOU

ALL MODERN LAND CLAIMS ARE CALLED TREATIES RECOGNITION IS FOUND IN A RESPECTFUL FULFILLMENT OF THESE TREATIES

ALL MODERN TREATIES INVOLVE CO-MANAGEMENT CO-MANAGEMENT IS FOCUSED ON PROTECTING THE LAND

IT IS A MECHANISM TO BE ABLE TO OFFER BETTER INVOLVEMENT AND TO BE ABLE TO GENERATE A SOLUTION WHERE THOSE WHO LIVE ON THE LAND AND ARE IN A COMMUNITY ARE ON BOARD

—JOHN DANIEL—

THE DECISIONS WE MAKE HAVE AN IMPACT ON THE WAY WE LIVE ON AND WITH THE LAND.

Communication AND meaningful Consultation

= MEANINGFUL PARTICIPATION IN THE CO-MANAGEMENT PROCESSES + INCREASED COMMUNITY PARTICIPATION + CAPACITY UNDERSTANDING

There are 3 STRANDS THAT HOLD THE BEAN TOGETHER. THESE STRANDS ILLUSTRATE THE PRIORITIES OF RELATIONSHIP. THE MORNING STAR... THE FIRST LIGHT REPRESENTS RELATIONSHIP.

RELATIONSHIP WITH OTHERS

RELATIONSHIP WITH SELF

RELATIONSHIP WITH THE LAND

THE WAY TREATIES WERE made

Elders sat down and talked about important issues → to discover what issues might arise BEFORE it becomes a problem.

—PANEL DISCUSSION—

THE TREATY

- IS A CONSTITUTIONAL OBLIGATION
- IS A PEACE AGREEMENT MADE BY THE INDIGENOUS PEOPLE
- TREATY RIGHTS NEED TO BE PLACED UPGRADE
- IS TO ENSURE GOOD RELATIONSHIPS
- PROPER NEEDS TO BE GIVEN TO THE TREATY

DOCTRINE DISCOVERY WAS BUILT INTO THE TREATY THAT STATES WE CAN LIVE ON THE TREATY

BLUEBERRY RIVER FIRST NATIONS IS A GENERATION OF LEADERS!

THEY SHOULD HAVE HAD THE COURT CASE BEFORE THEY TIRE UP THE COUNTRY.

WHAT NATURE NEED IS AN EXAMPLE

THE YAHEY DECISION

COMMUNICATION FAILURE

YOU CAN'T DRINK OUT OF THE RIVER LIFE YOU USED TO

THE TERRITORY IS TO PUT UP

75%-85% OF THE BLUEBERRY FIRST NATIONS TERRITORY WAS WITHIN 250-500 M OF DISTURBANCE

ONLY 14% OF THE TERRITORY WAS KEPT IN TACT.

—LARRY INNES—

IT IS GOOD TO FINALLY SEE SOME OF THESE INITIATIVES TAKE SHAPE!

THE FEDERAL GOVERNMENT IS MAPPING OUT HOW

How

- HOW TO BEST COORDINATE WHEN GOING FORWARD?
- HOW TO BEST DEVELOP A 'FRAME OF REFERENCE' THAT PROVIDES CONTEXT AROUND THE WORK BEING DONE?
- TO DISCOVER HOW TO BEST SUPPORT THE WHEN, WHO AND HOW THAT IS BEST FOR COMMUNITY → FROM COMMUNITY

—CROWN-INDIGENOUS RELATIONS AND SOUTHERN AFFAIRS CANADA

Mackenzie Valley Environmental Impact Review Board

As an organization:

- WE HAVE LEARNED THAT IT IS BETTER TO LOOK BEFORE YOU JUMP
- WE ARE ADAPTING TO DIFFERENT WAYS OF communicating
- INTEGRATION IS SOMETHING WE NEED TO KEEP WORKING ON.

IT IS IMPORTANT FOR US TO BE PROACTIVE NOT REACTIVE

FOR PROJECTS: We must consider the ANIMAL KIN DON'T KNOW OUR HUMAN BOUNDARIES

FOR PROJECTS: We must consider what goes INTO OUR WATER NOW AND FOR FUTURE GENERATIONS

FOR PROJECTS: we must consider the impact may go beyond just the location of the project.

—MARK CLIFFE-PHILLIPS—

Government of Northwest Territories

Mackenzie Valley Highway All Season Road

—JELLY BURKHA—

Bridge Building GROUP Jessica Plummer



3.0 DAY 2 – LAND USE PLANNING, MONITORING ACTIVITIES AND SUCCESS STORIES

Day 2 was focused on Land Use Planning, Monitoring Activities and Success Stories from the Dehcho and other Regions.

During the day there were Land Use Planning presentations on the: Dehcho Land Use Plan, Sahtú Nek'e Ɂeghálats'eyeda Kesóridaots'edéhɁake (Sahtú Land Use Planning Board), Tłjchq Wenek'e (Tłjchq Land Use Plan), Gwich'in Land Use Planning Board, and Regional Strategic Environmental Assessment in the Slave Geological Province. There were also presentations on Monitoring Programs in the Dehcho, including: Kakisa Protected Area, Aboriginal Aquatic Resource and Oceans Management, K'asho Got'ine Guardians, Ni Hadi Xa, and Nahanni National Park Monitoring Program. Following these presentations there was a panel discussion on Monitoring Programs Successes and Challenges which focused on the role of Guardians.

Before the end of the day there was a presentation on the Indigenous Leadership Initiative as well as a panel discussion titled "Looking Forward" in which Emerging Leaders were able to speak about their personal achievements, their dreams, and their hopes for the future.

Day 2 allowed attendees to reflect on the importance of learning from Elders on how to connect with the land and those we are with. They model a lot of ways of connecting with the environment. Opportunities to be observant and learn on the land should be encouraged and pass down truths from generation to generation. There are over thousands of years of shared lived experience to learn from.

3.1 Dehcho Land Use Planning Update

Presented by Heidi Wiebe, Planner and Dehcho First Nations Grand Chief Herb Norwegian

Project Website:

<https://www.dehcholands.org/>

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Key Points

The following is a summary of the key points from Heide Wiebe and Grand Chief Herb Norwegian's presentation. The full presentation is appended to this report in **Appendix C**:

- The Interim Land Use Plan is intended to be legally binding within the regulatory system once approved and implemented.
- The Draft Interim Dehcho Land Use Plan has been under development since 2002. The Committee is completing revisions to the Draft Interim Plan based on reviews of the parties to the Committee, and engagement with other organizations.
- Mandate of the Dehcho Land Use Planning Committee (DLUPC):
 - Develop a land use plan for the Dehcho territory for lands outside the existing boundaries of a local government and Nahanni National Park Reserve; and,
 - Taking into consideration the principles of respect for the land, as understood, and explained by the Dehcho Elders, and sustainable development, the Plan shall provide for the conservation, development and utilization of the land, waters, and other resources in the Dehcho territory.
- Once approved by all Parties, the land use plan may provide binding and non-binding direction on the following topics to guide land use and mitigate impacts from development.
- Seven (7) Types of Land Use Zones, each has proposed Permitted /Prohibited Uses.
- Conditional Uses (Under Revision):
 - Non-exclusive geophysical surveys (seismic);
 - Minor infrastructure;
 - Community Expansion & Infrastructure;
 - Quarrying;
 - Transportation & Utility corridors;
 - Pipelines;
 - Hydro-electric development;
 - Forest Management Activities: Prevention of forest fire and disease, salvage logging;
 - Previously managed through Conformity Requirements; and,
 - Moving under Zoning to clarify which uses are allowed in Conservation Zones (and in some cases Candidate Protected Areas), and to harmonize the conditions for this.
- Outstanding Issues at Main Table:
 - Relationship between the Plan and the Dehcho Interim Measures Agreement (IMA);
 - Geographic Scope of the Plan;
 - Special Infrastructure Corridors; and,
 - Termination Clause.



Figure 6: Next Steps for Dehcho Land Use Plan

No Questions & Answers

There was no discussion after this presentation.

3.2 Sahtú Land Use Planning Update

Presented by Justin Stoyko, Executive Director Sahtu Land Use Planning Board (SLUPB)

Relevant Websites and Resources:

<https://sahtulanduseplan.org/>

https://www.eia.gov.nt.ca/sites/eia/files/sahtu_dene_and_metis_comprehensive_land_claim_agreement_0.pdf

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The following is a summary of the key points from Justin Stoyko’s presentation. The full presentation is appended to this report in **Appendix C**:

- First Sahtú Land Use Plan (SLUP) approved 2013.
- The conformity determination of the SLUPB is final and binding. The SLUPB can also receive requests and make decisions on exceptions to the Plan. The Plan is required to be reviewed every five years to ensure its relevance and effectiveness in the future but can be amended at any time. Any changes to the Plan must be approved by all three parties (SSI, GNWT, Canada) to take effect.
- 5-Year Review Amendments are in effect as of June 7, 2023.
- The SLUPB was formally established in 1998 when Part 2 of the MVRMA came into force. Over the years, the Board has worked with communities, governments, industry, and other stakeholders to:
- Create a vision for the Sahtu Settlement Area; collect information about land, resources, and people of the Settlement Area; and develop a land use plan that provides for the conservation, development and use of land, waters, and other resources.
- Changes in the 5-Year Review include:
 - Updates to legislation;
 - Corrections of typos and other problems;
 - Significant mapping review and update; and,
 - Community requested changes to zoning.

No Questions & Answers

There was no discussion after this presentation.

3.3 Tłı̨chǫ Wenek’e (Land Use Plan) Update

Presented by Mark Poskitt, Planner and Phoebe Rabesca, Tłı̨chǫ Government, Department Culture & Lands Protection

Relevant Websites and Resources:

<https://www.tlicho.ca/news/comprehensive-review-t%C5%82%C4%B1%CC%A8ch%C7%AB-wenek%E2%80%99e-land-use-plan>

<https://tlicho.ca/government/culture-lands-protection>

Key Points

The following is a summary of the key points from Mark Poskitt and Phoebe Rabesca’s presentation. The full presentation is appended to this report in **Appendix C**:

- Tłı̨chǫ Wenek’e is the Land Use Plan for the Tłı̨chǫ region which was enacted as a Tłı̨chǫ Law in 2013.

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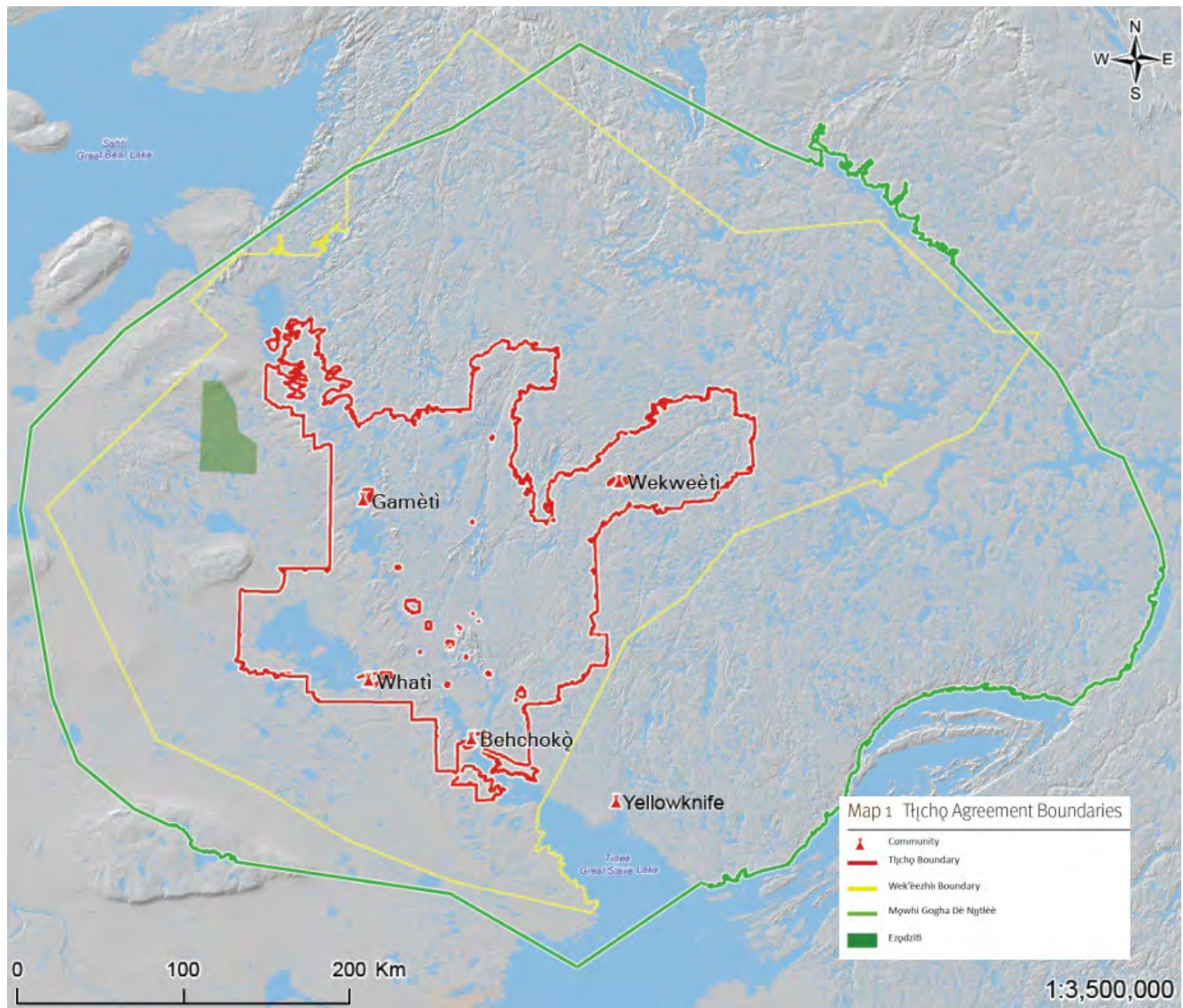


Figure 7: Tłı̨chǫ Land Boundaries

- Key goals of LUP include:
 - Protect the land, water, and wildlife;
 - Protect traditional land uses;
 - Document important sites;
 - Tłı̨chǫ approach to land management;
 - Greater certainty for future; and,
 - Help connect youth with the land.
- LUP Review:
 - According to S.7.9., the LUP can either be changed through a plan variance, a plan amendment, or a formal plan review. In this case it was a formal plan (entire plan) review; and,

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- Focus on:
 - Land Protection Directives (i.e., policies);
 - Land Use Activities;
 - Tłıchq Yatı Language; and,
 - Land Protection Zones.
- Engagement:
 - Community Engagement; and,
 - Treaty Partner Engagement.
- Implementation:
 - Main task over the next 10 years will be implementing new policies and land management approaches within LUP;
 - Important that new plans being developed in co-management areas (WLUP, WFMP) are consistent with, and supportive of the Tłıchq Government LUP;
 - Communication, outreach, and education materials will be developed for Tłıchq Citizens in each of the four Tłıchq communities, as well as for industry and other governments; and,
 - A living document allows for amendments and variances if needed.
- Examples of Implementation:
 - Building traditional cabins or camps across their traditional territory: cabin registration, system for creating (free) cabin land leases for Citizens. Cabin guidelines have been created and added to LUP and several enforcement policies added to LUP to support guidelines;
 - Several policies added to LUP relating to climate change, including one which provides direction on the creation of a Climate Adaption Plan for the Tłıchq Region;
 - Dinàgà Wek'èhodì & Tłıchq Habitat Management Zone related to support, and integrate; and,
 - with future protected area. 2nd most restrictive zone in Wenek'e.

No Questions & Answers

There was no discussion after this presentation.

3.4 Nan Geenjit Gwitr'it T'agwàà'in (Working for the Land), the Gwich'in Land Use Plan Update

Presented by Susan McKenzie, Executive Director/Land Use Planner Gwich'in Land Use Planning Board (GLUPB)

Relevant Websites and Resources:

<https://www.gwichinplanning.nt.ca/landUsePlan.html>

<https://gwichin.ca/>

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Key Points

The following is a summary of the key points from Susan McKenzie's presentation. The full presentation is appended to this report in **Appendix C**:

- Since approval in August 2003, all licences, permits, or other authorizations relating to the use of land, water, or the deposit of waste in the Gwich'in Settlement Area (GSA) must conform to the Land Use Plan. There is some flexibility with respect to conformance, there may be exceptions and amendments.
- The Plan covers all lands within the Settlement Area that are outside of municipal boundaries and is based on existing traditional and scientific knowledge about the region.
- The Planning Board is mandated to develop and implement a land use plan that provides for the conservation, development and use of land, waters, and other resources. Legislation includes direction to develop a Plan that is particularly devoted to the needs of the Gwich'in while considering the needs of all Canadians.
- It's an integrated land use plan with three-tiered Zoning:
 - General Use Zones (57% of GSA);
 - Special Management Zones (33% of GSA); and,
 - Conservation and Heritage Conservation Zones (10% GSA).
- Comprehensive Review to take place once every 5 years.
- 2018 Draft – still has a little further to go before final approval process.
- Test Case for Site Specific Planning:
 - Shìłdii is a sacred site on the Peel River about 18 km above Fort McPherson. There are many legends and stories connected to Shìłdii. One interpretation of the stories is that rock pillars at Shìłdii represents two (or three) brothers who were turned into stone. Elders have said that one (or two) of the pillars have fallen some time ago.
- Looking Ahead:
 - Natural capital and ecosystem services assessments;
 - Water balance study;
 - Modeling options to use when considering climate change issues; and,
 - Multiyear Data Capture for Analytics (under consideration):
 - Erosion Detection; and,
 - Ecological Changes.
- Community GIS project:
 - Communities are interested in monitoring and mapping;
 - Partnering with others for long term support for training and data updates; and,
 - Expected to help those communities that are asked to comment on regulatory applications.

Questions & Answers

A question-and-answer period followed Susan McKenzie's presentation. The following questions were asked by workshop attendees and responded to by Susan. The questions and responses have been lightly edited for length and clarity.

Q1. Is there a type of GIS software that is user friendly on the land?

A1. Survey123 is very user friendly once it's setup. It's an app that can upload automatically into a database.

Q2. Do you pay for survey 123?

A2. ESRI Arc Pro is paid for and includes the Survey 123 apps, but you may need various licenses depending on the number of computers.

Q3. In land use planning you look at the measurement of the land and what you can do with it (different land values), how are you dealing with invasive species and forest fire that will change the land values?

A3. See what expected frequency for forest fires and what areas may be affected. Make sure that there are suitable lands available for what people want to do on the land and development does not infringe on it. Community tours are also opportunities to connect with people and see if on the land changes have impacted to intended use of the lands. People are very concerned with slumping as it affects the way that people use/access the land, hazard maps would be a helpful tool.

Q4. To what extent have the Gwich'in included traditional burn techniques (such as green burning) and regenerative ways to work with fire?

A4. Space can be made in the planning process to operate that and make sure that other planning activities do not impact the areas. Drone mapping may be a tool to help look at such areas.

3.5 Regional Strategic Environment Assessment in the Slave Geological Province

Presented by Mark Cliffe-Phillips, Executive Director, of the Mackenzie Valley Environmental Impact Review Board (Review Board)

Relevant Websites and Resources:

<https://www.inf.gov.nt.ca/en/SGP>

https://www.inf.gov.nt.ca/sites/inf/files/resources/slave_geological_province_-_information_package.pdf

<https://www.canada.ca/en/northern-economic-development/news/2019/03/backgrounder--development-of-the-slave-geological-province-sqp.html>

https://reviewboard.ca/reference_material/practitioners_workshop

https://reviewboard.ca/reference_material/conference_papers_and_articles

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Key Points

The following is a summary of the key points from Mark Cliffe-Phillips' presentation. The full presentation is appended to this report in **Appendix C**:

- Regional Strategic Environment Assessment (RSEA) is a Holistic and integrated approach.
- A process designed to systematically assess the potential environmental effects, including the cumulative effects, of alternative strategic initiatives, plans, or programs for a region.
- Overall objective is to inform the preparation of a preferred development strategy and environmental management framework(s) for a region.
- Process to streamline assessment of potential environmental effects, including the cumulative effects, alternative strategic initiative plans, or programs for a region.
- Focused on future desired outcomes and value for a region.
- Focused on understanding cumulative effects and consequences at a regional scale.
- Flexible in scope and approach, depending on regional needs and questions.
- Involve multiple sectors, levels of governance, rights-holders, and stakeholder group.
- The overall objective is to inform how to prepare a preferred development strategy.
- Powers through *Mackenzie Valley Resource Management Act*:
 - To protect the environment from the significant adverse impacts of proposed developments, the protection of the social, cultural, and economic well-being of residents and communities in the Mackenzie Valley and the importance of conservation to the well-being and way of life of the Aboriginal peoples of Canada to whom section 35 of the *Constitution Act, 1982* applies and who use an area of the Mackenzie Valley.
- Direction for Regional Study through *Mackenzie Valley Resource Management Act*:
 - Federal Minister may establish a committee to conduct a study of the impact of existing or future works or activities carried out in a region of the Mackenzie Valley, they may appoint one or more persons as members of the committee and shall establish the committee's terms of reference after seeking and considering the advice of the territorial government and, if the study examines works or activities affecting any first nation, the advice of that first nation.
- Perspectives Paper:
 - Lots of information has already been collected but hard to deal with cumulative effects on a project-by-project perspective;
 - Key themes for Continuous Improvement:
 - Well-being;
 - Consideration of climate change;
 - Cumulative effects & regional strategic EA; and,
 - Collaborative project planning and early engagement.

- Moving Forward:
 - Review Board initiated discussions in Mackenzie Valley;
 - Discussed emerging practices with EA partners across Canada;
 - Location and scope of RSEA needed to be determined collaboratively considering:
 - Likely future development;
 - Cumulative effects; and,
 - Interdependence of future development.
 - Multiple different values, strategies, visions for well-being, for a region, and for development;
 - June 7, 2021, Tlicho Government requested such a study as described in Review Board's perspective paper;
 - Minister approval February 2023;
 - Tłıchǫ Government's view is that to reconcile competing values we need an independent assessment of options, impacts, and benefits, before permanent infrastructure is built; and,
 - Part 5.2 of the MVRMA is the right tool – Regional Studies.
- Next Steps:
 - Discussions between Indigenous, Territorial and Federal Governments on governance structure and terms of reference;
 - Ongoing bilateral meetings between Indigenous Governments;
 - Comments on draft Terms of Reference;
 - Determination on role of the Review Board in the conduct of the RSEA (ex. Secretariat role);
 - Final Terms of Reference and formation of the Committee; and,
 - Initiate the RSEA.
- Intended Outcomes:
 - Reducing time and cost of project assessment;
 - Providing key baseline information;
 - Establishing key Value Components' and assessment criteria;
 - Identifying areas of important cultural, ecological and heritage value; and,
 - Providing more effective management and mitigation options.

Questions & Answers

A question-and-answer period followed Mark Cliffe-Phillips' presentation. The following questions were asked by workshop attendees and responded to by Mark. The questions and responses have been lightly edited for length and clarity.

Q1. What is the primary challenge to implementation?

A1. The Regional Strategic Environment Assessment could become a data trap. Without a proper scope focused on what you want to improve, you will collect a lot of knowledge and put a lot of work into the report. It is important to define what information is needed to have a better understanding of cumulative impacts, which can create programs for future data collection and monitoring.

Q2 Assessment tools have been around for a while, are there ways to improve intended outcomes?

A2. Most often assessments look at the local level whereas regional assessment has information that considers cumulative impacts. Through regional assessment the idea is information is shared and used to make predictions on future development scenarios. They provide a deeper foundation of knowledge and awareness in approaching the future. Different scenarios show possibilities for how the future may play out if certain events or trends occur.

Q3. RSEA that identified likely future development, how do you deal with it?

A3. Reasonably foreseeable development are things that have already had exploration, movement through regulatory process e.g. The idea is not to guess but to think about what the environment would like in the future with different hypothetical development scenarios. Through this approach potential impacts can be considered as well as how they can be addressed. This allows more information to be shared with decision makers.

Q4. Future projections could be wrong, if you do not take into account things might change, what happens?

A4. RSEA is a higher level that considers growth/development in the region. There is an understanding in its framework that things can change based on information collection through boots on the ground over time.

3.6 Community Based Monitoring in the Dehcho Region

Presented by Mike Lowe, Aboriginal Aquatic Resource and Oceans Management (AAROM) Coordinator, of Dehcho First Nations

Relevant Websites and Resources:

<https://dehcho.org/resource-management/stewardship/dehcho-aarom/>

<https://pagrao.ca/wp-content/uploads/2022/05/AAROM-101-Final-Document.pdf>

<https://www.dfo-mpo.gc.ca/fisheries-peches/aboriginal-autochtones/aarom-pagrao/index-eng.html>

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Key Points

The following is a summary of the key points from Mike Lowe’s presentation. The full presentation is appended to this report in **Appendix C**:

- Aboriginal Aquatic Resource and Oceans Management (AAROM) Programs are Indigenous-led organizations providing Western and Indigenous scientific and technical services that provide a different approach to resource management.
- Organized around a watershed, and staffed by biologists, field technicians and other experts who conduct research, assessments, and field work to provide information, and technical advice for member communities and partners.
- Exchange fisheries and resource management information through Indigenous led or collaborative management forums.
- Support Indigenous youth and community education and outreach programming to grow Indigenous knowledge and create the opportunity for careers in environmental science and management.
- Benefits:
 - Get Dene on the land - Guardians;
 - Provide equipment, training, and salaries;
 - Lots of community input;
 - Clear concerns with upstream development and climate change;
 - Lots of changes;
 - Dehcho AAROM has led to decision making;
 - Increased fishing;
 - Fish management;
 - Country foods; and,
 - Permafrost and climate change.

No Questions & Answers

There was no discussion after this presentation.

3.7 Ts’udé Niljné Tuyeta K’asho Got’ine Guardians

Presented by Twyla Edji-Masuzumi and John Tobac, Guardians of Ts’udé Niljné Tuyeta K’asho Got’ine

Relevant Websites and Resources:

<https://tuyetakgf.ca/>

Key Points

The following is a summary of the key points from Twyla Edgi-Masuzumi's presentation. The full presentation is appended to this report in **Appendix C**:

- The K'ahsho Got'ine Foundation (KGF) is the management arm for the new Indigenous and Territorial Protected & Conserved Area, Ts'udé Niliné Tuyeta. We are in K'ahsho Got'ine District, Sahtú Dene & Métis Territory, NWT.
- The KGF Board of Directors makes decision for Tuyeta.
- Purpose includes:
 - Language and Culture - Land is the foundation;
 - Opportunities for Youth - Connecting the virtual with the actual;
 - Fight Climate Change - Elder guided practices, implemented today, for the next generations; and,
 - Environmental Monitoring - Community-led data collection on our lands.
- Establish Protected Areas:
 - 1993 - Sahtú Dene Métis Comprehensive Land Claim Agreement;
 - 1999 - Sahtú Heritage Places and Sites Working Group recommendation; and,
 - 2002 - NWT Protected Areas Strategy (PAS) created and Fort Good Hope decides to use it to protect Ts'udé Niliné Tuyeta.
- Working Group Recommendations:
 - 2007 - The Ts'udé Niljné Tuyeta Working Group established;
 - 2012 - The Final Working Group Recommendation Report; and,
 - 2013 - Community approves Recommendation Report.
- Formal Protection Agreement:
 - 2018 - Notice is provided to Sahtú Land Use Planning Board that the GNWT is in negotiations to pursue Ts'udé Niliné Tuyeta under the Protected Areas Act;
 - 2019 - The K'ahsho Got'ine and the GNWT work together to draft the establishment agreement;
 - Fall 2019 - The GNWT and the K'ahsho Got'ine sign an establishment agreement for Ts'udé Niljné Tuyeta on September 4th, 2019; and,
 - 2020 - Establishment of the management board.
- What we do:
 - Sampling goes back to 1900, organisms lived on planet throughout different climates;
 - 19 core samples around protected areas;
 - Opened old trails to help people access land by skidoos and using technology to gather way points and map (where it all happened- camp spots, burial grounds, sacred areas); and,
 - Protect lands from oil and gas exploration, random campers/hunters etc.
- Ongoing Monitoring:
 - Since 2021, the KGF Guardians have been supporting and learning from the CBM program;
 - Wetlands and water quality monitoring has been a community directed approach; and,
 - Undertaking permafrost sampling.

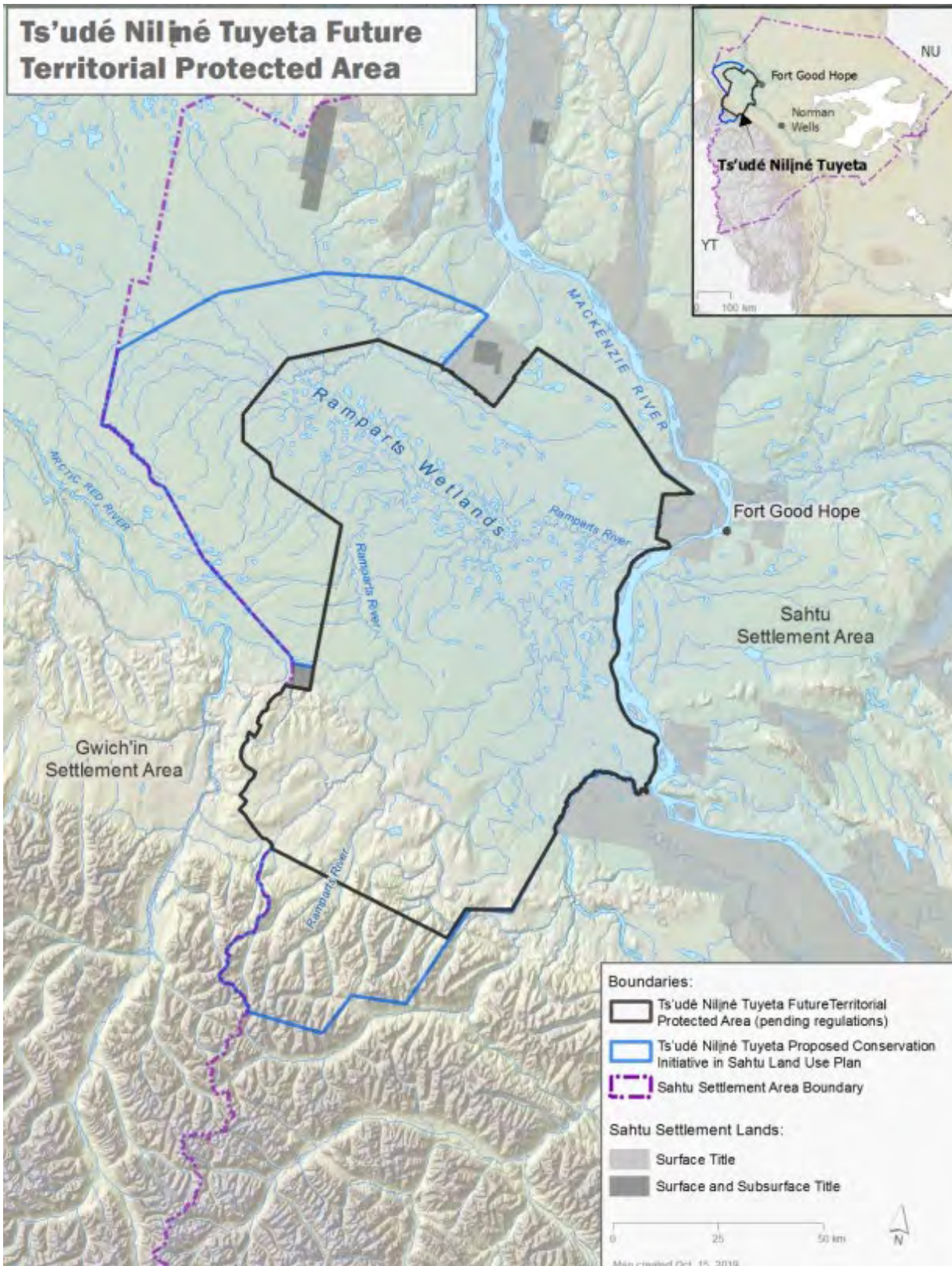


Figure 8: Future Territorial Protected Area

3.8 Ni Hadi Xa (people watching the land together) Success

Presented by Rosy Bjornson, Ni Hadi Xa.

Relevant Websites and Resources:

<https://nihadixa.ca/>

Key Points

The following is a summary of the key points from Rosy Bjornson’s presentation. The full presentation is appended to this report in **Appendix C**:

- Ni Hadi Xa is a legally binding agreement between De Beers Canada & six Indigenous organizations:
 - Deninu Kúé First Nation;
 - Łutsël K'é Dene First Nation;
 - North Slave Métis Alliance;
 - Northwest Territory Métis Nation;
 - Tłı̨chǫ Government; and,
 - Yellowknives Dene First Nation.
- Dēnesuḷinē:Ní Hadi Xa means “People Watching the Land Together” and is the organization responsible for the monitoring of the Gahcho Kué mine with the goal of ensuring that the mine’s operation does not compromise the ability of the land to support those who rely on it.
- Using independent environmental and Traditional Knowledge to monitor.
- NHX governed by Seven-member Governance Committee:
 - Management through multiple sub-committees;
 - Quarterly meetings & Community updates in signatory communities; and,
 - Annual Gahcho Kué Mine Visit & On-the-Land meeting at NHX Monitoring Cabin.
- Technical review of Gahcho Kué regulatory submissions.
- Work Includes:
 - Established Monitoring Cabin Site – Became gathering place for TK Events;
 - Ongoing environmental scientific monitoring based at Gahcho Kué Mine;
 - Ongoing TK monitoring based at Monitoring Cabin;
 - Sponsored six families to travel back to the land;
 - Provided community updates in all signatory party communities; and,
 - Widely recognized through NWT MAX Award & Mining Association of Canada’s Towards Sustainable Mining Award.

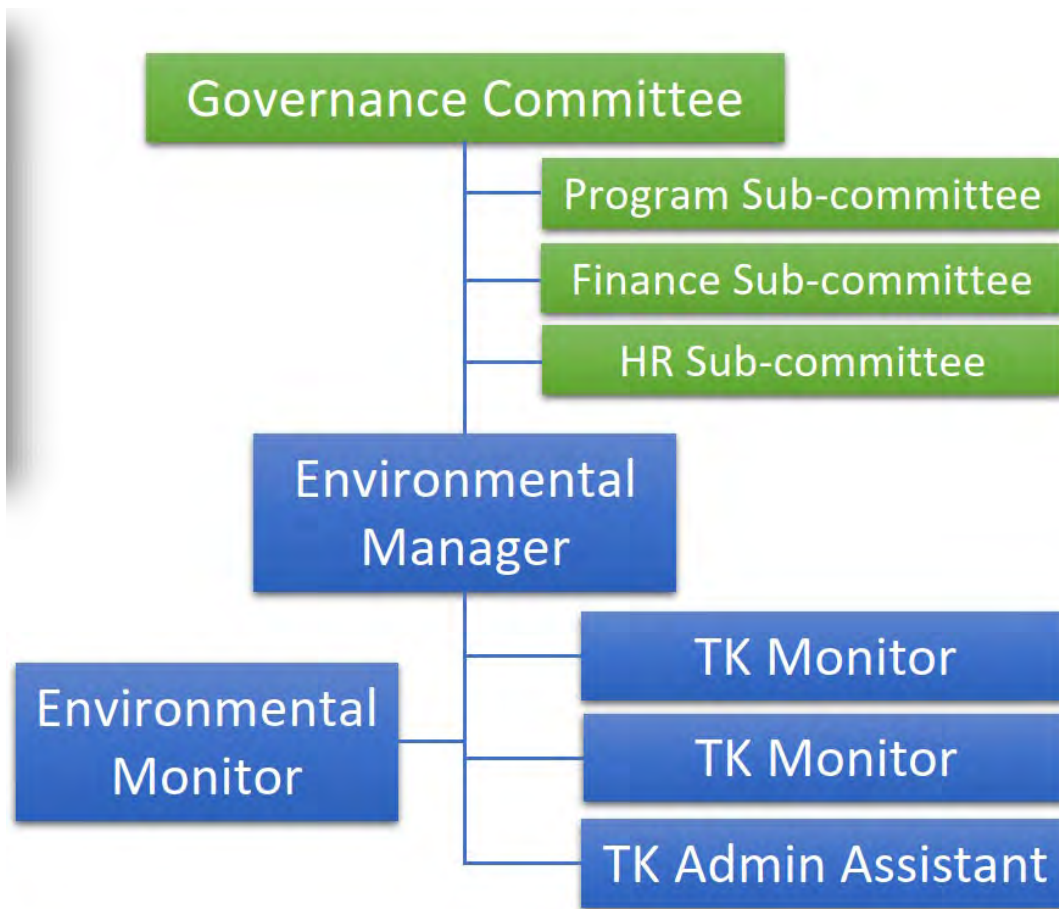


Figure 9: NHX Staffing

3.9 Parks Canada & WG – Nahanni National Park Monitoring Program

Presentation by Jonathan Tsetso, Superintendent, Nahanni National Park Reserve

Relevant Websites and Resources:

<https://parks.canada.ca/pn-np/nt/nahanni/info/plan/plan-2021>

[https://reviewboard.ca/upload/project_document/EA00-002 Nahanni National Park Reserve.PDF](https://reviewboard.ca/upload/project_document/EA00-002_Nahanni_National_Park_Reserve.PDF)

Key Points

The following is a summary of the key points from Jonathan Tsetso's presentation. The full presentation is appended to this report in **Appendix C**:

- The Park Reserve (Nahanni) was established in 1976 with the original boundary containing an area of 4,766 square kilometres. In 2009, with support from the Dehcho First Nations and Nahʔą Dehé Dene Band, the park reserve was expanded to an area of approximately 30,050 square kilometres, making it the third largest national park in Canada.
- Under the Nahʔą Dehé Interim Park Management Arrangement (2001), the park reserve is co-operatively managed by the Dehcho First Nations, Nahʔą Dehé Dene Band and Parks Canada through the Nahʔą Dehé Consensus Team.
- Environmental Audit based on 10-year legislated cycle. Nahanni National Park Reserve State of the Park Assessment (2018) looked at:
 - Ecological Integrity Indicators;
 - Cultural Resource Indicators;
 - External Relations Indicators;
 - Indigenous Relations Indicators;
 - Visitor Experience Indicators; and,
 - Built Assets Indicators.
- Assessment Findings:
 - Asset Sustainability;
 - Ecological Issues - Climate change & Upstream Activities; and,
 - Visitor Expectations.
- The Nahanni National Park Reserve of Canada Management Plan (2021) sets a vision for the future of Nahanni, with strategies and objectives aimed at reaching that vision. There are five key strategies in the plan to guide the work of managing the park for the foreseeable future:
 - Nahʔą Kué/Our Home – Sharing the heart of the Dehcho;
 - Dene Náothę – The Dene worldview;
 - Nahʔą Dehé K'íeodhi – Taking care of Nahʔą Dehé;
 - Yundáa Gogha Tu K'íehodí – Waters for life; and,
 - Reconciling with Indigenous rights holders.
- Zoning and declared wilderness area:
 - Zoning is an important management tool that supports the vision for Nahʔą Dehé by directing visitor use to appropriate areas of the park reserve, and ensuring that rare, sensitive, ecological, or cultural areas are protected. Parks Canada's national park zoning system is an integrated approach to the classification of land and water areas in a national park and designates where particular activities can occur on land or water based on the ability to support those uses.

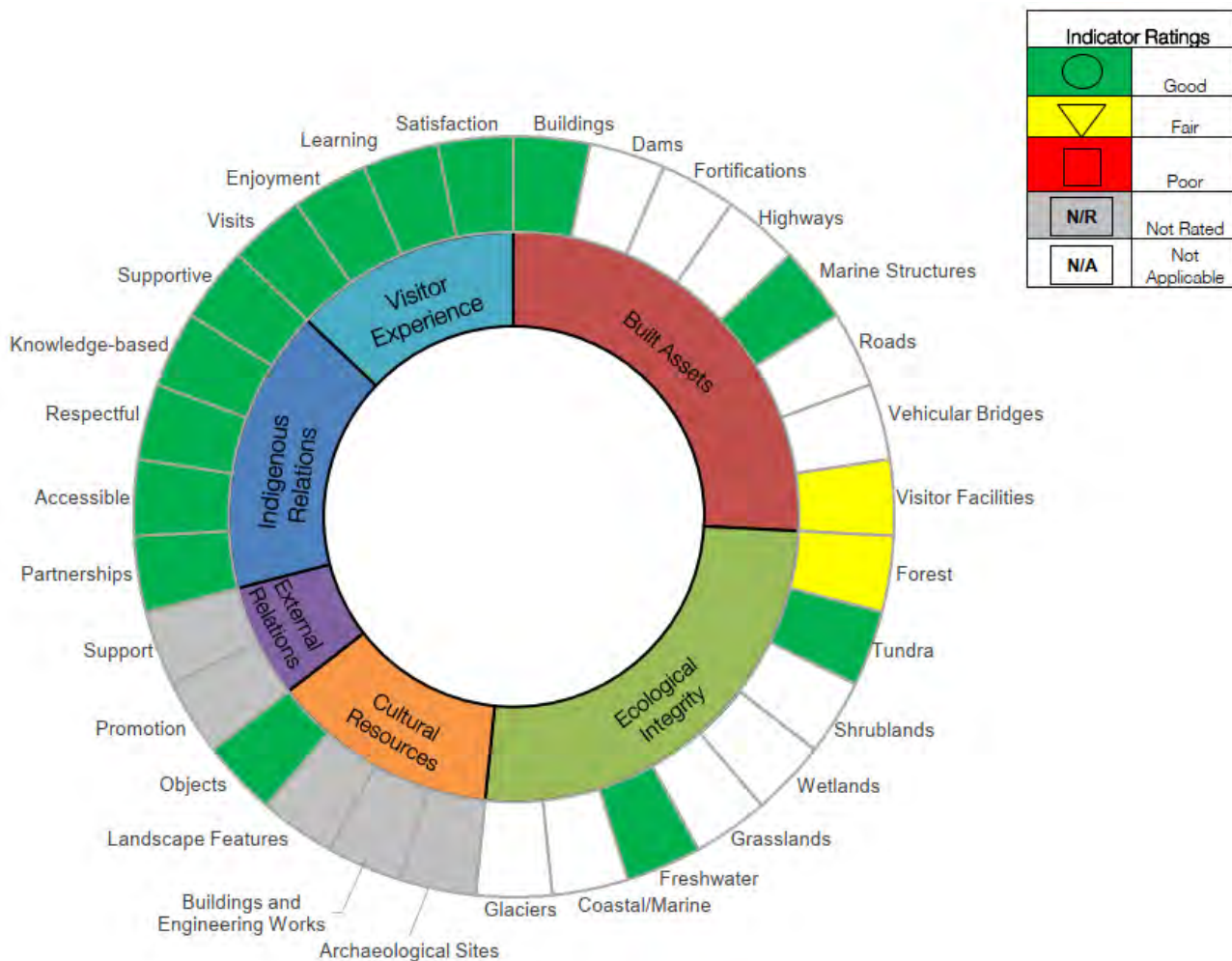


Figure 10: Park Assessment Indicators

3.10 Panel Discussion on Monitoring Programs Successes and Challenges

Moderated by Shannon Cazon. Panelists Included: Jonathan Tsetso, Twyla Edgi-Masuzumi/John Tobac and Rosy Bjornson.

Questions & Answers

The following questions were asked by the moderator and responded to by the panelists.

Q1. What is the long-term vision for your program?

A1. Get the youth and elders involved. This includes Youth working with the Elders and out on the land and seeing firsthand what is being done and learning the language:

- People make careers for themselves so they can continue to teach the culture.;

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- More women out on the land;
- Use language in safety and work plans;
- Make sure everyone is engaged, interpretation and programs well maintained; and,
- More awareness of upcoming development.

Q2. How do you engage the community in developing and communicating about your program?

A2. It's always ongoing:

- Go into community (if possible, rotate through member communities) and share about projects before and while they are being done, including results of monitoring and studies;
- Evening open houses with food to allow people to get to know the team, project and what is going on;
- Specifically seek input from elders and share with youth; and,
- On the land programs that bring people together (elders, youth & scientists), provides better connection and less distractions.

Q3. Could you discuss your operational challenges as well as ideas for overcoming them?

A3. There are a range of challenges which include:

- Staffing, capacity, and training;
- Operational decisions that affect budgets;
- What to study, when, where;
- Safety due to climate change impacts;
- Wellness and focus for youth, mentorship and helping to be successful;
- Funding; and,
- Ideas for overcoming challenges:
 - Take detailed notes and have good records management;
 - Be sure there is suitable training, resources and time allotted for initiatives;
 - Provide on the land programs for youth so they can understand the way life used to be and where the people were;
 - Make sure staff understand challenges and are well equipped to work in all weather (have strong mental, physical, and spiritual health as well as pass mine testing for medical and security); and,
 - Motivate people to stay fit and support youth in being healthy.

Q4. From the feedback you have received from those involved with your program, what are some fresh perspectives and potential opportunities?

A4. There is a range of opportunities which support Dene laws and principles “*We take care of the land and the land will take care of us*”. These include:

- More land programs;
- On the land camps;
- Braiding western science and Traditional Knowledge (TK);
- Funding (Federal, Territorial, and other source); and,
- Training youth (TK).

3.11 Indigenous Leadership Initiative

Presented by Dahti Tsetso, Deputy Director, Indigenous Leadership Initiative

Relevant Websites and Resources:

<https://www.ilinationhood.ca/guardians>

<https://landneedsguardians.ca/>

Key Points

- An Indigenous-led organization with decades of experience on the land, in Indigenous leadership and governance, in territorial and provincial government, in Parliament and federal cabinet, and in national commissions and international arena.
- Dedicated to facilitating the strengthening of Indigenous Nationhood for the fulfillment of the Indigenous responsibility to our lands, the emergence of new generations of Indigenous leaders, and helping communities develop the skills and capacity that they will need as they continue to become fully respected and equally treated partners in Canada’s system of governance and its economic and social growth.
- Works with a broad array of partners to advance Indigenous-led conservation and land management.
- Offer technical expertise and support on land use planning, Indigenous Guardians programs, and other Indigenous-led conservation initiatives.
- Summary of work:
 - Indigenous Guardians (1000+ guardians working today);
 - Indigenous Protected and Conserved Areas;
 - Land use planning and Conservation;
 - Help to secure investment in scores of Indigenous protected areas; and,
 - Increased from 30 programs in 2016 to 200 in 2024 across Canada.

Questions & Answers

There was no discussion after this presentation.

3.12 Panel Discussion with Emerging Leaders

Moderators: *Tanya MacIntosh, Chair of Mackenzie Valley Land and Water Board & JoAnne Deneron, Chair of Mackenzie Valley Environmental Impact Review Board*

Panelists: *Tonya Moreau-Betsaka, Manager and Student, Cassandra Blondin-Burt, Fire Resources and Medicine Maker and Journalist and Sheyenne Jumbo, Executive Assistant Samba K'e First Nation, NWT*

Questions & Answers

The following questions were asked by Moderators and responded to by the panelists. The questions and responses have been lightly edited for length and clarity.

Q1. Can you talk about your work experiences and what you are doing now?

A1. Tonya: Worked at National Park and shifted to visitor information attendant and now manager with the Village of Fort Simpson. Currently obtaining a Bachelor of Business Administration majoring in Management, with specialization in hospitality and tourism.

Cassandra: Have worked for the school board. Now working in fire research from world view, also work in investments looking at ways we can revive natural economy and be in economic relations with each other. To return to a good way of being in this world meant that I had to remove myself from institutional centres. Plant medicine is a way of taking care of myself while still making rent and existing. Dreamt that had to stop gathering medicines because the lands are too sore and need to be revitalized before we can take more from it. Fire may be the way to regenerate.

Sheyenne: Environmental Coordinator before moving worked for GNWT Department of Infrastructure as Environmental Analyst. Decided to resign and came to First Nation office and doing meaningful work. Growing up we were also on the land and taking care of the land was part of my life from a young age.

Q2. How can youth be involved in co-management process?

A2. Tonya: More encouragement is needed. There are family issues that do not help youth understand or value their emotions. Without the right support and encouragement youth turn to drugs and alcohol as a crutch.

Cassandra: Providing youth the space to speak and providing leadership skills. Young people want more opportunities to share. They are bursting to share but are being silenced in a lot of ways. Young people need to learn how to communicate that which they already know and share their emotions (not act on them) so that they can be translated to goals and higher-level plans.

Sheyenne: Getting involved, sharing knowledge on regulatory matters and getting opportunities to speak. Teaching youth what co-management is and how it is supposed to work. Encourage youth to look within and ask them how they want to be involved, what they desire. Can be daunting to attend such high-level meetings,

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so support and encouragement is needed. Ask youth how they want to get involved (such as go to workshops, visit other communities etc.)

Q3. What kind of space would you like to see created to support involvement?

A3. Sheyenne: A youth gathering, or forum would get more young people together and involved. It should be casual and include youthful ways of sharing information.

Cassandra: Somewhere that provides training and sharing that is comprehensible. Safe space to practice and exercise speaking muscles, while standing on the shoulders of ancestors. A sort of Youth UN Council meeting on a regular basis where youth can exercise their voice (hopes, share ideas and deal with trauma).

Tonya: A safe space to share address colonization with people who support and encourage youth. Open doors - approach with help but no judgement.

Q4. What do you see as the biggest issues to resource systems in the future?

A4. Sheyenne: Meaningful engagement is a term used a lot but has not really been put into practice. Engagement needs to be more than a letter sent and saved to file. People must know when something is going to affect them. Youth representation is a challenge, if we do not get more youth involved there will be no one to engage with in the future.

Tonya: Emotional support. Everyone has challenges in their own lives, but with guidance and support people can succeed at life and can help others. Being healthy means you can participate in resource management.

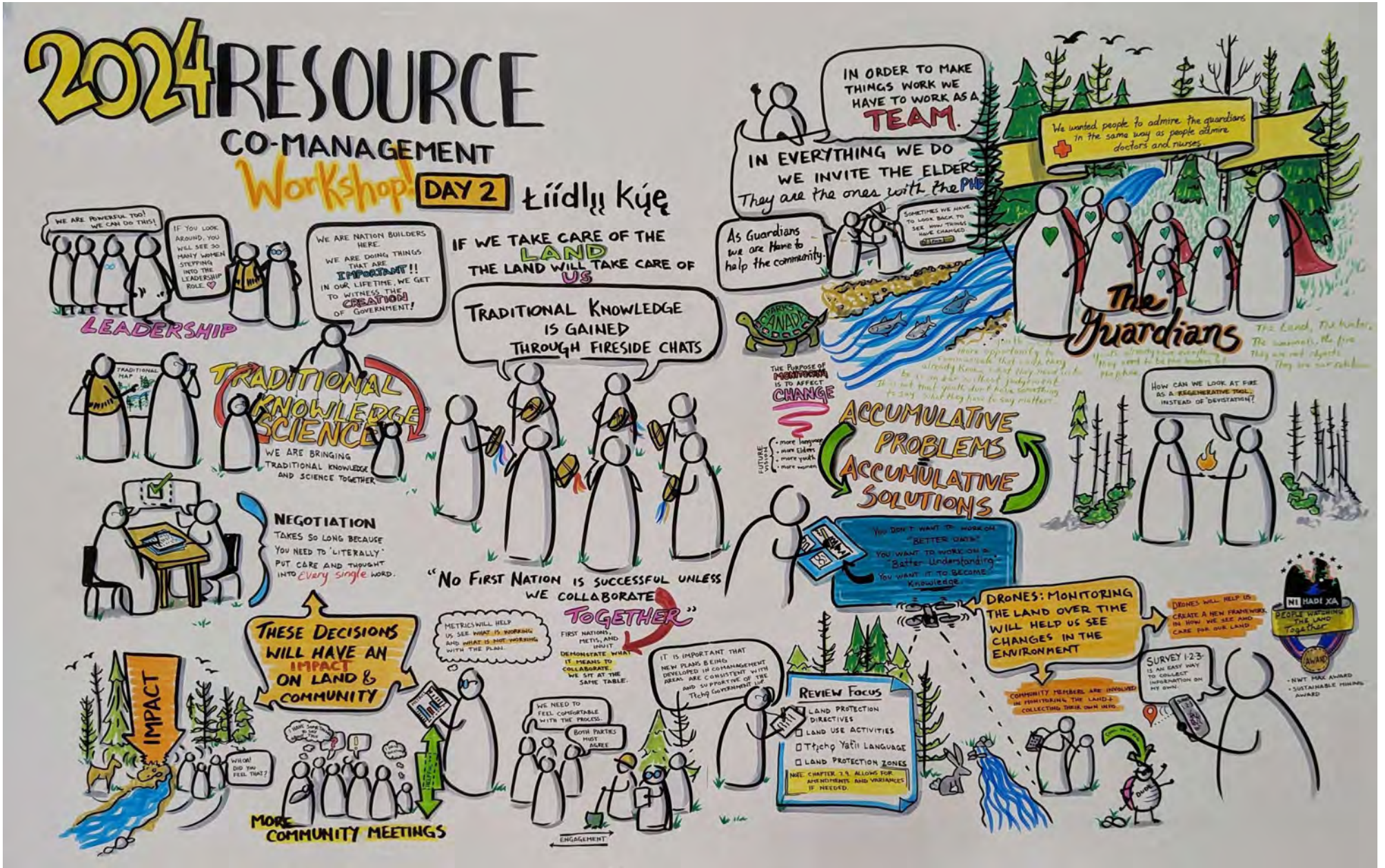
Cassandra: My great grandfather had a dream that showed 2 different futures which helps guide me. Of the two pathways forward, the first was one where we are further developed, colonized, and lands are not as pristine as they are now. The only thing we need to do to arrive here is continue what we are doing. In the other pathway, the lands are abundant, green, and the waters are sacred. There are whole sovereign Indigenous Nations with technology. Not a return to, an evolution. Only thing we need to do arrive here is remember ourselves. Land cannot be talked about as an object. Animals, lands, fire – are relations. We are uplifting, maintaining, and protecting our relationship and treaties with the land.

Q5. What would you say to the youth who want to be involved or campaign to get youth more active?

A5. Cassandra: Most dreams and ideas are dismissed outright. In the stories we put forward, it is not just how to learn a skill but how to train our minds on how to be observant and empowering. Theory of change: instead of saying this is the challenge, we say this is what the goal is and map the pathway back. Building steps to realize the dream/vision. Bringing people to a conversation in a way they realize they have everything they need to be the leaders of tomorrow and can hold space.

Tonya: Research, research, research. The brain is meant to learn, it will re-wire itself and you can learn about the emotions you are holding. Understanding how to work together and grow from one another. Learn to love to learn. Love your family and yourself. Love your history and ancestors.

Sheyenne: Come out to meetings, do not be afraid to ask questions. Bring an auntie, uncle but come out and participate. Do not be afraid to ask questions.





4.0 CULTURAL HIGHLIGHTS

Łíídlı́ Kúé First Nation and the planning committee collaborated ideas for what would work best for the community and the workshop. Discussions led to ideas of a community liaison, interpreters, cultural activity, catering and a drum dance.

Ashley Okrainec was appointed the Community Liaison for this workshop. Ashley helped with the planning and implementation of the workshop and acted as a spokesperson within Łíídlı́ Kúé (Fort Simpson).

Gilbert Cazon along with the Dehcho Drummers of K'ıyeli Tourism Services opened the workshop with an opening prayer song.

Mary Jane Cazon of K'ıyeli Tourism Services interpreted on Day 1 and Elizabeth Hardisty interpreted on Day 2 of the workshop.

Tanya Hardisty hosted a cultural activity on Day 2. Participants were invited to make a pair of traditional beaded earrings. There were 30 kits and 30 participants for this cultural activity.

Ginette Martineau and team provided catering services both days of the workshop. Following the workshop participants were welcome to join a community feast. Elizabeth Hardisty gave a prayer before the feast; the feast was served by various workshop participants.

Following the feast, Łíídlı́ Kúé First Nations and the Dehcho Drummers hosted a drum dance for the community and workshop participants.



APPENDIX A

A ATTENDANCE LIST



Name	Organization
Alain Gagnon	Canadian Northern Economic Development Agency
Amanda-Brea Watson	Dillion Consulting Limited
Andrea Cleland	Mackenzie Valley Land and Water Board
Andy Norwegian	Community Member
Ash Varghese	GNWT, Department of Environment and Climate Change
Ashley Okrainec	łíídlı́ Kúé First Nation Community Liaison
Beth (Jane) Cowan	Mackenzie Valley Land and Water Board
Brenda Gauthier	Mackenzie Valley Environmental Impact Review Board
Camilia Zoe-Chocolate	Mackenzie Valley Land and Water Board
Cassandra Burt-Blondin	Emerging Leader Panelist
Catherine Nahanni	Naha Dehé Consensus Team
Chad Bullock	GNWT, Department of Environment and Climate Change
Christopher Penner	GNWT, Department of Environment and Climate Change
Clarisse Fiset	Natural Resources Canada
Claudine Lee	NorZinc Mine Developer
Crystal Wegernoski	GNWT, Department of Environment and Climate Change
Dani Rogers	GNWT, Department of Environment and Climate Change
Debbie Watsyk	Mackenzie Valley Land and Water Board
Deneze Nakehk'o	łíídlı́ Kúé First Nation Member
Dhati Tsetso	Indigenous Leadership Initiative
Donna Schear	Mackenzie Valley Environmental Impact Review Board
Elizabeth Hardisty	łíídlı́ Kúé First Nation Member
Emilie (Rosy) Bjornson	Ni Hadi Xa
Eric Chalker	KBL Environmental Ltd.

Name	Organization
Eric Menicoche	Naha Dehé Consensus Team
Erica Janes	Mackenzie Valley Land and Water Board
Erica Lafferty	Fort Resolution Métis Government
Erin Goose	GNWT, Department of Environment and Climate Change
Fatima Youssef	Sahtu Land and Water Board
Chief Gerald (Gerry) Antoine	Dene Nation
Gilbert Cazon	Łíídlı́ Kúé First Nation Drummer
Heidi Wiebe	Heidi R. Wiebe Consulting Ltd.
Jessica Plummer	Bridge Building Group
Jim Antoine	Łíídlı́ Kúé First Nation
Joanne Deneron	Mackenzie Valley Environmental Impact Review Board
John Donihee	Willms & Shier Environmental Lawyers LLP
John Tobac	K'ahsho Got'ine Foundation
Jonathan Tsetso	Parks Canada
Jonathen Rouge	Community Member
Judy Tutcho	Sahtú Land Use Planning Board
Justin Stoyko	Sahtú Land Use Planning Board
Chief Kele Antoine	Łíídlı́ Kúé First Nation
Kelly Bourassa	GNWT, Department of Infrastructure
Kelvin Igwe	GNWT, Department of Environment and Climate Change
Lee Ross	GNWT, Department of Environment and Climate Change
Liza McPherson	Łíídlı́ Kúé First Nation
Larry Innes	Olthuis, Kleer, Townshend LLP
Laurie Nadia	GNWT, Department of Environment and Climate Change

Name	Organization
Lloyd Cardinal	Fort Resolution Métis Government
Lorraine Seale	GNWT, Department of Environment and Climate Change
Lynn Boettger	NorZinc
Malorey Nirlungayuk	Mackenzie Valley Environmental Impact Review Board
Mark Cliffe-Phillips	Mackenzie Valley Environmental Impact Review Board
Mark Poskitt	Tłıchq Government
Martina Simons	Sahtú Land Use Planning Board
Mary Jane Cazon	K'İYELI Tourism Services
Megan Dorosz	Crown-Indigenous Relations and Northern Affairs Canada
Mike Lowe	Dehcho First Nations
Mike Nitsiza	Wek'èezhìi Land and Water Board
Nadine Lennie Misgeld	Crown-Indigenous Relations and Northern Affairs Canada
Oz Antoine	łíídlı́ Kúé First Nation
Pauline de Jong	Office of the Regulator of Oil and Gas Operations
Peter Unger	Ministry of Energy and Natural Resources of Canada
Phoebe Rabesca	Tłıchq Government
Rose Boots	Community Member
Sam Kennedy	Crown-Indigenous Relations and Northern Affairs Canada
Shannon Cazon	łíídlı́ Kúé First Nation
Sharleen Hamm	Sharleen Hamm Consulting Limited
Shawn Mckay	Fort Resolution Métis Government
Steve Herrett	Lindberg Landing
Sue Mackenzie	Gwich'in Land Use Plan Board
T.Alex Tassioulas	Sahtú Land Use Planning Board

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Name	Organization
Tanya Lantz	Mackenzie Valley Land and Water Board
Tanya MacIntosh	Mackenzie Valley Land and Water Board
Todd Minoza	Łíídlı́ Kúęé First Nation
Tonya Moreau-Betsaka	Łíídlı́ Kúęé First Nation, Emerging Leader Panelist
Twyla Edgi-Masuzumi	K'ahsho Got'ine Foundation
Tyla Ahluwalia	Crown-Indigenous Relations and Northern Affairs Canada
Walter McPherson	Community Member
Wilbert Antoine	Retired Miner
William Alger	Community Member

APPENDIX B

B MEETING AGENDA



2024 Resource Co-management Workshop

Łíídlıı Kúé (Fort Simpson), NT

Date: March 26th & 27th, 2024

Location: Łíídlıı Kúé (Fort Simpson) Recreation Centre

BACKGROUND

The 2024 Resource Co-Management Workshop is being hosted by the Land and Water Boards of the Mackenzie Valley, the Mackenzie Valley Review Board, the Government of the Northwest Territories, and Crown-Indigenous Relations and Northern Affairs Canada. This year's workshop will have a regional focus and is being held in Łíídlıı Kúé (Fort Simpson), NT.

WORKSHOP GOALS

The goal of the workshop is to help familiarize participants with the co-management and integrated system of land and water management established through the *Mackenzie Valley Resource Management Act* (MVRMA) and Land Claim and Self-Government Agreements. The workshop will provide an opportunity to share knowledge, ideas, experiences, and to discuss how to meaningfully participate in existing resource co-management processes. The workshop is also intended to increase community capacity to effectively participate in co-management decision-making and the ongoing review of proposed and ongoing regional project developments.



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

AGENDA– TUESDAY MARCH 26th, 2024 – DAY 1

Arrival Time and Registration (Coffee and snacks provided)	8:30 – 9:00 AM
Opening Prayer and Remarks	9:00 – 9:15 AM
Welcome and Overview of Day 1 Opening comments, objectives of the workshop/overview of the agenda, goals of the day	9:15 – 9:30 AM
The Contribution of Co-Management to Reconciliation Under Modern Treaties <i>John Donihee</i>	9:30 – 10:15 AM
BREAK	10:15 – 10:30 AM
Transboundary Assessments in the Mackenzie Valley <i>Mark Cliffe-Phillips, Mackenzie Valley Environmental Impact Review Board</i>	10:30 – 11:00 AM
Northern Regulatory Initiative <i>Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)</i>	11:00 – 11:30 AM
LUNCH (provided)	11:30 – 1:00 PM
Overview of Yahey Decision <i>Larry Innes</i>	1:00 – 1:30 PM
Panel Discussion: Indigenous Perspectives on the Yahey Decision	1:30 – 2.30PM
BREAK	3:00 – 3:15 PM
SESSION TITLE: REGIONAL PROJECT UPDATES	3:15 – 4:35 PM
Prairie Creek Project <i>Claudine Lee, NorZinc Ltd.</i>	3:15 – 3:35 PM
Mackenzie Valley Highway All Season Road <i>Kelly Bourassa, GNWT-INF</i>	3:35 – 3:50 PM
Update on Oil and Gas Reclamation Activities <i>Pauline de Jong, OROGO</i>	3:50 – 4:05 PM
Cantung Project Update – NATC/A&M <i>Sam Kennedy (CIRNAC) and Sharleen Hamm (Consultant to NATC)</i>	4:05 – 4:20 PM
Wrap-up Day 1	4:30 – 4:45 PM
Tea and Talk Dinner provided <i>Hosted by Land and Water Boards of the Mackenzie Valley</i>	5:00 – 7:00 PM

Land and Water Boards of the
Mackenzie Valley



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

AGENDA - WEDNESDAY, MARCH 27TH, 2024 – DAY 2

Arrival Time (Coffee and snacks provided)	8:30 – 9:00 AM
Welcome Review of Day 1, overview of Day 2, goals of the day	9:00 – 9:10 AM
SESSION TITLE: UPDATES ON LAND USE PLANNING	9:10 – 10:30 AM
Updates to the Dehcho Land Use Plan <i>Heidi Wiebe</i>	9:10 – 9:30 AM
Successes and challenges for land use planning in areas with approved plans <i>Justin Stoyko</i>	9:30 – 9:50 AM
Tłı̨chǫ́ Wenek' e (Tłı̨chǫ́ Land Use Plan): implementation and integration with other strategies <i>Tłı̨chǫ́ Government - Land and Culture Department</i>	9:50 – 10:10 AM
Updates from the Gwich'in Land Use Planning Board <i>Sue Mackenzie, Gwich'in Land Use Planning Board</i>	10:10 – 10:30 AM
BREAK	10:30 – 10:45 AM
Regional Strategic EA in the Slave Geological Province <i>Mark Cliffe-Phillips, Mackenzie Valley Environmental Impact Review Board</i>	10:45 – 11:00 AM
SESSION TITLE: MONITORING ACTIVITIES – PROGRAMS IN THE DEHCHO	11 AM – 12:15 PM
Kakisa Protected Area <i>Melanie Simba</i>	11:00 – 12:00 PM
Aboriginal Aquatic Resource and Oceans Management (AAROM) <i>Mike Lowe, Dehcho First Nations</i>	12:00 – 12:15 PM
LUNCH (provided)	12:15 – 1:15 PM
SESSION TITLE: MONITORING ACTIVITIES - SUCCESS STORIES FROM OTHER REGIONS	1:15 – 2:45 PM
K'asho Got'ine Guardians (monitoring of Ts'udé Niljné Tuyeta) <i>Twyla Edgi Masuzumi, John Tobac</i>	1:15 – 1:30 PM
Success story from other regions: Ni Hadi Xa <i>Rosy Bjornson</i>	1:30 – 1:45 PM
Parks Canada & WG – Nahanni National Park Monitoring Program <i>Johnathan Tsetso</i>	1:45 – 2:00 PM
Panel Discussion: Monitoring Programs Successes and Challenges – Guardians Dialogue	2:00 – 2:45 PM
BREAK	2:45 – 3:15 PM
Indigenous Leadership Initiative <i>Dahti Tsetso</i>	3:15 – 3:30 PM



Crown-Indigenous Relations
and Northern Affairs Canada

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et Affaires du Nord Canada

Looking Forward – Q&A with Co-Management Board Chairs and Youth <i>Tanya MacIntosh, Joanne Deneron, Youth panel</i>	3:30 – 4:00 PM
Wrap-up and closing remarks	4:00 – 4:15 PM
COMMUNITY FEAST	5:00 – 7:00 PM

Land and Water Boards of the
Mackenzie Valley



Crown-Indigenous Relations
and Northern Affairs Canada

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APPENDIX C

C PRESENTATIONS



CO-MANAGEMENT AND RECONCILIATION UNDER MODERN TREATIES

MACKENZIE VALLEY CO-MANAGEMENT WORKSHOP

MARCH 26, 2024

Presented by:

John Donihee, Of Counsel, Willms & Shier Environmental Lawyers LLP



THE CONTRIBUTION OF CO-MANAGEMENT TO RECONCILIATION UNDER MODERN TREATIES

By: John Donihee, MES, LL.M., Of Counsel, Willms & Shier Environmental Lawyers LLP
jdonihee@willmsshier.com (613)217-8521 and
Elena Kusaka, Student at Law, Bora Laskin Faculty of Law Lakehead University

1 INTRODUCTION¹

The management and protection of renewable resources, land, water, wildlife, and the environment in a large portion of Canada² is subject to modern treaty-based co-management frameworks. These co-management systems are the result of comprehensive land claim negotiations which have taken place over the last five decades. Because these modern treaties are protected by section 35 of the *Constitution Act, 1982*, their resource management frameworks are effectively permanent.³ Figure 1 below identifies the geographic areas covered by comprehensive land claim agreements.

Modern treaties, however, do more than set out substantive rights for Indigenous Participants⁴ and the Indigenous organizations (or Treaty Partners) which negotiated them. They include resource management frameworks intended to ensure sustainable use of wildlife, fisheries, forests, plants, land, water, and the environment, including protected areas. They also establish decision-making systems such as land use planning and environmental impact assessment which have direct effects on land use and natural resource development by third parties. These co-management systems are institutions of public government⁵, ratified as part of land claim agreements by vote of the Participants, and then established by federal and, more recently, territorial laws.⁶

¹ The opinions expressed herein are those of the primary author, as is responsibility for any errors or omissions.

² The areas covered by modern treaties in Nunavut, the Northwest and Yukon Territories, Northern Quebec, and Labrador account for about 35% of the area of Canada, or 3.494 million sq. km.

³ Changes could be made through amendments to a land claim, assuming a negotiated agreement to do so. Below, we argue that enhancements to co-management systems using other mechanisms could advance reconciliation in the NWT.

⁴ The terminology describing rights holders varies from land claim to land claim. We have chosen, for purposes of this paper, to call rights holding members of the Indigenous Nations with modern treaties “Participants”.

⁵ This term comes from the Nunavut Agreement and serves herein as a short-hand description for all land claim-based co-management tribunals. They are part of government decision-making processes, funded by government, and subject to supervision by the courts. But they are generally not Crown agents and, depending on the specific provisions of the land claim which establishes them, largely exercise independent decision-making authorities.

⁶ For example, the Inuvialuit Final Agreement was given legal force by the *Western Arctic (Inuvialuit) Claims Settlement Act*, S.C. 1984, c. 24 while the Tlicho Agreement was brought in to force by the *Tlicho Land Claims and Self-Government Act*, S.C. 2005 and *Tlicho Land Claims and Self-Government Agreement Act*, S.N.W.T. 2003, c. 28 (in force August 4, 2005).

Modern treaties thus give Participants a role beyond their traditional lands, in environmental and resource decision-making and provide for their involvement in resource management in all three territories, and much of Northern Canada.⁷ Collectively, these agreements are sacred promises which set out the shared vision of the Indigenous rights holders and the Governments of Canada, and the province or territory where the treaties apply. They are the bedrock foundation for the roles of Participants in future resource management and development decision-making in their traditional territories.

This paper addresses co-management in Canada's three territories⁸ and beyond but, considering this Conference's context, it is focussed on the NWT, and the Mackenzie Valley in particular. It begins with a short exploration of the background for and meaning of co-management. This provides a backdrop to discussion of the place and role of co-management and more specifically, land claims-based co-management, in the ongoing search for accommodation and reconciliation. We then examine the legal nature of northern co-management tribunals and review the courts' perspectives on their place in the Crown's efforts to achieve reconciliation with Indigenous rights holders. The paper concludes with a review of the way northern co-management has been integrated into some parts of the legislated framework for resource management and development in the territories and with a call for efforts to enhance this integration in light of its contribution to the goal of reconciliation.

⁷ In addition, modern treaties provide for Treaty Partners' ownership of over 600,000 sq km of land across northern Canada. This is an area larger than Newfoundland Labrador and the three Maritime provinces combined. It is just smaller than the area of each of the provinces of Manitoba or Saskatchewan or Alberta.

⁸ The argument presented herein is generally applicable to provincial areas subject to co-management as well, but the provincial context is more complex, the areas subject to treaty-based co-management much smaller and consideration of the future of co-management in these areas is beyond the scope of this paper.

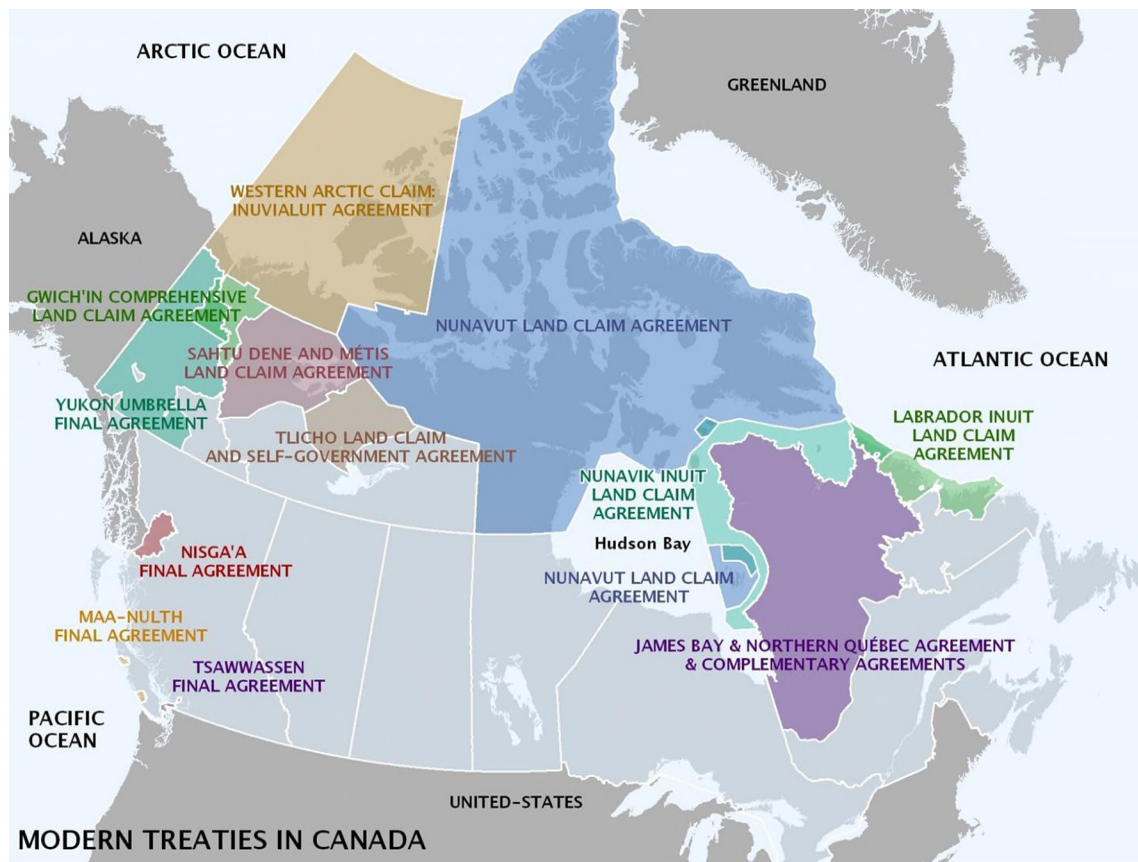


Figure 1. Comprehensive Land Claim Areas in Canada

Treaty-based co-management must, from the outset, be recognized as a compromise, formalized, and further developed at successive land claim negotiating tables over the last five decades.⁹ We have more to say about that compromise below, but it is important to understand these co-management systems for what they are, and what they are intended to do, and to evaluate their performance and their contributions to reconciliation accordingly.

Because of the constitutional protection afforded to co-management systems, these institutions, and their unique relationship to the ongoing development of resource and environmental management in the territories¹⁰ also warrants special attention in light of devolution. Co-management can and does play a part in treaty federalism¹¹ bringing Indigenous perspectives and

⁹ The first modern land claim agreement was The James Bay and Northern Quebec Agreement, 1975 ratified by the *James Bay and Northern Quebec Native Claims Settlement Act*, S.C. 1976-77, c. 32.

¹⁰ In the NWT for example, this includes ongoing negotiation of comprehensive claims, negotiation of community self-government agreements and the implementation of powers devolved from Canada.

¹¹ There is a considerable literature on treaty federalism, we provide limited further comment below. For greater background see: *Royal Commission on Aboriginal Peoples Volume 2; Indigenous Empowerment through Co-Management – Land Claims Boards, Wildlife Management and Environmental Regulation*, Graham White, UBC Press 2020, Chapter 1; and James (Sákj) Henderson, “Empowering Treaty Federalism”, *Saskatchewan Law Review* 58(1991) 253.

respect for s. 35 rights to bear on resource development and operating at the intersection where treaty implementation meets devolution.

In light of the geographic scope, importance, and permanence of these co-management frameworks, careful consideration of and respect for their roles in relation to all aspects of northern development, including such initiatives as Canada's new Critical Minerals Strategy,¹² is needed.

Evolving territorial resource management frameworks will have to adapt to and accommodate the co-management systems established by land claims.¹³ In our view, territorial administrations should embrace the opportunities offered by co-management and should consider enhancing the role of these systems as post-devolution resource and environmental legislation evolves.

Co-management is part of public government and is intended to generate fair, balanced and culturally sensitive resource and environmental decision-making. Any perspective which views land claims, and co-management in particular, as a limitation or constraint on government initiative reflects an impoverished view of the shared vision negotiated by Indigenous Nations and Canada at the land claims tables. It ignores the overarching constitutional requirements for accommodation and reconciliation developed through our constitutional jurisprudence and adopted by governments in both law and policy. And it fails to recognize opportunities offered by co-management to achieve better resource development outcomes.

In light of recent devolution, we suggest that territorial officials should be looking for opportunities to improve the co-management frameworks created by modern treaties, using their devolved authorities. Greater participation in decision-making by Participants would better reflect the demographic realities of Canada's northern territories¹⁴ and would further contribute to reconciliation between the Crown and s. 35 rights holders.

2 CO-MANAGEMENT¹⁵

Co-management arrangements can arise in a variety of contexts. In general, the benefits sought through co-management result in more appropriate, more efficient, and more equitable resource management. Co-management does not depend on a formal legal framework. The Beverly and Qamanirjuaq Caribou Management Board (BQMB) operates on the basis of an agreement¹⁶ first

¹² Government of Canada, "The Canadian Critical Minerals Strategy: From Exploration to Recycling: Powering the Green and Digital Economy for Canada and the World" (Date modified: 12 September 2023), online: <www.canada.ca/en/campaign/critical-minerals-in-canada/canadian-critical-minerals-strategy.html>.

¹³ Yukon devolution took effect in 2001, in NWT the devolution agreement was finalized in 2013 and in Nunavut the final draft agreement is set to be signed in early 2025. All of these agreements include non-derogation provisions which prevent implementation actions which interfere with treaty rights and interests.

¹⁴ Indigenous peoples make up a much more significant proportion of the populations of the territories than the provinces: in Yukon 23%; in NWT 49%; and in Nunavut 85%.

¹⁵ Much of the research for this section was completed in support of "A Review and Analysis of the Evolution of Co-Management Arrangements for Fish and Wildlife", John Donihee, University of Calgary, 2000. Unpublished Paper.

¹⁶ Beverly and Qamanirjuaq Caribou Management Board, "About BQMB", online: <https://arctic-caribou.com/about-bqmb/#_agreement>.

negotiated in the 1980s, with its fourth mandate renewed in 2023, by 11 partners, including the governments of Canada, Manitoba, NWT, Nunavut and Saskatchewan and six Inuit, Dene and Metis organizations. A shared concern for the well-being of these caribou herds first brought these parties together during a downturn in caribou numbers in the late 1970s. The BQMB describes itself as the “first caribou co-management board in North America”. It has made important contributions to the management of these caribou herds for over 50 years despite having no legislated base.

In practice, co-management arrangements can be founded on a spectrum of arrangements from voluntary partnerships to contractual, legislated, and even constitutionally protected systems such as those found in modern treaties. Co-management operates in a variety of forms and contexts.¹⁷

2.1 DEFINING CO-MANAGEMENT

Evelyn Pinkerton described co-management as a situation where “all parties give to get arrangements which last”.¹⁸ She documented the development and benefits of co-management arrangements in situations where fisheries stock depletions, conflict over allocation of harvests and problems with habitat management resulted in claims that the government's ability to manage the resource was insufficient to handle these problems. Ostrom¹⁹ has analyzed problems affecting common property resources in situations where neither the state nor the market could successfully enable resource harvesters to sustain long-term, productive use of natural resources.

Despite the considerable attention given to “co-management” as an approach to addressing resource management problems, there is no widely accepted definition of the term. Fikret Berkes addressed the competing definitions of co-management as follows, “cooperative management”, or “co-management”, broadly refers to various degrees of integration of local and state level systems. He suggests that it would be pointless to try to define the term co-management more precisely because of the variety of arrangements possible.

True co-management involves shared decision-making power by partners and may require government to devolve some of their powers to the partners, but in practice, there is a wide variety of partnership arrangements that involve varying degrees of power sharing.

Osherenko has focused on describing the “co-management regime”. A co-management regime is an institutional arrangement in which government agencies with jurisdiction over resources and user groups enter into an agreement covering a specific geographic region and spelling out:

- 1 A system of rights and obligations for those interested in the resource;
- 2 A collection of rules indicating actions that those involved are expected to take under various circumstances; and

¹⁷ Berkes, Fikret, George Peter, and Richard J. Preston, “Co-Management: the Evolution in Theory and Practice of the Joint Administration of Living Resources”, *Alternatives* Vol. 18 No. 2 pp. 12.

¹⁸ Pinkerton, Evelyn (ed.), *Cooperative Management of Local Fisheries*, U.B.C. Press 1989.

¹⁹ Ostrom, Elinor, *Governing the Commons: The Evolution of Institutions for Collective Action*, 1990.

- 3 Procedures for making collective decisions affecting the interests of government actors, user organisations and individual users.²⁰

This description fits well with land claim-based co-management regimes.

2.2 APPLICATION OF CO-MANAGEMENT IN CANADA

Co-management has been reported in the forestry sector and studied nationwide. Osherenko studied three existing systems, including the Beverly, Qamanuriaq Caribou Management Board, co-management of Beluga under the James Bay and Northern Quebec and Northeastern Quebec land claim agreements, and co-management of geese on the Alaskan portion of the Yukon River Delta.²¹ Allison Haugh reports that at least 18 cooperative management arrangements were implemented in Manitoba between 1971 and 1982.²² A co-management agreement has been developed for the Porcupine Caribou herd which ranges across the North Slope from Alaska to the Inuvialuit Settlement Area.²³ Co-management agreements also exist for polar bear populations among Indigenous user groups in the Arctic. In its work and final report, the Royal Commission on Aboriginal Peoples reported some 16 different co-management agreements and other arrangements which were organized into several different classes.²⁴

Co-management arrangements are widespread in Canada.

2.3 LAND CLAIMS-BASED CO-MANAGEMENT

The Government of Canada's Comprehensive Land Claims Policy, first introduced in 1973, has been updated several times since and each new version superseded previous ones. In 1995, Canada adopted an "Inherent Right to Self-Government Policy", and a number of comprehensive claims approved since then have included self-government agreements such as those in Yukon and the Tlicho Agreement in the NWT. Land claims settled in the NWT before 1995 reserved the right to negotiate self-government after land and resources agreements were finalized.²⁵

The first priority at the land claims negotiating table in many instances for an Indigenous Nation and Canada, was to address aboriginal title claims related to land use and occupancy and clarify questions about Crown title because of resource exploration and development pressures. The *Inuvialuit Final Agreement*²⁶ (IFA) is an example of the way that resource development could push a negotiating agenda. Inuvialuit, as an Inuit people, were originally part of the broader Inuit negotiations, but pressures on their lands and wildlife associated with oil and gas exploration in

²⁰ Osherenko, Gail, *Sharing Power with Native Users: Co-Management Regimes for Arctic Wildlife*, Canadian Arctic Resources Committee, Policy Paper 5, Ottawa 1988.

²¹ *Supra*, note 21.

²² Haugh, Allison, "Balancing, Rights, Powers and Privileges: A Window on Co-Management Experience in Manitoba", *Northern Perspectives*, Vol. 22, No. 2-3 Summer/Fall 1994 at p. 28.

²³ See Annex L to the Inuvialuit Final Agreement.

²⁴ *Royal Commission on Aboriginal People, Restructuring the Relationship*, Vol. 2, Appendix 4B, pp. 735-771.

²⁵ See for example Chapter 5 in each of the *Gwich'in Comprehensive Land Claim Agreement* and the *Sahtu Dene and Metis Comprehensive Land Claim Agreement*.

²⁶ *The Western Arctic Claim: The Inuvialuit Final Agreement*, Department of Indian Affairs and Northern Development, 1984.

the Beaufort Sea area resulted in the Committee for Original Peoples' Entitlement withdrawing from the negotiations which eventually resulted in the Nunavut Agreement (9 years later in 1993) to settle their own regional IFA land claim in 1984. Similar pressures affected the coalition that negotiated the Dene Metis Agreement in Principle in 1988, and one of the results was regional claims being settled in the Gwich'in area in 1992 and in the Sahtu in 1993.

All these land claims are modern treaties²⁷ and all have constitutionally protected co-management frameworks. Each agreement reflects the goals of the Indigenous Nation which negotiated it and the physical and socio-economic context of that Nation's traditional area. In addition, final land claim agreements are a negotiated product and consequently, there are no "cookie-cutter" outcomes and so there are differences in the specific details of their respective co-management systems.

Table 2 lists the co-management arrangements in comprehensive land claims in Canada.

²⁷ See section 35(3) *Constitution Act, 1982*.

Table 2. Co-Management systems in comprehensive land claims in Canada

Agreement	Wildlife	Fisheries	Land	Forest	Water	Impact assessment	Land use planning	Harvesting
James Bay and Northern Quebec Agreement (1975)	X	X	X		X		X	X
Inuvialuit Final Agreement (1984)	X	X	X		X	X	X	X
Gwich'in Comprehensive Land Claim Agreement (1982)	X	X	X	X	X		X	X
Sechelt Indian Bank Self Government Act (1986)			X					
Nunavut Land Claims Agreement (1993)	X	X	X		X	X	X	X
Yukon Umbrella Final Agreement (1993)	X	X	X	X	X	X	X	X
Sahtu Dene and Metis Comprehensive Land Claim Agreement (1994)	X		X	X	X	X	X	
Nisga'a Agreement (2000)	X	X		X		X	X	
Labrador Inuit Land Claims Agreement (2005)	X	X	X		X	X	X	X
Westbank First Nation Self-Government Agreement (2005)	X			X	X	X	X	

Agreement	Wildlife	Fisheries	Land	Forest	Water	Impact assessment	Land use planning	Harvesting
Tlicho Land Claims Agreement (2005)	X	X	X	X	X	X	X	
Nunavik Inuit Land Claims Agreement (2008)	X	X			X	X	X	
Tsawwassen First Nation Agreement (2009)		X			X	X	X	X
Maa-nulth First Nations Final Agreement (2011)	X	X	X	X		X	X	X
Eeyou Marine Region Land Claims Agreement (2012)	X	X			X	X	X	X
Tla'amin Final Agreement (2014)	X	X	X	X	X	X	X	X
Cree Nation Governance Agreement (2018)	X	X	X		X	X	X	X

Land claim negotiations were framed by federal policy, which has itself evolved over the years in response to judicial decisions, politics and other factors. Negotiators representing Indigenous Nations had a difficult job and compromises had to be made. Co-management is one of those compromises.

In its *Nacho Nyak Dun* decision²⁸, the Supreme Court of Canada explained the compromise which led to Yukon co-management as follows:

In exchange for comparatively smaller settlement areas, the First Nations acquired important rights in both settlement and non-settlement lands, particularly in their traditional territories (see Chapters 7, 10, 13, 14, 16, 17 and 18 [of the Umbrella Final Agreement]; see also *Little Salmon*, at para. 9). Section 9.3.1 recognizes that “[t]he amount of Settlement Land to be allocated . . . has been determined in the context of the overall package of benefits in the Umbrella Final Agreement.”

Barry Stuart, the Chief Land Claims Negotiator for the Yukon Territorial Government, explains that it was more important to First Nations that they be able to meaningfully participate in land use management in all of their traditional territory than to acquire vast tracts of their traditional territory as settlement lands:

. . . it became abundantly clear that [the First Nations’] interests in resources were best served by creatively exploring opinions for shared responsibility in the management of water, wildlife, forestry, land, and culture. Effective and constitutionally protected First Nation management rights advanced their interests in resource use more effectively than simply acquiring vast tracts of land [as settlement lands]. . . .

This passage speaks to the reasoning behind the co-management compromise found in land claim agreements.

Co-management was never intended to be self-government. But as we can see from experience in Yukon, and Mowhi Gogha De Niitlee in the NWT, it can and does coexist effectively with and support self-government and land claim-based rights through environmental and resource management protection and decision-making.

Because these co-management systems are part of modern treaties, constitutionally protected and implemented by federal, and in some cases territorial legislation, the jurisprudence interpreting these treaties and addressing the Crown’s role and obligations in implementing them is also applicable to co-management systems. This, despite the fact that co-management institutions and their decision-making are expressly stated in these treaties to be a part of public government.

²⁸ *First Nation of Nacho Nyak Dun*, [2017] 2 S.C.R. at para 46, referring to Stuart, Barry. “The Potential of Land Claims Negotiations for Resolving Resource-use Conflicts”, in Monique Ross and John Owen Saunders, eds., *Growing Demands on a Shrinking Heritage: Managing Resource-use Conflicts*. Calgary: Canadian Institute of Resources Law, 1992, 129.

2.4 A CLOSER LOOK AT CO-MANAGEMENT TRIBUNALS

Some academic commentators have challenged co-management regimes on the grounds that they fail to provide an adequate role and powers to Indigenous Nations and rights holders and that co-management processes can weaken Indigenous culture. Although we think that the co-management compromise was made for other reasons, it is not the purpose of this paper to answer these criticisms. Professor Graham White does provide a more detailed response to these arguments.²⁹

Our analysis began from a more pragmatic perspective. Co-management has been enshrined in the constitution and law for decades. It is widespread and here to stay and because this compromise is based in treaties, it is effectively permanent. Our goal has thus been to look at co-management as it exists and offer suggestions for ways to improve it with the hope of enhancing its contribution to reconciliation.

In form and substance, co-management institutions, boards, commissions, or committees – the labels vary, are administrative tribunals. Canada has a lot of experience with such institutions. As Justice Cory of the Supreme Court of Canada noted in a case involving a challenge to the Newfoundland Public Utilities Board in 1992:

“Administrative boards play an increasingly important role in our society. They regulate many aspects of our life, from beginning to end. Hospital and medical boards regulate the methods and practice of the doctors that bring us into this world. Boards regulate the licensing and operation of morticians who are concerned with our mortal remains.... [In] Canada, boards are a way of life. Boards and the functions they fulfill are legion.”³⁰

Canadian administrative law thus applies to co-management tribunals. Their jurisdiction is set out in land claims and confirmed or expanded in implementation³¹ or follow up legislation.³² These tribunals’ decisions and processes are subject to requirements of fairness and much of the general administrative law framework in Canada. They are subject to judicial review in the courts, and their functions are closely integrated into government processes and decision-making. These tribunals must give reasons for their decisions. They often have the power to make rules of procedure, policies for their own operations, and to conduct public hearings. Some,

²⁹ See *Indigenous Empowerment Through Co-Management: Land Claims Boards and Environmental Regulation*, Graham White, UBC Press 2020, 379 pp. Chapter 9

³⁰ *Newfoundland Telephone v. Newfoundland (Public Utilities Board)* [1992], 1 S.C.R. 623 at 634.

³¹ Implementation legislation generally only gives legal force and effect to a land claims agreement for example, the *Western Arctic (Inuvialuit) Claims Settlement Act*, S.C. 1984, c. 24.

³² More recent land claims, for example, Yukon’s Umbrella Final Agreement, the Gwich’in, Sahtu and Tlicho agreements in the NWT and the Nunavut Agreement required follow up legislation to fill out the details of environmental impact assessment, land and water management, and land use planning regimes set up by the land claims – the *Mackenzie Valley Resource Management Act*, S.C. 1998 c. 25 (MVRMA) is such a statute. This was not the case for the Inuvialuit Final Agreement which required no follow up legislation to supplement its provision. Follow up legislation was required for Environmental Impact Assessment, Water and Surface Rights management in both Yukon and Nunavut.

with the authority to hold hearings, can subpoena witnesses and documents. Depending on tribunal practice and function, their proceedings can, at times, be very court-like.

Co-management tribunals are made up of an equally balanced complement of members, chosen or appointed by the Treaty Partner and the designated Minister of government.³³ The Chairpersons are sometimes chosen by the members, or appointed by a Minister upon recommendation of the members. These tribunals have their own staff which is not part of the public service and offices which are not part of government. They exercise independent decision-making authorities³⁴ which enjoy protection from government interference because these institutions are treaty-based, and their basic functions are outside government control.

Government still, of course, controls their funding (in accordance with treaty implementation contracts), board appointments, and can in some instances, provide policy direction to the tribunals. In practice, however, such policy directions have been rare and such Ministerial direction cannot be given in relation to a specific decision pending before a tribunal. This “qualified independence” has also been the source of academic review and criticism³⁵ but co-management tribunals are generally considered to bring “significant Aboriginal influence to bear on wildlife, land, water and resource decisions, in part because of guaranteed representation of Aboriginal people on the tribunals and in part because of their commitment to incorporate Aboriginal perspectives and approaches into their operations.”³⁶

Co-management tribunals and their staffs work closely with communities and parties affected by their processes and decisions. For significant components of the northern environmental management and resource development framework they are the outward facing elements of government decision-making.

Co-management boards have become a permanent part of the legal landscape of the North. By virtue of the jurisprudence on Indigenous consultation, their proceedings serve in large part to satisfy duty to consult obligations imposed on the Crown – both the federal and territorial governments. In the case of major development proposals involving Environmental Assessments or Type “A” water licenses, or significant decisions about wildlife management, such as the imposition of a Total Allowable Harvest on a wildlife population, governments often fund supplementary board processes, including hearings. This funding supplements budgets for day-to-day operations and in certain cases funds are also provided for intervenor funding to assist affected Indigenous organizations or rights holders to participate in hearings. Proponents and government departments participate in tribunal proceedings, file evidence, answer questions from the boards, intervenors and public. In a case with a hearing this will include hearing

³³ The formula is for 50% of the membership to be Participants and 50% appointed by governments – usually half federal and half territorial. The Chairpersons are appointed separately.

³⁴ Administrative tribunals in Canada do not enjoy anything like the constitutionally protected independence of the Courts. But because they have a duty to be fair and are subject to judicial review they are at a minimum expected to make independent and objective decisions.

³⁵ See Graham White “Issues of independence in Northern Aboriginal-state co-management boards” *Canadian Public Administration*, Volume 61, No, 4 December 2018 at pp. 550-571.

³⁶ *Supra*, note 36 page 551.

interventions, public presentations and the asking of questions in hearings held in the communities closest to the proposed development or activity.

Board decision-making processes are set out in land claims or in statute or both, and final written decisions are the norm. Some decisions, and all recommendations go to Ministers. Government can then conduct a second check on adequacy of consultation and review the proposed decision or recommendation in respect of rights-based concerns identified by affected Indigenous rights holders or organizations. These extra steps are normal government practice when Ministers are making final decisions on important projects or matters.

These co-management processes are thorough. They can be complex and time consuming, but this system is the operational fulfillment of land claims promises. Co-management provides northerners with access to and an opportunity to influence decisions in ways which would be the envy of small communities and Indigenous rights holders in southern Canada.

Many of these tribunals have the authority to make rules, guidelines and policies which affect both their own practices and third parties and through board regulatory processes.³⁷ These rules are “soft law” and they have considerable effect on the northern regulatory process. They are developed with considerable effort to include community perspectives and the input of Indigenous governments as well as industry and potentially affected parties. Over time, co-management tribunal processes have become more familiar to Participants, board membership is now largely Indigenous, and the focus on community concerns, securing traditional knowledge for decision-making, and pragmatic solutions which are contextually appropriate and protect the land, has generated a uniquely northern system. Professor White’s conclusion after a broad ranging multiyear study is that co-management has had significant influence over resource development decision-making.³⁸

Despite the constitutional and legal framework establishing these tribunals and their processes, it is still essential for Indigenous Treaty Partners to continue to pay attention to the way governments address treaty implementation, legislation and co-management. “Good fences make good neighbours” as the saying goes, and diligence and attention is needed to ensure that government encroachment on co-management institutions’ roles and prerogatives does not occur.³⁹

³⁷ The Appendix to this paper lists just a few of the important policies, guidelines and rules published by the Mackenzie Valley Impact Review Board and the Mackenzie Valley Land and Water Board. The list is intended to be instructive not exhaustive.

³⁸ *Supra*, note 30.

³⁹ A good example of this watchfulness can be found in *Tlicho Government v. Canada (Attorney General)*, 2015 NWTSC 09. The case involved an attempt by Canada to amend the MVRMA and eliminate regional panels of the MVLWB in favour of a single larger tribunal (the “superboard”). The Tlicho Government succeeded in securing an Interlocutory Injunction preventing the calling in to force of the section of the *Devolution Act* which would have amended the MVRMA to eliminate the settlement area Land and Water Boards. The proposed amendment was later abandoned by Canada.

3 CO-MANAGEMENT AND RECONCILIATION

A recent Supreme Court of Canada decision repeated the future-oriented and aspirational nature of reconciliation calling it a “a long-term project” that “will not be accomplished in a single sacred moment, but rather through a continuous transformation of relationships, and a braiding together of distinct legal traditions and sources of power that exist.”⁴⁰

These words echoed those of former Chief Justice Beverley McLachlin in the seminal duty to consult case of *Haida Nation v. British Columbia (Minister of Forests)*⁴¹. Writing for the court, McLachlin describes reconciliation as a “process”:

“Reconciliation is not a final legal remedy in the usual sense. Rather, it is a process flowing from rights guaranteed by s 35(1) of the *Constitution Act, 1982*”⁴²

In *Coldwater First Nation v. Canada (Attorney-General)*⁴³ the Federal Court of Appeal identified the two controlling concepts underlying the Honour of the Crown: consultation and reconciliation. Citing *Beckman v. Little Salmon/Carmacks First Nation*,⁴⁴ the Federal Court of Appeal said this about reconciliation:

47 The other controlling concept is reconciliation. The best description of reconciliation to date appears in the following passage from *Beckman* (paragraph 10):

The reconciliation of Aboriginal and non-Aboriginal Canadians in a mutually respectful long-term relationship is the grand purpose of s. 35 of the Constitution Act, 1982. The modern treaties, including those at issue here, attempt to further the objective of reconciliation not only by addressing grievances over the land claims but by creating the legal basis to foster a positive long-term relationship between Aboriginal and non-Aboriginal communities. Thoughtful administration of the treaty will help manage, even if it fails to eliminate, some of the misunderstandings and grievances that have characterized the past. Still, as the facts of this case show, the treaty will not accomplish its purpose if it is interpreted by territorial officials in an ungenerous manner or as if it were an everyday commercial contract. The treaty is as much about building relationships as it is about the settlement of ancient

⁴⁰ *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, 2024 SCC 5 at para 90 citing (see J. Leclair, “Zeus, Metis and Athena: The Path Towards the Constitutional Recognition of Full-Blown Indigenous Legal Orders” (2023), 27:2 Rev. Const. Stud. 77; cf. H. Cyr, *Canadian Federalism and Treaty Powers: Organic Constitutionalism at Work* (2009), at pp. 37-38; see also J. Borrows, “Revitalizing Canada’s Indigenous Constitution: Two Challenges”, in *UNDRIP Implementation: Braiding International, Domestic and Indigenous Laws* (2017), 20).”

⁴¹ [2004] 3 S.C.R. 511, 2004 SCC 73.

⁴² *Haida Nation v British Columbia (Minister of Forests)*, 2004 73 at para 32.

⁴³ 2020 FCA 34, leave to appeal to the SCC refused.

⁴⁴ 2010 SCC 53.

grievances. The future is more important than the past. A canoeist who hopes to make progress faces forwards, not backwards.

48 Reconciliation must nonetheless begin by looking back and developing a deep understanding of the centuries of neglect and disrespect toward Indigenous peoples [references omitted]. Too often decisions affecting Indigenous peoples have been made without regard for their interests, dignity, membership and belonging in Canadian society, with terrible neglect and damage to their lives, communities, cultures and ways of life. Worse, almost always no effort was made to receive their views and try to accommodate them—quite the opposite. The duty to consult is aimed at helping to reverse that historical wrong.

49 Reconciliation also looks forward. It is meant to be transformative, to create conditions going forward that will prevent recurrence of harm and dysfunctionality but also to promote a constructive relationship, to create a new attitude where Indigenous peoples and all others work together to advance our joint welfare with mutual respect and understanding, always recognizing that while majorities will sometimes prevail and sometimes not, concerns must always be taken on board, considered and rejected only after informed reflection and for good reason. This is a recognition that in the end, we all must live together and get along in a free and democratic society of mutual respect.

There is academic criticism of the aspirational framing of reconciliation by Supreme Court of Canada jurisprudence and for the lack of clarity in what the court intends to be the substantive realization of the acts that would achieve or promote reconciliation in a legal context.⁴⁵ But reconciliation nonetheless continues to be a powerful shorthand for the instructions in the jurisprudence for the maintenance of long-term, peaceful and productive relationships between the Crown and Indigenous nations, within constitutional limits.

Co-management clearly has a role to play in reconciliation in Northern Canada. As a negotiated “compromise” it brings the interests of the Crown and those of Indigenous rights holders together through the tribunals set up by a land claim to address matters such as wildlife, water, land and the environment. These tribunals’ processes based in land claims must also be respected. The Supreme Court in *Nacho Nyak Dun* is clear – “reconciliation is to be found in the respectful fulfillment of a modern treaty’s terms”.⁴⁶ The Supreme Court went further in that case saying that it is not the courts’ judicial role to supervise the conduct of the parties at every stage of the treaty relationship. Set in the context of co-management, we suggest this means that the tribunals should be granted the time to work their processes out and make the decisions necessary to contribute to or achieve reconciliation.

⁴⁵ Aimee Craft, “Neither Infringement nor Justification – the Supreme Court of Canada’s Mistaken Approach to Reconciliation”, in Karen Drake and Brenda Gunn (eds) *Renewing Relationships: Indigenous Peoples and Canada* (University of Saskatchewan Native Law Centre, 2019). The paper also opines that the “court continues to articulate the reconciliation framework through a lens of justification of infringements in a context of historical and ongoing colonial dispossession and oppression”. (at page 78)

⁴⁶ *Supra*, note 29.

Recent co-management agreements developed outside the litigation context such as the Blueberry River agreements, have been heralded as contributors to reconciliation.⁴⁷ In a number of decided cases, our courts have stated that co-management systems are based on “relationships” and that “trust” among the parties is essential to make it work and must be protected. For example, in a recent case involving a challenge to the refusal of the Yukon government to release of caribou collar data to a scientist the court said:

“The release of the data that has been collected under a land claim-based co-management system would circumvent the processes established under the *Inuvialuit Final Agreement* (IFA), and it risks damage to long-cultivated relationships with Inuvialuit management and co-management partners in the Inuvialuit Settlement Region.”⁴⁸

The request for the data was denied.

Similarly, in *Coldwater*⁴⁹, the court described reconciliation as a “relationship” requiring open communication and good faith:

“Reconciliation as relationship can only be advanced through consultation when the respective parties commit to the process, avoid counterproductive tactics, get to the substance of the issues of concern and exercise good faith-Indigenous peoples by communicating their concerns in the clearest possible way and the Crown by listening to, understanding and considering the Indigenous peoples' points with genuine concern and an open mind throughout. Only then can the process lead to accommodations that respond to the concerns of the Indigenous peoples.”

The linking of modern treaties with reconciliation was also emphasized in *Nacho Nyak Dun* where the court further explained how modern treaties advance reconciliation.⁵⁰ In applying common law principles to modern treaties, in particular judicial forbearance but within constitutional limits: “Although not exhaustively so, reconciliation is found in the respectful fulfillment of a modern treaty’s terms” (at para 38).

⁴⁷ See for example, the announcement of the Blueberry River agreements which involve land use planning and wildlife co-management with the Province: Government of British Columbia, Press release “Province, Blueberry River First Nations reach agreement”, online: <<https://news.gov.bc.ca/releases/2023WLR0004-000043>>. These are examples of co-management achieved by negotiation which may nonetheless contribute to reconciliation.

⁴⁸ Affidavit of Jennifer Smith, the chairperson of the Wildlife Management Advisory Council (North Slope), a co-management tribunal established under the Inuvialuit Final Agreement, cited in *Maraj v Commissioner of the Yukon Territory*, 2023 YKSC 55 at para 55.

⁴⁹ *Supra*, note 44.

⁵⁰ *Supra*, note 29.

Since *Nacho Nyak Dun*, reconciliation as a concept central to co-management regimes within modern treaties has not often been addressed in other cases.⁵¹

The report of the Royal Commission on Aboriginal Peoples also identified reconciliation as one of the outcomes of co-management and recommended the expansion of co-managed approaches to resource management.⁵²

“4.6.11 All governments in Canada support the development of co-management regimes along the lines of those already established in the North.”

and

“The following action be taken with respect to co-management and co-jurisdiction:

- (a) the federal government work with provincial and territorial governments and Aboriginal governments in creating co-management or co-jurisdiction arrangements for the traditional territories of Aboriginal nations;
- (b) such co-management arrangements serve as interim measures until the conclusion of treaty negotiations with the Aboriginal party concerned;
- (c) co-management bodies be based on relative parity of membership between Aboriginal nations and government representatives;
- (d) co-management bodies respect and incorporate the traditional knowledge of Aboriginal people; and
- (e) provincial and territorial governments provide secure long-term funding for co-management bodies to ensure stability and enable them to build the necessary management skills and expertise (which would involve cost sharing on the part of the federal government).”⁵³

In summary then, while reconciliation is the goal, it should be conceptualized as a continuing process which should always be kept in mind when decisions affecting Indigenous rights are in play. Co-management tribunals have an important but limited role and contribution to make to

⁵¹ As of March 8, 2024, our review of the case law which mentions co-management of natural resources and reconciliation identified *Makivik Corporation v. Canada (Attorney General)*, 2021 FCA 184; *Maraj v Commissioner of the Yukon Territory*, 2023 YKSC 55; *Colville Lake Renewable Resources Council et al v Gov’t of the NWT et al.*, 2023 NWTSC 22; and *Nunatsiavut Government v. Newfoundland and Labrador*, 2020 NLSC 129. The *Nacho Nyak Dun* case remains the leading authority on this point.

⁵² *Report of the Royal Commission on Aboriginal Peoples: Looking Forward, Looking Back*, vol 5 (Ottawa: Supply and Services Canada, 1996) at p. 233.

⁵³ *Supra*, note 53 at page 182.

the achievement of this goal, primarily in the context of their decisions about resource management and development. Effective co-management, including the work of co-management tribunals, is important to the future of treaty rights in northern Canada.

4 INTEGRATING CO-MANAGEMENT INTO GOVERNMENT DECISIONS

We have suggested that governments, and particularly territorial governments implementing devolved authorities, should look for opportunities, not just to implement co-management fully and respectfully, but where appropriate to enhance and expand the scope of co-management itself. Environmental protection and natural resource management in the territories is strongly influenced by local interests, attitudes and concerns. In addition, since populations in small communities include significant numbers of Indigenous rights holders, co-management offers government a mechanism to achieve greater involvement in and acceptance of decisions which affect Indigenous rights and interests. It is also critical to the satisfaction of the Honour of the Crown when Indigenous rights are affected, and it can help in progress towards reconciliation.

We are not suggesting amendments to land claim-based treaties. Rather we are proposing consideration of further legislative incorporation of co-management institutions and processes into government decision-making. As part 2 above indicates there are a variety of possible co-management arrangements. If we adopt a less formal definition of co-management, it may not even be necessary to amend legislation to contribute to this goal. Experience with the BQMB, for example, shows there are ways to generate culturally acceptable wildlife management solutions without the need for legislation. In any event, the NWT Devolution Agreement's Intergovernmental Agreement on Lands and Resources Management⁵⁴ will require consultation and involvement by Indigenous Governments in new legislative initiatives affecting land and resources. This is an ideal forum for consideration of enhanced roles for co-management tribunals. In Nunavut, with devolution scheduled for 2025, there are obvious opportunities to enhance co-management.

As the implementation of devolution proceeds most of these opportunities may fall to territorial governments. A review of the effectiveness of integration of co-management into current legislation can give a better indication of what we are suggesting and how it can be done. A detailed review is for another day, but we can offer some examples from territorial wildlife legislation below. Before commenting on this legislation, however, a little background will help to explain territorial governments' recent improvements in wildlife laws.

First, rewriting the rules on wildlife was of central importance to Indigenous rights holders.⁵⁵ It was a first priority at the land claim tables because wildlife management, particularly control over the harvesting of game animals, is culturally, economically and nutritionally vital to Indigenous peoples. Their lives depend on and are centered around these animals.

⁵⁴ Schedule 5 to the Northwest Territories Land and Resources Devolution Agreement, June 25, 2013.

⁵⁵ I tell the full story in *Local Control of Wildlife in the NWT*, by John Donihee, LLM thesis University of Calgary 2002.

Wildlife and game are and have historically been territorial government jurisdiction.⁵⁶ Wildlife rights and management were dealt with early at the land claims tables. In all land claims, even those requiring follow up legislation for other renewable resources, the wildlife components of land claims came into force when ratification legislation was passed.

Legislative authority for wildlife did not have to be devolved. It was always a territorial matter and the territorial governments had considerable experience working with local user groups (called Hunters and Trappers Associations in the NWT and Nunavut) before land claims came in to force. Because of this familiarity and experience working with Indigenous rights holders the new wildlife rights and management systems were easier to integrate with territorial wildlife legislation. This is not to say that considerable efforts were not necessary. It took several years of hard work to develop these new statutes. But the result was legislation which facilitates and enhances the wildlife co-management frameworks set out in land claims.

In Yukon, the *Wildlife Act*⁵⁷ was amended to include provisions which largely mirrored section 14 of the IFA – on Wildlife Harvesting and Management. Part 13 of the Act was the product of direct negotiation between Yukon and Inuvialuit representatives. It specifies that the Act is subject to the IFA and includes definitions drawn from the land claim. Part 13 only applies on the Yukon North Slope which is in the Inuvialuit Settlement Region. The special harvesting and wildlife management rules from the IFA are adopted in the Act for that area. The processes for managing Inuvialuit harvesting and the co-management institutions established by the IFA are enshrined in the Act. Final decisions on Yukon wildlife matters are the responsibility of the Minister of Environment but all the rights, processes and institutions involved are derived from the IFA. The Yukon wildlife management regime for the North Slope was thus adapted to incorporate the IFA system.

The Nunavut *Wildlife Act*⁵⁸ was drafted collaboratively by the Government of Nunavut, Nunavut Tunngavik Incorporated and the Nunavut Wildlife Management Board (NWMB). The Act also includes provisions for the Management of Species at Risk. The legislation is framed around the Inuit wildlife rights and management processes set out in Article 5 – Wildlife, in the *Nunavut Agreement*.⁵⁹ It speaks to the purposes and values of the legislation. In this regard s. 1 the Purpose sets out the intentions of the Nunavut Legislature:

1. (1) The purpose of this Act is to establish a comprehensive regime for the management of wildlife and habitat in Nunavut, including the conservations, protections and recovery of species at risk, in a manner that implements provisions of the *Nunavut Land Claims Agreement* respecting wildlife, habitat and the rights of Inuit in relation to wildlife and habitat.

⁵⁶ Migratory birds, fish and marine mammals are federal matters.

⁵⁷ R.S.Y. 2002, c. 229.

⁵⁸ S.Nu. 2003, c. 26. Note that the first Bill introduced into the Nunavut Legislature to fully replacing a statute “inherited” after division of the NWT and Nunavut in 1999 was their *Wildlife Act*. This priority was unanimously supported by Nunavut MLAs. The old wildlife legislation was repealed in favour of the new Act in 2002

⁵⁹ Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada, Ottawa, 1993.

Interestingly, s. 8 of the Act speaks to “Guiding principles and concepts”. These principles were developed in cooperation with Inuit elders, and they are derived from *Inuit Qaujimajatuqangit* or traditional knowledge and described in both Inuktitut and English in s. 9. These principles and concepts are stated to be applicable to the interpretation of the Act. This approach is unique in Canada.

Sections 151 to 158 of the Act deal specifically with the NWMB and its role authorities and relationships with the Minister and decision-making. Regional and community-based wildlife organizations set up by the land claim and their roles are also reflected in the Act. This legislation incorporates and respects the rights, co-management and Inuit organizations established in the *Nunavut Agreement* and the decision-making relationships which are central to wildlife co-management in Nunavut.

Wildlife legislation in the NWT was also reenacted after land claims were settled. The purpose of the *Wildlife Act*⁶⁰ is set out in section 8 as follows:

8. The purpose of this Part is to identify persons and bodies responsible for conservation and management of wildlife in the Northwest Territories, while respecting the roles and responsibilities of each of them, and to promote cooperative and collaborative working relationships for effective wildlife management at the local, regional and territorial levels.

Renewable Resources Boards, established by land claims as the main instrument of wildlife management in areas of the NWT which have land claim agreements, are recognized and their roles are integrated directly into the legislation. Section 15 of the Act requires the government to convene an annual meeting of bodies and organizations responsible for wildlife management in the NWT. Aboriginal harvesting rights are recognized and incorporated into the legislation. Proper conduct on the land and respect for wildlife is encouraged. Local involvement and advice about wildlife management decision-making is provided for and encouraged throughout the Act. Integration of habitat management concerns with the impact assessment systems set out in land claims and follow up legislation is addressed by requiring the Minister to make submissions to responsible authorities when there is the potential for impacts on game, prescribed wildlife or habitats.

The NWT *Wildlife Act* is another good example of a statute developed with the express intent of integrating land claim rights and co-management processes directly into the framework of the legislation.

The NWT has separate legislation for species at risk. The *Species at Risk (NWT) Act*⁶¹ is another excellent example of legislation drafted collaboratively with Indigenous rights holders with the express purpose of integrating land claims-based co-management institutions into territorial law. Section 4 requires that “any action or thing authorized by the Act must be carried out in accordance with any applicable land claims agreement.” This statute had to go beyond the provisions of land claims to coordinate the actions of co-management tribunals because each

⁶⁰ S.N.W.T. 2013, c. 30.

⁶¹ S.N.W.T. 2009, c. 16.

land claim has its own renewable resources board which is required to make decisions about the designation of endangered species in its land claim area.

While the Minister is the final wildlife management authority and the only one with responsibility for the whole territory and for species which migrate from one land claim area to another, a government decision on listing a species still requires approval to do so by each Renewable Resources Board. The Act thus establishes a new entity called the “Conference of Management Authorities” which is made up of co-management wildlife boards and assists them in the development of “consensus agreements” necessary for action to protect species with ranges wider than a single land claim area. This mechanism is an example of territorial legislation extending beyond the requirements of land claims in order to ensure that co-management authorities decision-making responsibilities with respect to species at risk can be effectively carried out. This territorial legislation contributes to the effectiveness of land claim co-management.

We have explored some of the details of wildlife legislation in the three territories because in our view this legislation shows how territorial governments can work directly with Treaty Partners and co-management authorities to develop, improve and extend the systems set out in land claims. These arrangements show that in appropriate cases territorial governments can put the tools in place to facilitate and contribute to reconciliation by enhancing co-management.

The NWT government went further and extended a form of co-management when it was drafting the *Waters Act*⁶² at the time of devolution. It continued the Inuvialuit Water Board (IWB) previously established under federal water legislation. The IWB operates in the Inuvialuit Settlement Region, but the IFA made no provision for co-management of water.

Section 13 of the *Waters Act*, however, provides for a water board to which half the members are nominated by the Inuvialuit Regional Corporation – the Treaty Partner under the IFA. This statutory arrangement ensures IFA Participants a role on the board that makes decisions about water use and the deposit of waste in their land claim region. The Chairperson of the Board is appointed by the Minister from persons selected by a majority of the Board.

Although the IWB’s staff are public servants, and this arrangement lacks the protection of a modern treaty, the rest of the provisions of the Act relating to the objects, authorities and operations of the IWB are very similar to those applicable to the Land and Water Boards established by Mackenzie Valley land claims. The IWB is in essence a co-management arrangement established by territorial legislation in order to ensure that Inuvialuit enjoy roles and authorities similar to those negotiated under the Gwich’in, Sahtu and Tlicho land claims. We suggest that this is an example of territorial legislation modeled on a land claim-based co-management regime which contributes to accommodation and reconciliation.

In our view, this brief review of territorial government legislation shows that the integration and enhancement of treaty-based co-management by adoption into territorial law is not just possible but that it can contribute to the ongoing effort to achieve reconciliation.

⁶² S.N.W.T. 2014, c. 18.

5 CONCLUSION

We have reviewed the origins, nature and scope of application of treaty-based co-management in northern Canada. This kind of co-management is a compromise which resulted from federal claims negotiating policies and the desire of Indigenous Nations to have some level of control over their traditional areas. To date, co-management has largely focussed on decisions about renewable resources, land, water, forests, fisheries and wildlife as well as processes related to the management of activities affecting the land including land use planning, surface rights dispute resolution and environmental impact assessment. These co-management frameworks apply to a vast geographic area, almost 35% of Canada. They are modern treaty based, constitutionally protected and, effectively permanent.

Co-management tribunals are institutions of public government and part of the administrative law framework of Canada, subject to the requirements of natural justice and to supervision by the courts. But these institutions are unique. By virtue of their membership, objectives, policies and decision-making, they are intended to bring the perspectives of Indigenous rights holders to bear on decisions about the lands and water upon which their traditional activities and cultures depend.

The jurisprudence about the specific contribution expected from co-management in delivering on the promises of modern treaties and these treaties is not extensive. But the decided cases make it clear that these tribunals play an important role in Crown consultation and that they are seen as vehicles through which the goals of accommodation and reconciliation can be advanced. The need to implement co-management appropriately and effectively engages the Honour of the Crown.

In all three northern territories Canada has either devolved or is in the process of devolving province-like legislative powers and the benefits from resource development to territorial governments. But this devolution takes place subject to modern treaties and to the co-management arrangements set out in those treaties. A brief review of territorial wildlife legislation in the territories shows how co-management can be integrated, accommodated, and even enhanced by territorial legislation. We suggest that careful review should precede future land and resource related legislative efforts by territorial governments to take advantage of opportunities to contribute to reconciliation with Indigenous Nations by further developing and improving co-management including enhancing the roles of co-management tribunals.

APPENDIX

SELECTED EXAMPLES OF CO-MANAGEMENT BOARD GUIDANCE DOCUMENTS

1. MACKENZIE VALLEY LAND AND WATER BOARD⁶³

- Rules of Procedure including Public Hearings
- Engagement and Consultation Policy
- Waste and Wastewater Management Policy
- Water Use Fee Policy
- Policy for Transboundary Applications
- Guide to the Land Use Permitting Process
- Guide to the Water Licensing Process
- Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits
- Guidelines for Developing a Waste Management Plan
- Guideline for the Design, Operation, Monitoring, Maintenance and Closure of Petroleum Hydrocarbon-Contaminated Soil Treatment Facilities in the Northwest Territories*
- Guidelines for Effluent Mixing Zones*
- Guidelines for Aquatic Effects Monitoring Programs*
- Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories*
- Guidelines for Closure and Reclamation Cost Estimates for Mines*
- MVEIRB Guidelines for Incorporating Traditional Knowledge in Impact Assessment*

2. MACKENZIE VALLEY ENVIRONMENTAL IMPACT REVIEW BOARD

- Rules of Procedure for Environmental Assessment and Environmental Impact Review Proceedings
- Environmental Impact Assessment Guidelines
- Guidelines for Incorporation Traditional Knowledge in EIA
- Socio-Economic Impact Assessment Guidelines
- Reference Bulletin on Consultation and Engagement in Environmental Impact Assessment
- 1391-4491-9306, v. 1

⁶³ A number of these guidance documents signified by an asterisk were jointly developed with other co-management tribunals and/or governments.

Mackenzie Valley
Review Board



Transboundary Assessment in the Mackenzie Valley

An Overview Presentation

MVRMA Resource Co-management Workshop -

łíídlı́ Kúé

March 26-27, 2024

Mark Cliffe-Phillips, Executive Director



Outline

- co-management system
- introduction to Review Board and environmental assessment
- Transboundary Assessments
- **Legal Requirements**
- **Agreements – MOU's and Cooperation Agreements**
- **LWB's**



2. What is the Mackenzie Valley Review Board



Northern Decision-Making for Northern Development and Resource Management

NWT Land Claim Agreements in the Mackenzie Valley



Tlicho Agreement
PLAYBOOK

Sahtu Dene and Metis Comprehensive Land Claim Agreement
VOLUME I
Canada

Gwich'in Comprehensive Land Claim Agreement
LAND GOVERNANCE PART

CONSOLIDATION
Mackenzie Valley Resource Management Act
S.C. 1998, c. 25
Current to September 11, 2021
Last amended on August 28, 2019

Section 114: "The Purpose of this Part is to establish a process comprising a preliminary screening, an environmental assessment and an environmental impact review in relation to proposals for developments [...]"

1. Gwich'in Comprehensive Land Claim Agreement
2. Sahtu Dene and Metis Comprehensive Land Claim Agreement
3. Tlicho Land Claims and Self-government Agreement



Principles of NWT Resource Management

CO-MANAGEMENT



INTEGRATED AND COORDINATED



Co-Management in the Mackenzie Valley

Co-management Boards make decisions about wildlife, land and water resources

The Mackenzie Valley Resource Management Act (MVRMA) is a law that creates co-management boards. The Review Board, like the other co-management boards, is made up of members nominated in equal numbers by:

- Indigenous land claims organizations, and
- the territorial and federal governments.



Wek'èezhìi
Renewable
Resources Board



Sahtu Land Use
Planning Board



Sahtu Renewable
Resources
Water Board



Gwich'in Land
and Water
Board



Sahtu Land
and Water
Board



Gwich'in
Renewable
Resources Board



Wek'èezhìi
Land and
Water Board



Mackenzie
Valley Land
and Water
Board



Gwich'in Land
Use Planning
Board



Mackenzie Valley Resource Management Act Boards

Preliminary Screening & Permitting/ Licensing Boards



Mackenzie Valley Land and Water Board



Gwich'in Land and Water Board



Sahtu Land and Water Board



Wek'èezhì Land and Water Board

Environmental Assessment & Impact Reviews

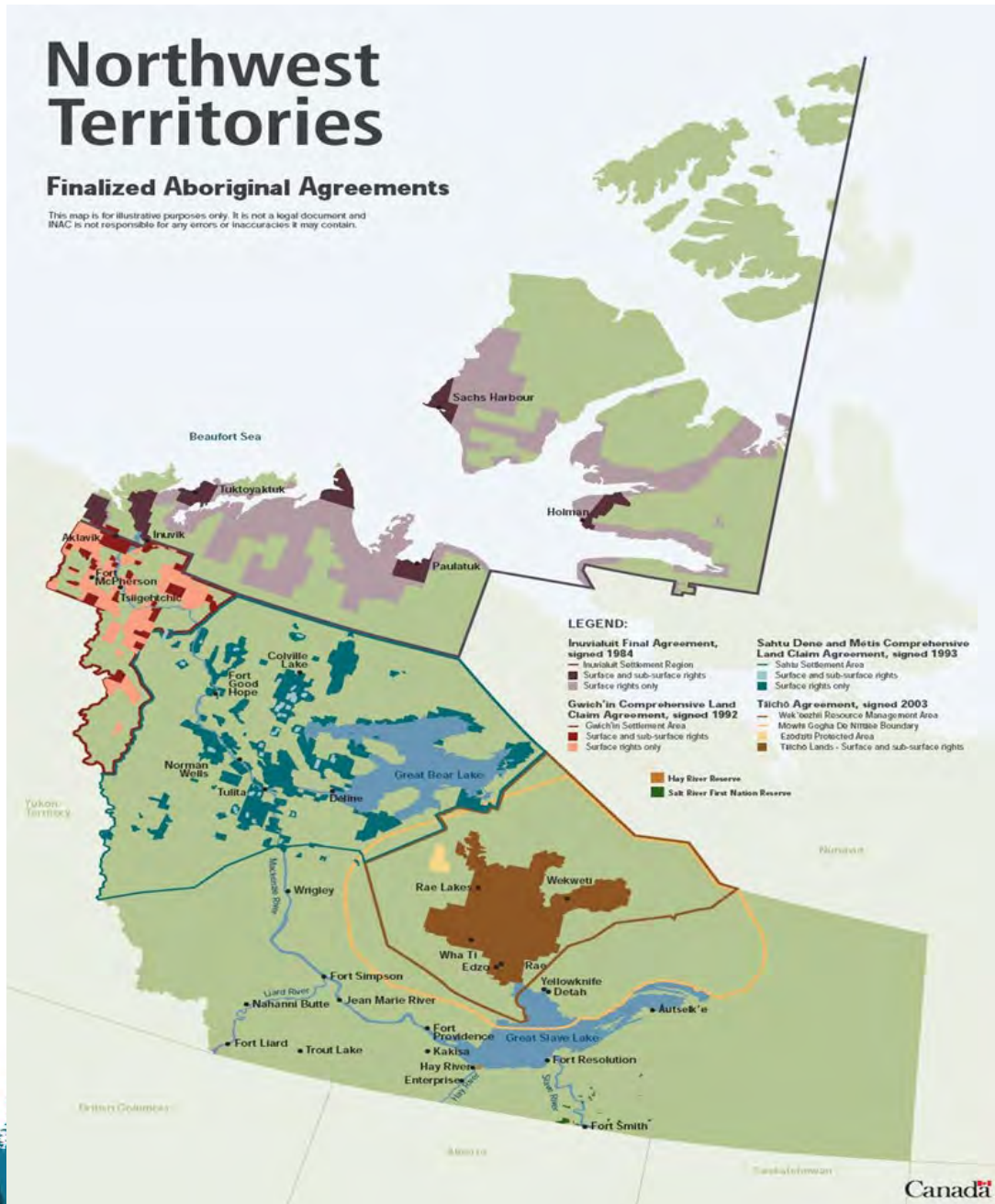


Mackenzie Valley Environmental Impact Review Board

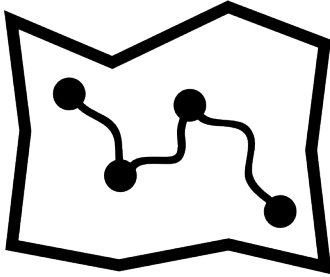
Impact Review Panels



Land Ownership and Access



Land Use Planning



Land Use Planning Boards develop and implement regional land use plans

Mackenzie Valley Boards:

- Gwich'in Land Use Planning Board
- Sahtu Land Use Planning Board

Other LUP Processes

- Tłı̨chǫ Government
- Dehcho Land Use Planning Committee

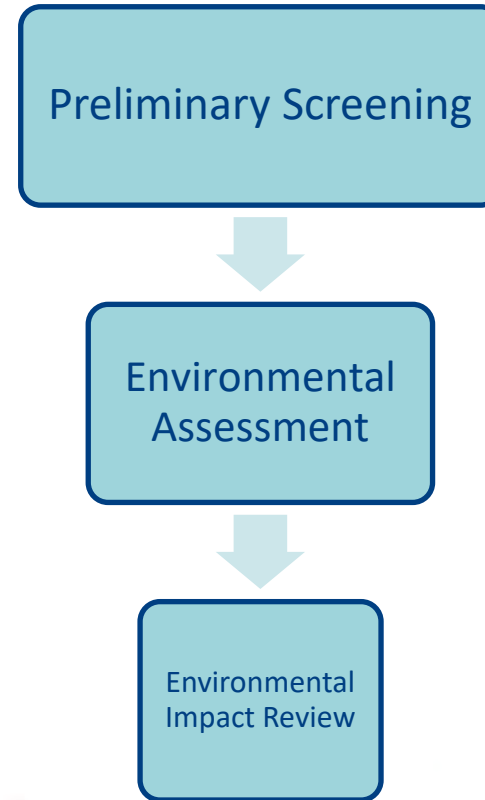
Environmental Assessment



- Carefully consider impacts before action is taken
- Ensure concerns of Indigenous people & the public are taken into account
- Protect the environment from **significant impacts**
- Protect social, cultural, economic **wellbeing**
- Importance of conservation to the **well-being and way of life of Indigenous people**



Stages of Environmental Impact Assessment



Land and Water Regulation



- Regulate the **use of land and water and deposit of waste**
- Land Use Permits and Water Licenses
- Set conditions



Boards

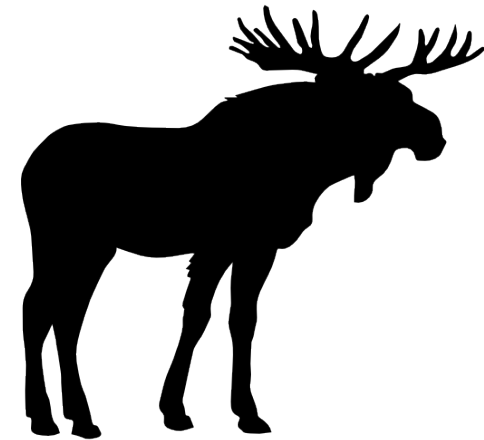
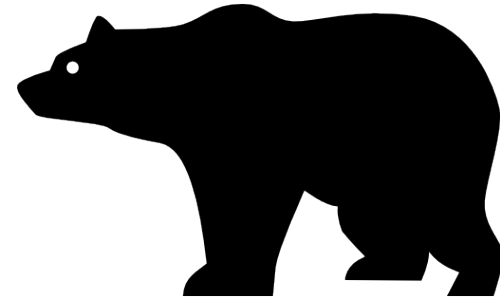
- Gwich'in Land and Water Board
- Sahtu Land and Water Board
- Wek'èezhìi Land and Water Board
- Mackenzie Valley Land and Water Board



Wildlife and Renewable Resource Management

- **Renewable Resource Management Boards** and other organizations (e.g., Hunters and Trappers Committees) manage wildlife, fish, and forests
- **Federal, territorial, Indigenous & co-management** orgs have management & regulatory responsibilities

The process and responsibilities for how these activities are done differ between regions



Other parts of the MVRMA that support the system as a whole

- Cumulative Impact Monitoring Program
- NWT Environmental Audit
- Regional Studies or Environmental Assessments



Mackenzie Valley Review Board Impact Assessment Process

Requirements of the Land
Claims and the MVRMA

Mackenzie Valley
Review Board



Mackenzie Valley Resource Management Act

114 The purpose of this Part is to establish a process comprising a preliminary screening, an environmental assessment and an environmental impact review in relation to proposals for developments, and

(a) to establish the Review Board

as the **main instrument** in the Mackenzie Valley

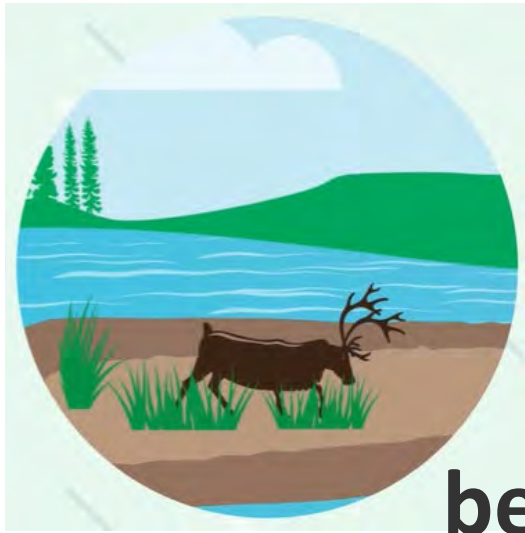
for the **environmental assessment** and

environmental impact review **of developments;**



Mackenzie Valley Resource Management Act

114 The purpose of this Part is to establish a process comprising a preliminary screening, an environmental assessment and an environmental impact review in relation to proposals for developments, and



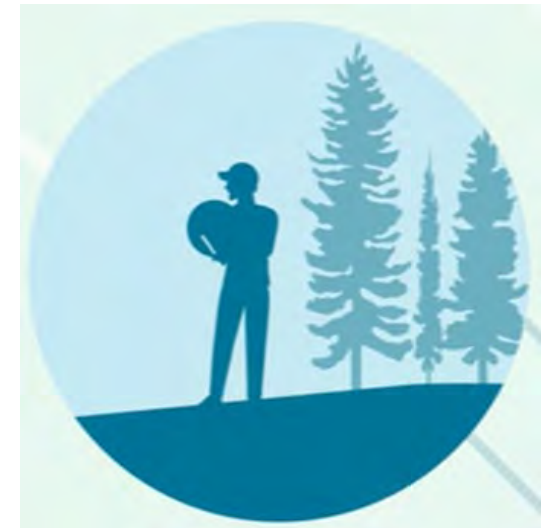
(b) to ensure that the
impact on the environment
of proposed developments
receives **careful consideration**
before actions are taken in connection with them



Mackenzie Valley Resource Management Act

114 The purpose of this Part is to establish a process comprising a preliminary screening, an environmental assessment and an environmental impact review in relation to proposals for developments, and

(c) to ensure that the
concerns of Aboriginal people
and the general **public**
are taken into account in that process.



Mackenzie Valley Resource Management Act

115 (1) The process established by this Part shall be carried out in a timely and expeditious manner and shall have regard to

(a) the **protection** of the **environment**
from the **significant** adverse **impacts**
of proposed **developments**;



Mackenzie Valley Resource Management Act

115 (1) The process established by this Part shall be carried out in a timely and expeditious manner and shall have regard to

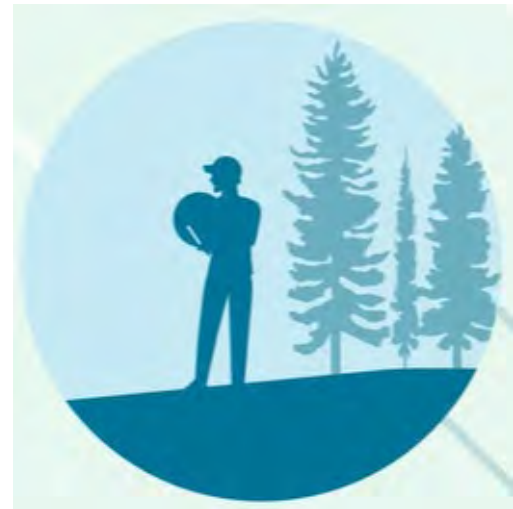
(b) the **protection** of the
social, cultural and **economic well-being**
of **residents and communities**
in the Mackenzie Valley



Mackenzie Valley Resource Management Act

115 (1) The process established by this Part shall be carried out in a timely and expeditious manner and shall have regard to

(c) the **importance of conservation** to the **well-being** and **way of life** of the **Aboriginal peoples** of Canada to whom section 35 of the [Constitution Act, 1982](#) applies and who use an area of the Mackenzie Valley.

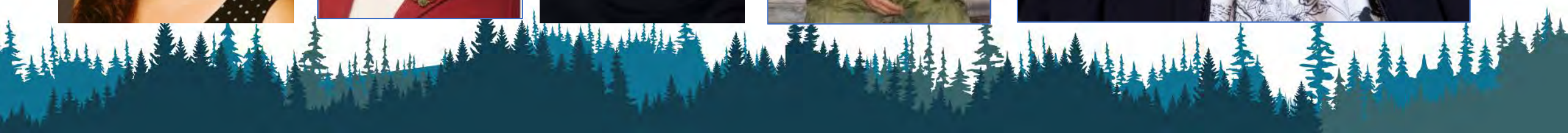
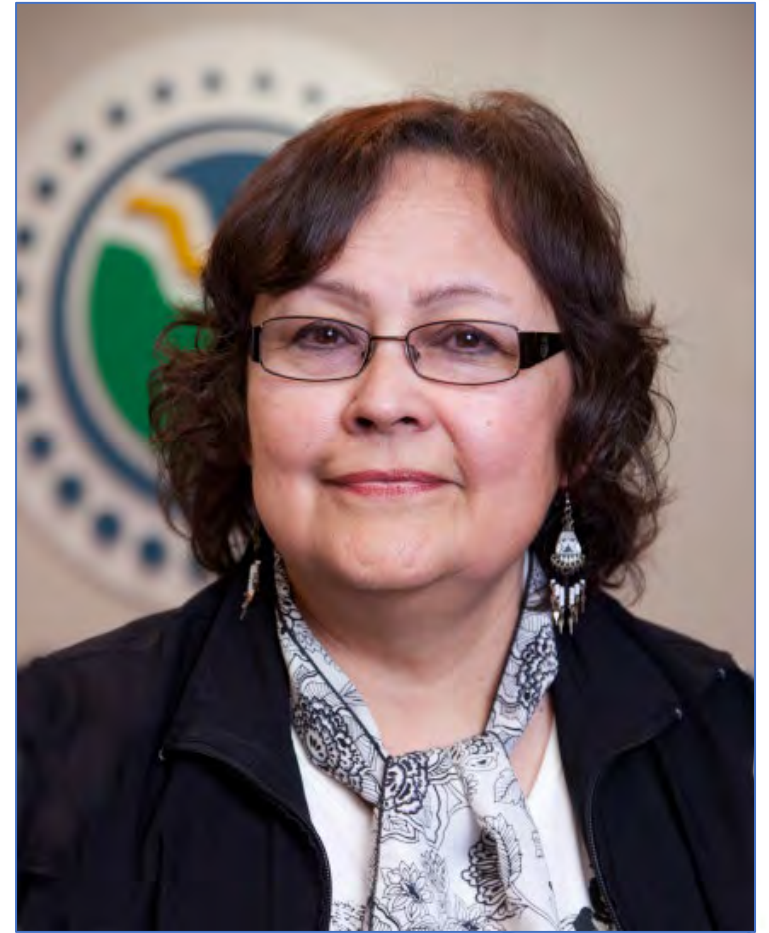


What is the Review Board?

- The Review Board is
 - a **co-management** tribunal that **conducts environmental assessment**
 - **independent**
 - not government
 - runs a **fair** process that relies on evidence
- Made of **equal numbers** of members nominated by:
 - Indigenous land claim organizations
 - Federal/territorial governments



Review Board Members



Environmental Assessment (EA) is:

- a process and set of steps for making decisions about a project
- usually for big or controversial projects



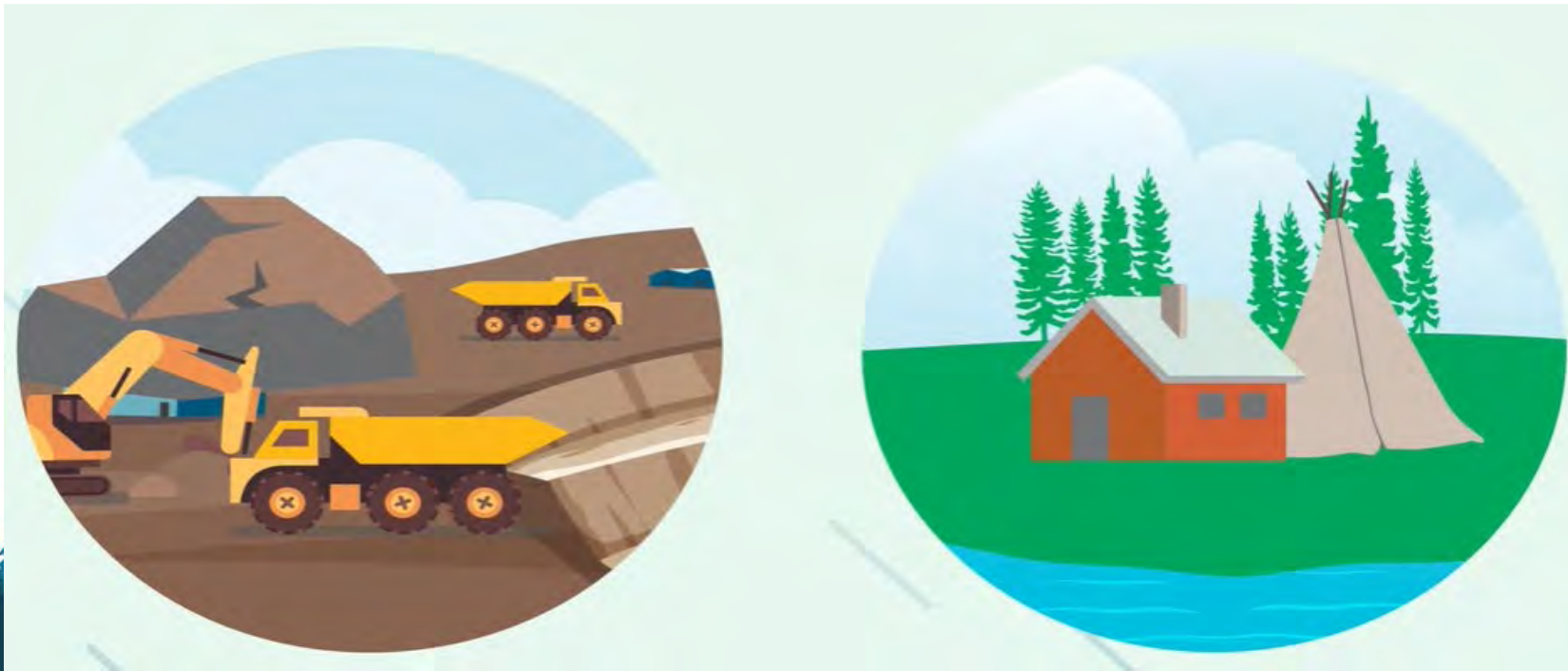
Why do environmental assessment?

- Some past development decisions in NWT led to serious problems for the environment + people
 - Port Radium
 - Colomac
 - Giant Mine
- It is wise to carefully consider unanticipated consequences *before* major developments
- Look before you leap!



Why do environmental assessment?

- **communities get more say** on the projects that affect them
- **projects get designed better** from the beginning
- **unacceptable projects can be rejected**



Why do Environmental Assessment?

- **conflicts can be resolved**
 - projects get better community buy in
 - opportunities for collaboration
 - building relationships
- new mitigations **prevent or reduce impacts**
- follow-up programs track issues

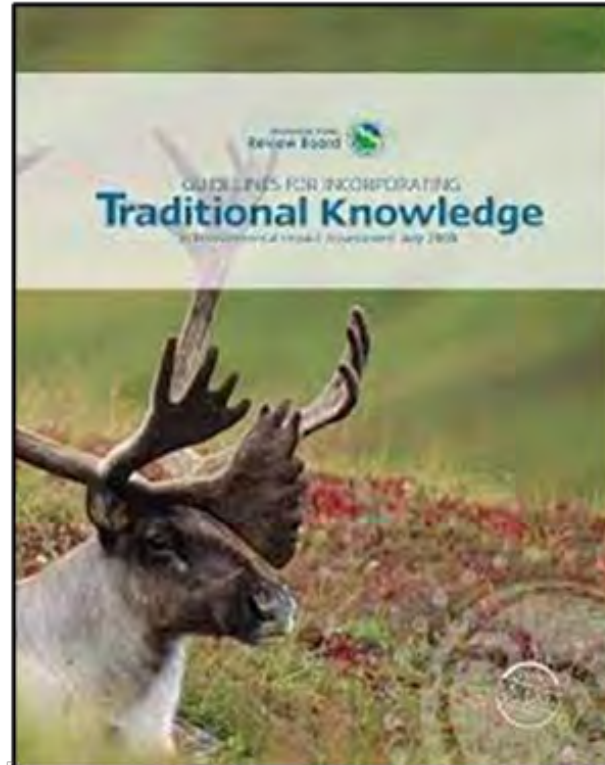


How does the Review Board do environmental assessment?

- look at what is being proposed
- **talk to people** who could be affected
- predict and analyze **what impacts could happen**
- identify mitigation to **avoid or reduce impacts**
- recommends **if** project should go ahead or not, and if so, **under what conditions**

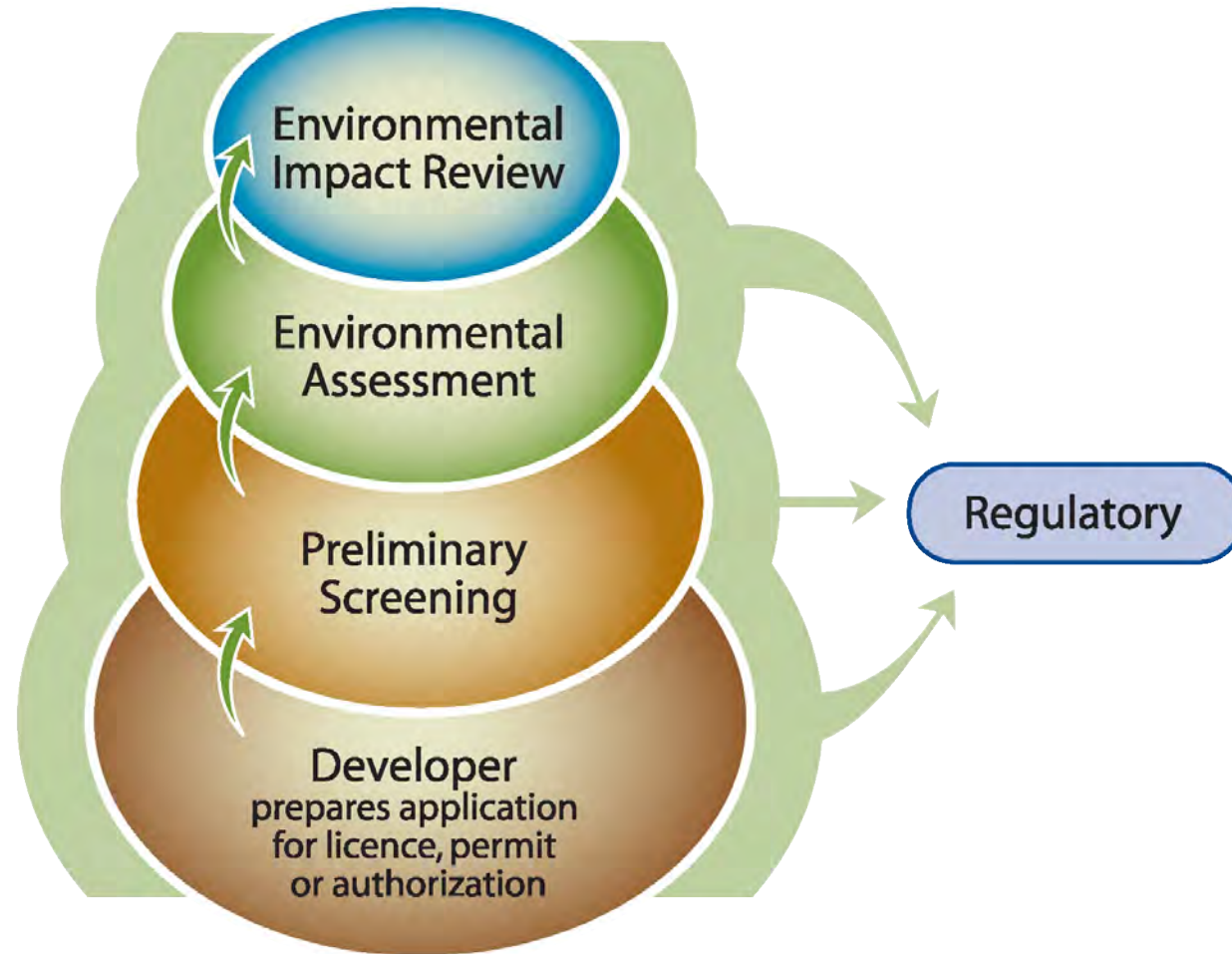


Guidelines for environmental assessment



- Environmental Impact Assessment Guidelines
 - Traditional Knowledge Guidelines
- Socio-economic Impact Assessment Guidelines

Environmental Impact Assessment Overview



Transboundary Assessment of Projects and its effects

Requirements of the Land
Claims and the MVRMA

Mackenzie Valley
Review Board



Transboundary Effects



s. 140(2) where a proposed development is to be carried out **wholly within the Mackenzie Valley** but might have a significant adverse impact on the environment in a region outside the Mackenzie Valley, the MVEIRB, with the approval of the federal Minister, may enter into an agreement with the authority responsible for the examination of environmental effects in that region to provide for:

- Coordination
- Joint panel examination



Transboundary Project



s. 141(1) requires the MVEIRB, to the extent possible, to coordinate its environmental assessment functions with the functions of any authority responsible for the examination of environmental effects of the development in that region or province.

MVEIRB may, with the approval of the federal Minister:

a) enter into an agreement with the Minister of the Environment in accordance with s. 39(1) of the Impact Assessment Act to provide for an examination by a review panel, if that Act applies to the development, and



Transboundary Project



b) in any other case, enter into an agreement with an authority responsible for the examination of environmental effects of such developments in that region or province for the **coordination of their respective examinations of the environmental impact of the development or to provide for the examination of that impact by a joint panel** established for that purpose



Transregional Effects Assessment s.142



Where a development **proposed to be carried out wholly** in a region of the Northwest Territories, Yukon or Nunavut **adjacent to the Mackenzie Valley**, or wholly in a province, might have a significant adverse impact on the environment in the Mackenzie Valley, the Review Board may, with the approval of the federal Minister, enter into an agreement with the authority responsible for the examination of the environmental effects of such developments in that region or province to provide for the participation of the Review Board in the examination of the environmental effects of the development by that authority.



MOU's and Cooperation Agreements



- Canadian Energy Regulator
- Nunavut Impact Review Board
- Yukon Environmental and Socio-economic Assessment Board
- EIRB and EISC
- Yukon Government
- Alberta Environment
- Working with IAAC and BC EAO in near future



What are in the MOU's

MOU builds on the existing strengths of both organizations and relationship between the two and highlights the ways in which the Boards can work together through cooperation, coordination, and/or collaboration.

MOU's focus on:

- minimizing duplication and overlap in the Boards' respective processes,
- contributing to the timely review of projects with the potential for transboundary impacts,
- sharing resources and
- supporting capacity building between the Boards.



Transboundary Projects and Permitting and Water Licensing

Requirements of the Land
Claims and the MVRMA

Mackenzie Valley
Review Board





ARCTIC CIRCLE

Colville Lake

Fort Good Hope

Norman Wells

Déline

Tulita



Gamèti

Wekweèti

Wrigley

Whati

Bechoko

Edzo

Yellowknife

Dettah

Lutselk'e

TREE LINE

Nahanni

Fort Simpson

Jean Marie River

Nahanni Butte

Fort Resolution

Fort Providence

Hay River

Fort Liard

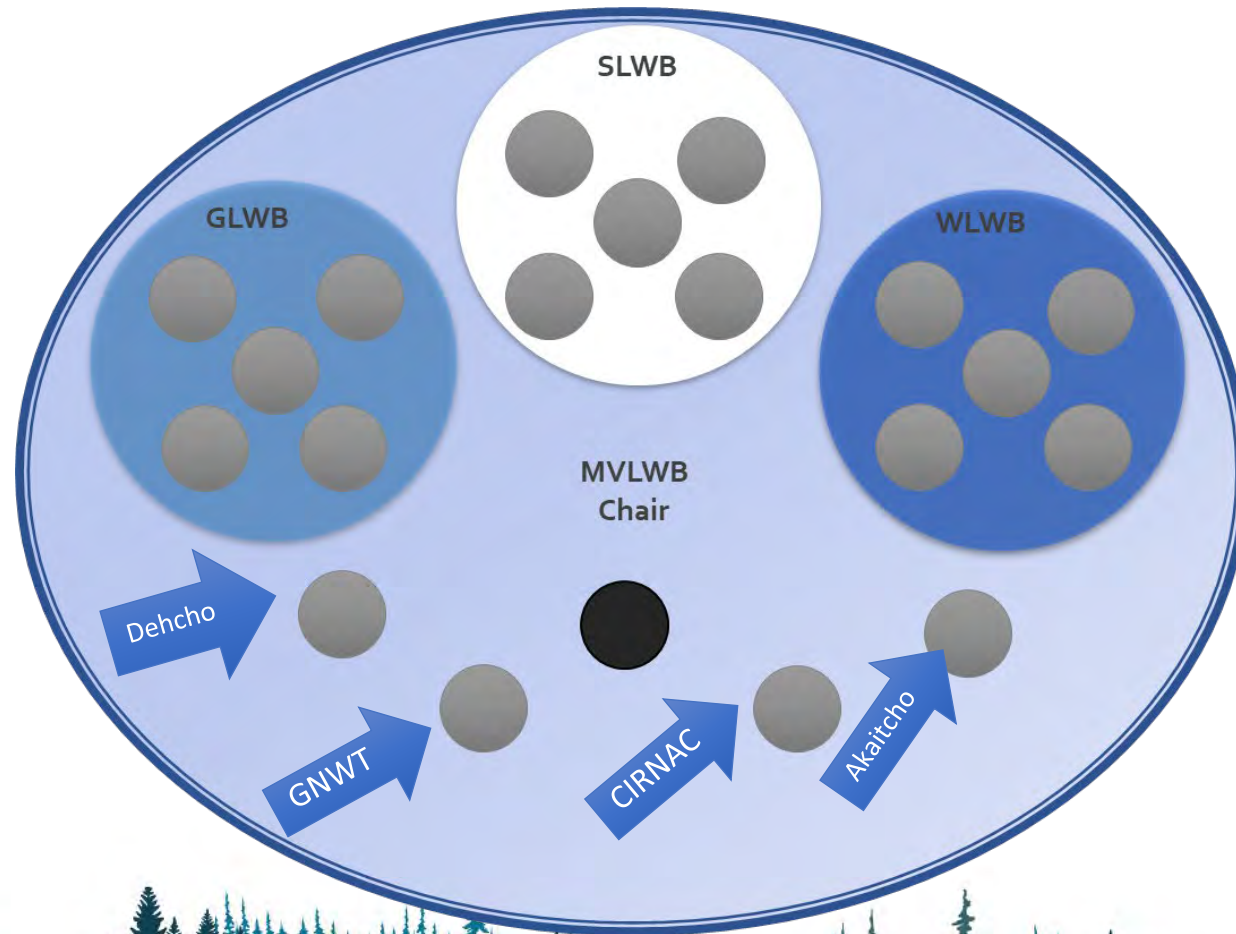
Trout Lake

Enterprise

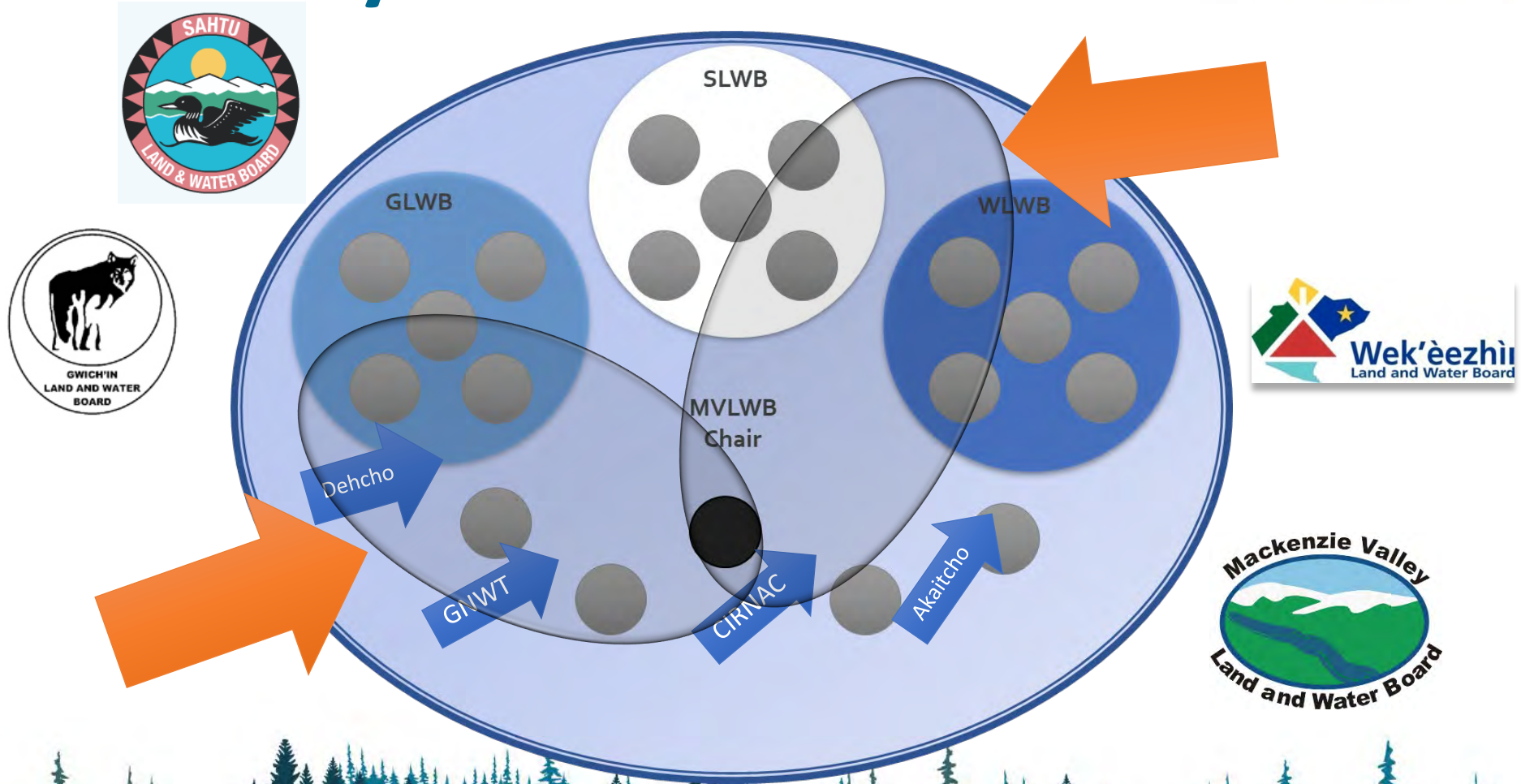
Fort Smith



Board Structure



Board Structure – Transboundary Panels



Mársı | Kinanāskomitin |
Thank you | Merci | Haĵ' |
Quana | Qujannamiik |
Quyannainni | Máhsı | Máhsı
| Mahsı
Questions?



For more information:
Mark Cliffe-Phillips, Executive
Director
mcliffephillips@reviewboard.ca
www.reviewboard.ca





Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

The Northern Regulatory Initiative

MVRMA Workshop
March 26, 2024

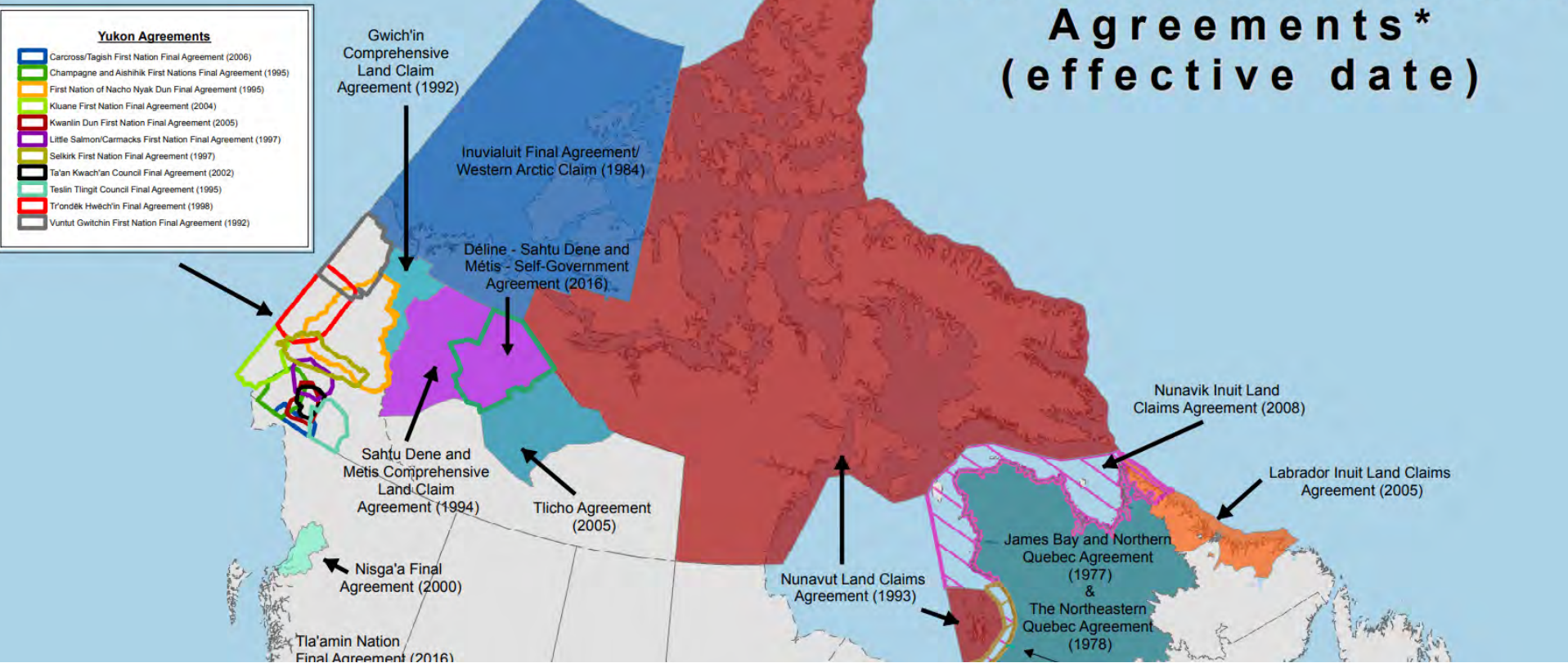


Canada



Modern treaties form the basis of northern regulatory systems

Modern Treaties and Self-Government Agreements* (effective date)





What We've Heard

We have heard that there is a need for:

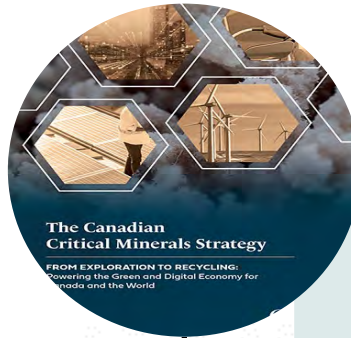
- Indigenous capacity to meaningfully participate in regulatory processes;
- Finalizing land use plans to provide clarity on areas open/closed to development;
- Clarified and coordinated Crown consultation processes;
- Regional approaches that consider cumulative effects; and
- Venues to work together to identify and discuss challenges, opportunities, and actions outside of project-specific proceedings.

The *Northern Regulatory Initiative* is designed to respond to these needs by helping to advance more clear, trusted, and functional regulatory systems in each of the three territories.





The Northern Regulatory Initiative



includes \$40 million over 7 years to support northern regulatory processes

The Northern Regulatory Initiative

Objective: clear, trusted, and functional regulatory systems that reflect and respect the contexts in each territory.

Indigenous participation in resource management processes (IA and LUP)

Crown consultation clarity and coordination

Regional/Cumulative Effects Studies

Multi-party Regulatory Dialogues

Work with governments, partners, rights holders, and stakeholders in each of the three territories to advance these four areas, further identify and refine priorities, and design and implement actions is ongoing.



Northern Regulatory Initiative: Current Status



Participation in Impact Assessment and Land Use Planning Processes

- Developing processes to support Indigenous participation in pre-submission and post-decision stages of impact assessments and land use planning initiatives.



Crown consultation clarity and coordination

- A scan is underway to examine current processes across the territories, and to identify gaps and opportunities that will help to inform next steps.





Northern Regulatory Initiative: Current Status



Regional Studies

- Early stages of regional study are underway in the Slave Geological Province (NWT), as requested by the Tłı̨chǫ Government.
- The study is expected to be conducted over 2-3 years.



Regulatory Dialogues

- Continued preliminary discussions with partners in each of the three territories to support ongoing and future collaborative dialogues.
- For example, the Mackenzie Valley Operational Dialogue (MVOID) is being leveraged in NWT to discuss operational components of small-scale exploration.





Northern Participant Funding Program

- Established in 2018 with a successful first 5 years
 - Program was renewed for an additional 5 years (April 1, 2023 to March 31, 2028);
 - Funding Level: \$15.8 million over 5 years
 - \$150,000 cap **per recipient, per project, per year**
- Supports Indigenous governments and organizations, and northerners to facilitate their meaningful participation in the **environmental and socio-economic impact assessment processes** established under land claims agreements in Canada's three territories;
- Funding is made available for impact assessments of **large, complex or controversial resource development or regional infrastructure projects** (i.e., "major" projects);
- Dedicated funding streams are now: Environmental Assessments, **Certain Regulatory Processes (Water Licenses with Hearings), Capacity Building.**





NPFP: Regulatory Processes

- Funding is ~\$215,000/year to support regulatory processes in both NWT and Nunavut
- NPFP team is contemplating criteria for deciding how to allocate funding and will be engaging with all 5 LWBs in this regard in the near future
- Goal is to demonstrate, through this pilot funding, the need for greater participation funding for regulatory processes
- Questions to ponder in developing criteria:
 - Should we fund Type A water licencing processes where there is no EA or Type A processes where there is an EA?
 - Should we fund Type B water licencing processes where there is a hearing?
 - Do we fund fewer processes well to demonstrate need for next renewal, or provide less support to multiple processes?
 - Should we rotate between all 5 LWBs, so each gets funding for 1 year?
 - Should we fund the “first past the post”? (i.e., processes as they come in during any given year, until funds run out)?

What other criteria should we contemplate?

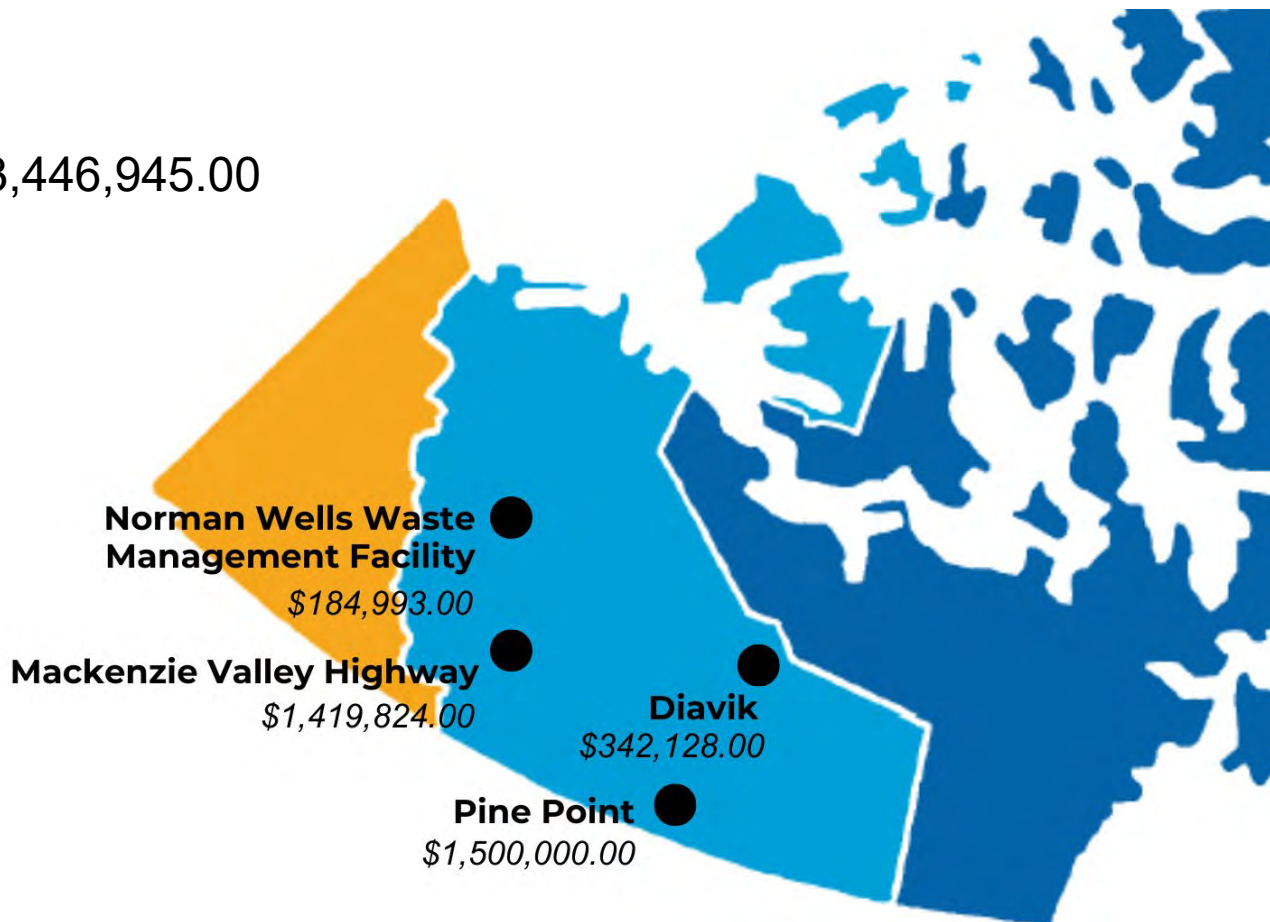




Awarded Funding

Category: NWT Impact Assessment (IA)

Total = \$3,446,945.00





Thank You / Masi



Yahey vs BC

Treaty Rights and Regulatory Failure

Larry Innes - OKT LLP

2024 Resource Co-management Workshop



What was it about?

In 2021, the BC Supreme Court ruled that the Province of British Columbia had unjustifiably infringed the Treaty 8 rights of the Blueberry River First Nation by

“permitting the cumulative impacts of industrial development to meaningfully diminish Blueberry’s exercise of its treaty rights”.



Cumulative Impacts (2016)

73% - 84% of the Traditional Territory is within 25–500m of an industrial disturbance

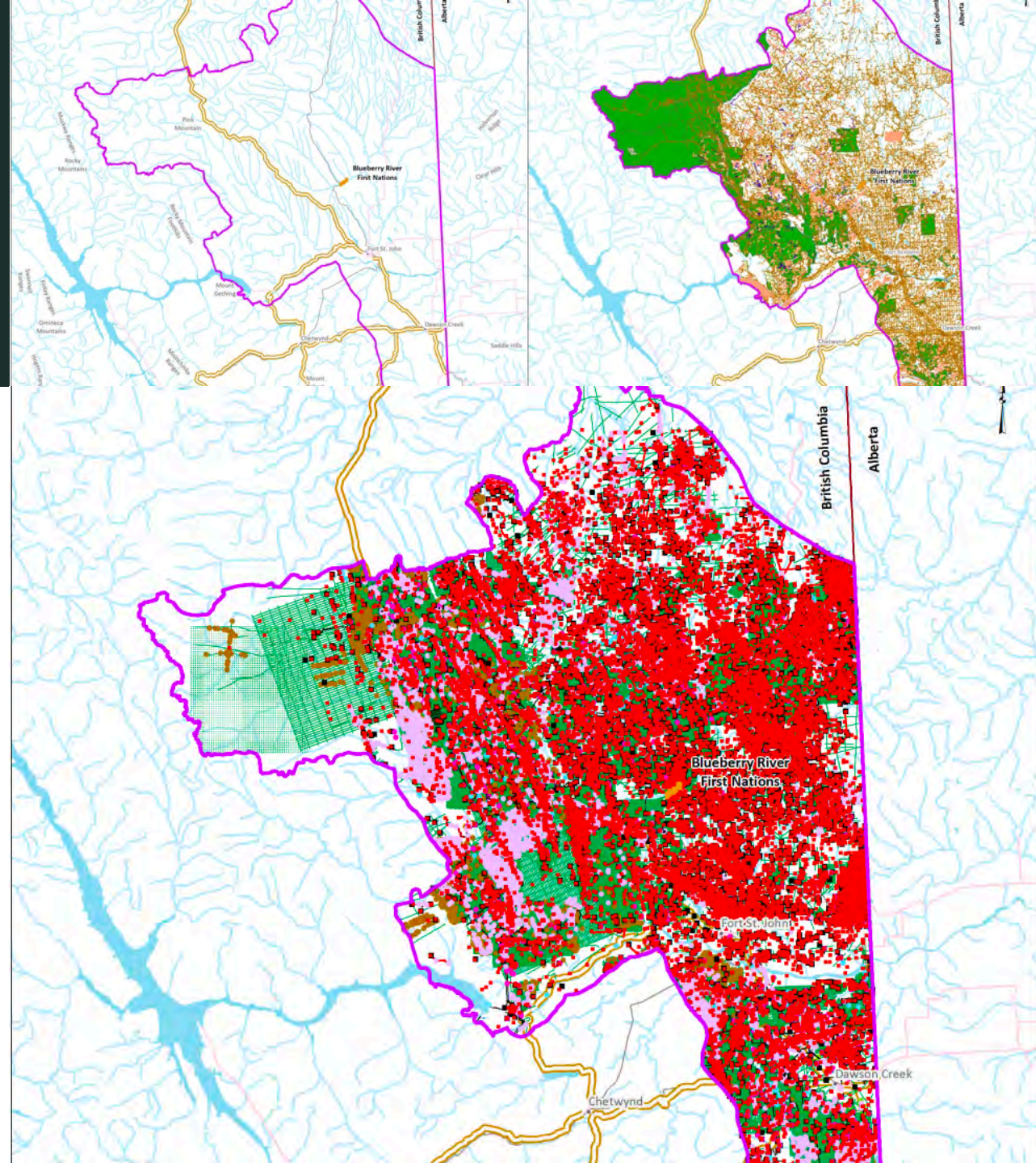
Only 14% of the intact forest cover remains

110,300 km of linear disturbances, including roads, transmission lines, seismic and other features: 2.88 km of disturbance per sq. km

Active tenures cover 69% of the territory, including nearly 20,000 wells

Private land covers 20% of the territory

2 major hydro developments have permanently changed the waterways



What were the legal Issues?

What are the rights and obligations in Treaty 8?



What is the test for finding an infringement of treaty rights



Have BRFN's rights been infringed?



If so, did the Province breached the treaty?

What are the rights and obligations in Treaty 8?

- BC argued that the “taking up” clauses allowed settlement and resource development within the Territory, and that there was no infringement.
- The Court found that the “core promise” of Treaty 8 is the “maintenance of the signatories’ ways of life”, and that while settlement and resource development was anticipated at the time the Treaty was concluded, it was to be permitted only to the “extent that they did not interfere with the signatories’ way of life and meaningful rights exercise.”

What is the test for finding infringement of Treaty rights?

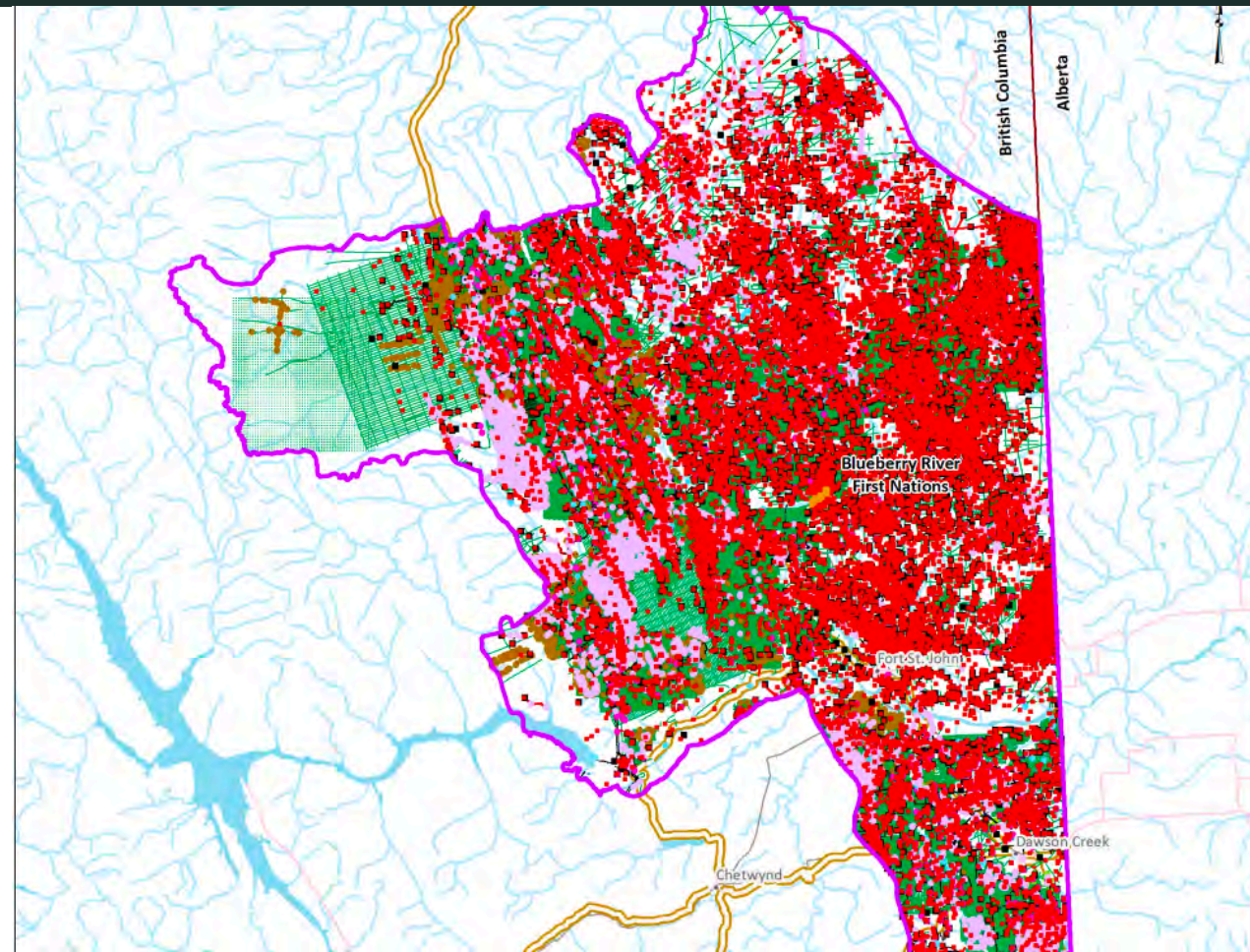
What does it mean for a FN to have “no meaningful right...remain[ing] over its traditional territories”? The Court said that the test must consider:

- if rights "have **been significantly and meaningfully diminished when viewed within the way of life in which these rights are grounded.**"; and
- whether there "**sufficient and appropriate lands in [the nation's] traditional territories to permit the meaningful exercise of their Treaty rights**"

Were rights infringed in this case?

The Court considered evidence about how the developments affected the exercise of Treaty rights based on the present state of the lands and resources in the Territory:

- Atlas of Cumulative Effects - 90% of the Territory impacted by developments
- Regional Strategic Environmental Assessment
- Testimony from BRFN members of damage, exclusion and dangerous conditions.



Was the Treaty Breached?

The Court ruled that BC had failed to:

- develop processes to assess whether the ecological conditions in Blueberry's traditional territories are sufficient to support Blueberry's way of life;
- develop processes to assess or manage cumulative impacts to the ecosystems in Blueberry's traditional territories and/or on their treaty rights;
- implement a regulatory regime or structure that will take into account and protect treaty rights, and that will guide decision-making for taking up lands or granting interests to lands and resources within Treaty 8;
- put in place interim measures to protect Blueberry's treaty rights while these other processes are developed."



Findings of Regulatory Failures

- Disconnect between agencies
- Ineffective tools
- Processes designed without Treaty consideration
- Communication failures
- Policies that encouraged project and regulatory intensification
- A failure to implement the BC Cumulative Effects Framework



Key Points of Failure



Reliance on proponents to conduct consultations and address impacts without guidance or standards for mitigating cumulative impacts and addressing Treaty rights;



Deluges of letters from multiple agencies working on same project, each relying on the other to address the First Nations' concerns in the absence of information



Ineffective, non-binding measures that had no effect on decision-making



Assessments that did not measure or consider future plans, project splitting, concentrated areas of activity, or other key metrics for cumulative impacts



Incentives for intensive activity



Only one cumulative impacts assessment was conducted, and was effectively ignored by decision-makers.



OLTHUIS KLEER
TOWNSHEND - LLP

BARRISTERS AND SOLICITORS

Artwork by Robert Solomon

Larry Innes

Olthuis Kleer Townshend LLP

www.oktlaw.com

Prairie Creek

Canada's Next High-Grade Silver-
Zinc-Lead Mine, Path to Production

Resource Co-management Workshop
March 26, 2024



NORZINC
A PREMIUM MINE DEVELOPER

Forward Looking Statements

Cautionary Statement

For the full details of the 2021 Preliminary Economic Assessment (“PEA”) and further information with respect to the key assumptions, parameters, and risks associated with the results of the PEA, the mineral resource estimate included therein, and other technical information, please refer to the complete Technical Report entitled, “Prairie Creek NI 43-101 Technical Report on Preliminary Economic Assessment”, filed under the Company’s profile on SEDAR. The EBITDA projections summarized in this presentation are not measures recognized under Canadian generally accepted accounting principles (“GAAP”) and do not have any standardized meanings prescribed by GAAP.

Forward Looking Statements

This presentation contains forward-looking statements that are made under the safe harbor provisions of the Private Securities Litigation Reform Act of 1995 and under Canadian securities laws that involve a number of risks and uncertainties. Such statements are based on the Canadian Zinc Corporation’s (the “Company”, the “Registrant”, “NorZinc” or “NZC”) current expectations, estimates and projections about the industry, management’s beliefs and certain assumptions made by it. We use words such as “expect,” “anticipate,” “project,” “believe,” “plan,” “intend,” “seek,” “should,” “estimate,” “future” and other similar expressions to identify forward-looking statements. The Company’s actual results could differ materially and adversely from those expressed in any forward-looking statements as a result of various factors.

Statements about the Company’s planned/proposed Prairie Creek Project operations, which includes future mine grades and recoveries; the Company’s plans for further exploration at the Prairie Creek Project and other exploration properties; future cost estimates pertaining to further development of the Prairie Creek Project and items such as long-term environmental reclamation obligations; financings and the expected use of proceeds thereof; the completion of financings and other transactions; the outlook for future prices of zinc, lead and silver; the impact to the Company of future accounting standards and discussion of risks and uncertainties around the Company’s business are not guarantees of future performance and are subject to certain risks, uncertainties and assumptions that are difficult to predict. Therefore, the Company’s actual results could differ materially and adversely from those expressed in any forward-looking statements as a result of various factors. You should not place undue reliance on these forward-looking statements.

Information relating to the magnitude or quality of mineral deposits is deemed to be forward-looking information. The reliability of such information is affected by, among other things, uncertainty involving geology of mineral deposits; uncertainty of estimates of their size or composition; uncertainty of projections relating to costs of production or estimates of market prices for the mineral; the possibility of delays in mining activities; changes in plans with respect to exploration, development projects or capital expenditures; and various other risks including those relating to health, safety and environmental matters.

The Company cautions that the list of factors set forth above is not exhaustive. Some of the risks, uncertainties and other factors which negatively affect the reliability of forward-looking information are discussed in the Company’s public filings with the Canadian securities regulatory authorities, including its most recent Annual Report, quarterly reports, material change reports and press releases, and with the United States Securities and Exchange Commission (the “SEC”). In particular, your attention is directed to the risks detailed herein concerning some of the important risk factors that may affect its business, results of operations and financial conditions. You should carefully consider those risks, in addition to the other information in this presentation and in the Company’s other filings and the various public disclosures before making any business or investment decisions involving the Company and its securities.

The Company undertakes no obligation to revise or update any forward-looking statement, or any other information contained or referenced in this presentation to reflect future events and circumstances for any reason, except as required by law. In addition, any forecasts or guidance provided by the Company are based on the beliefs, estimates and opinions of the Company’s management as at the date of this Presentation and, accordingly, they involve a number of risks and uncertainties. Consequently, there can be no assurances that such statements will prove to be accurate and actual results and future events could differ materially from those anticipated in such statements. Except as required by law, the Company undertakes no obligation to update such projections if management’s beliefs, estimates or opinions, or other factors should change.

Prairie Creek Project

CANADA'S NEXT HIGH-GRADE ZINC-SILVER-LEAD MINE



World Class Project

- Large and high-grade deposit, with mineralization demonstrating significant potential for expansion
- Compelling economics demonstrated based on 2,400 tpd over 20-year mine life



Regulatory Status

- Located in Northwest Territories Canada
- All major permitting milestones completed for Mine and Road



Northern Partnerships

- Project has a long history in region and Socio-Economic Agreement with GNWT
- Benefit Agreements signed with First Nation partners



Real Near-Term Potential

- Shovel ready, and construction of Phase 1 of access road completed
- Final Phase 2 of access road construction and Feasibility Study work underway

Prairie Creek Project

CANADA'S NEXT HIGH-GRADE ZINC-SILVER-LEAD MINE



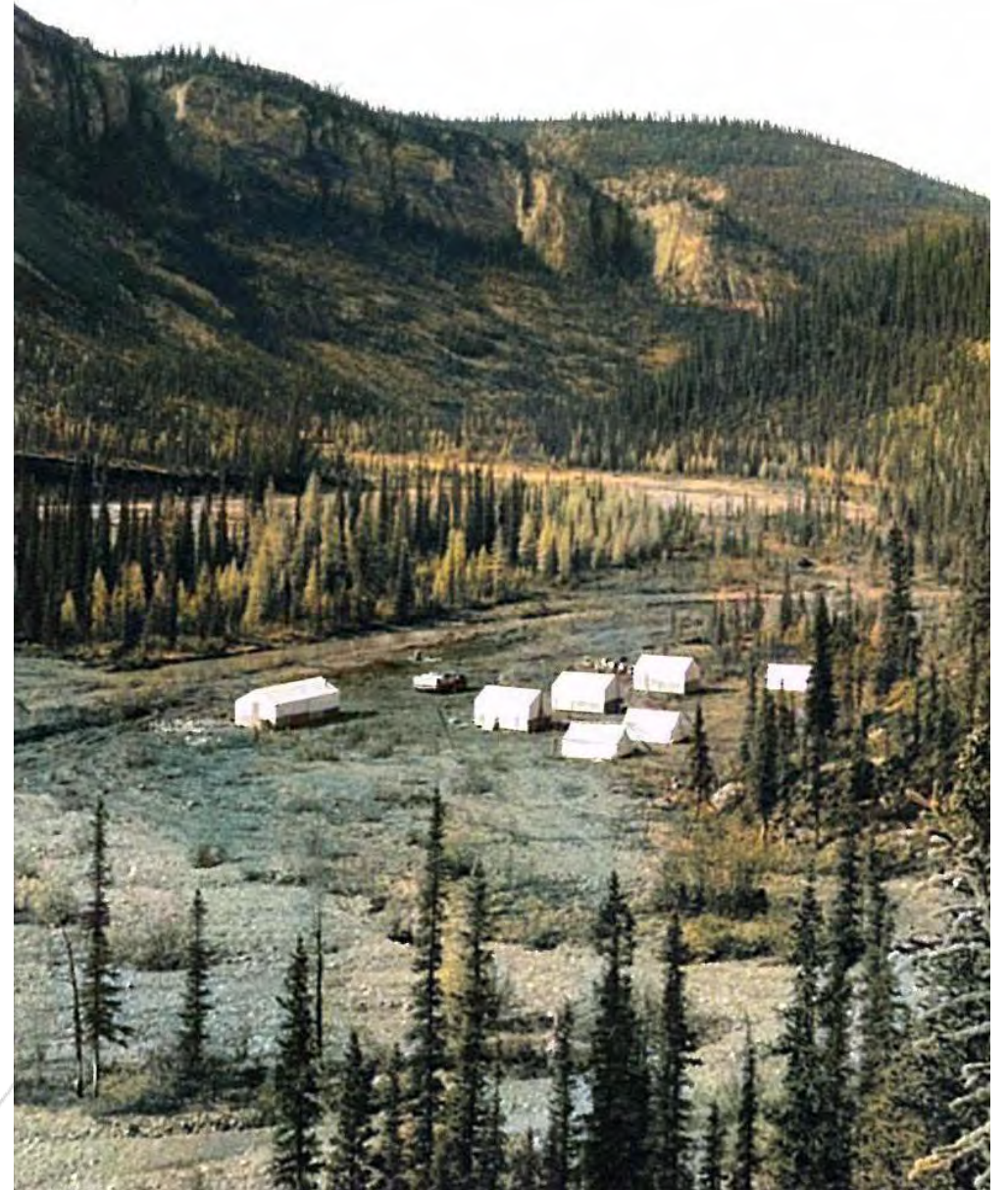
NORZINC
A PREMIUM MINE DEVELOPER



Prairie Creek History

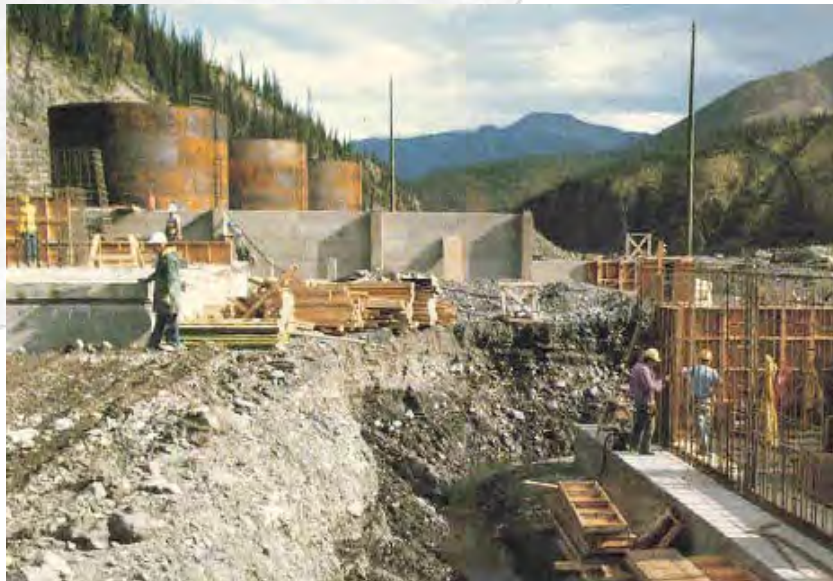
LONG HISTORY IN THE REGION

- **Discovered in 1928**
- **Heavy exploration in 1960s, 70s and 80s**
- **700 truckloads brought in on winter road**
 - Camp facilities
 - Heavy equipment
 - Milling/concentrating facilities
 - Fuel tank farm
 - Accommodations for 200+ people
- **5km of underground workings**
- **Previous owner went bankrupt in 1982**
- **NorZinc obtained the property in 1992**
 - Re-establishing permits
 - Expanding resource
 - Fly-in, fly-out only



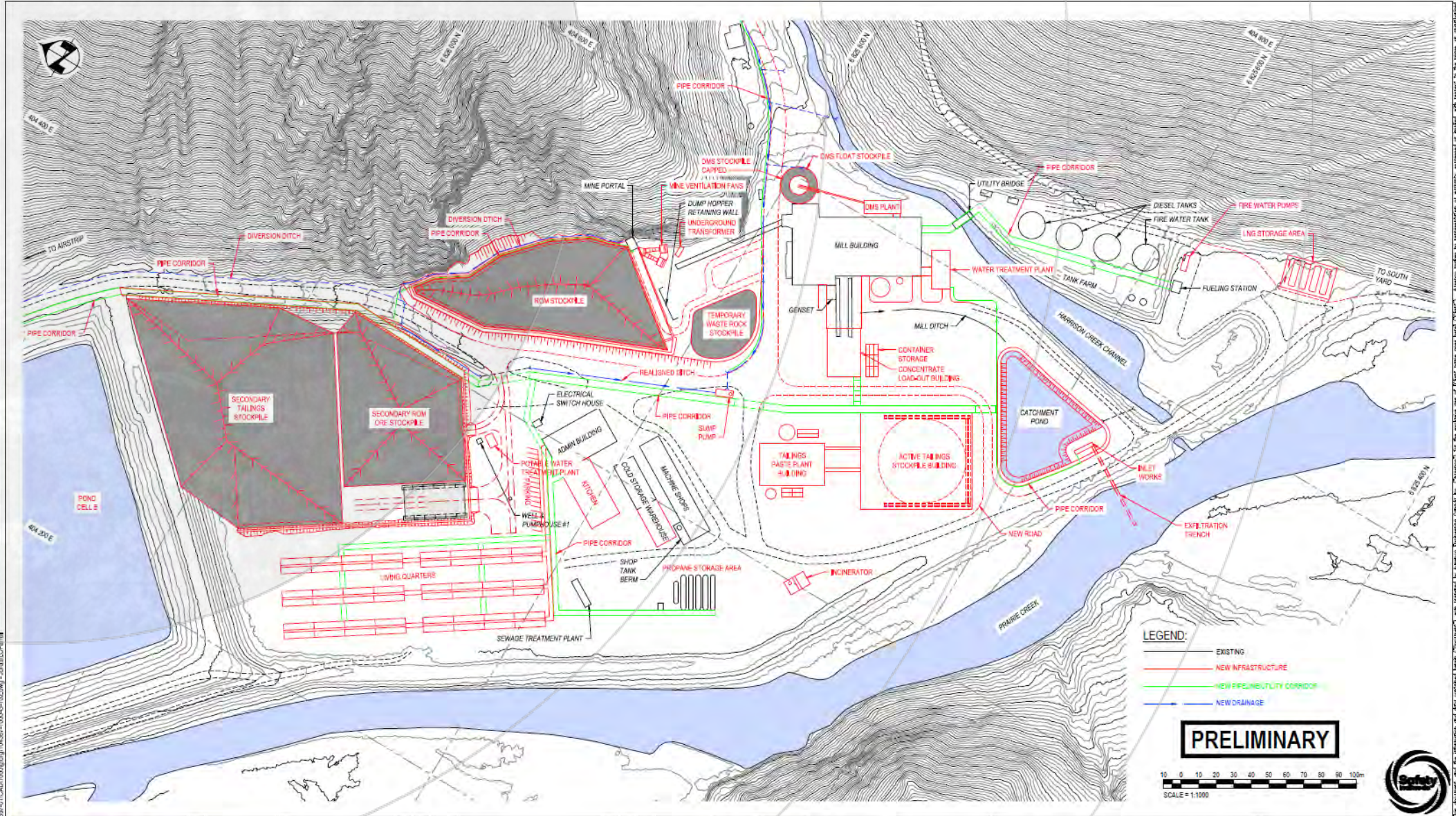
Prairie Creek History

LONG HISTORY IN THE REGION



Mining at Prairie Creek

MINE PLAN



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Responsibility

COMMITTED TO SUSTAINABLE DEVELOPMENT

Environment

- Minimal footprint– no tailings, 100% paste and backfill
- 100% water recycling in plant design
- Use of alternative energy

Social Responsibility and Social License

- Socio-Economic Agreement with the GNWT (targets for hiring, contracts, training)
- Indigenous Support through Benefit Agreements
 - Naha Dehé Dene Band (NDDDB) Impact Benefit Agreement, Traditional Land Use Agreement, and Environmental Agreement signed
 - Łíídlı́ Kúé First Nation (LKFN) Impact Benefit Agreement, Road Benefit Agreement, and Environmental Agreement signed
 - Acho Dene Koe First Nation (ADKFN) Transport Corridor Benefit Agreements signed

Northern Benefits

- Long mine life providing long-term economic benefits
- Contributes and supports Canada as a leader in the responsible, inclusive, and sustainable production of metals through the delivery of critical mineral supply
- Improvements to and addresses infrastructure deficit in the NWT
- Prairie Creek will generate over C\$8 Billion of new economic activity within Canada's borders
- Supports Canada's Critical Mineral Strategy through increased zinc concentrate production



Project Nearing Start of Construction

MAJOR PROJECT MILESTONES



Stakeholder Support

- ✓ First Nations Agreements
- ✓ Mining License Amendment for 2400 tpd mining
- ✓ Parks Canada MOU
- ✓ Type A Water Licence for road in progress

Project Economics

- ✓ 2017 Feasibility Study (1600 tpd)
- ✓ 2021 Preliminary Economic Study (2400 tpd)
- ✓ 2024 Feasibility Study (2400 tpd) expected summer 2024

Construction

- ✓ Mine at commissioning stage in 1980
- ✓ Phase 1 Winter Road (PWR) complete 2023
- ✓ Engineering work for mine build underway
- ✓ Road design in progress

Remaining Milestones

- Feasibility Study (2400 tpd) – June 2024
- Project Financing / Sanctioning – ongoing through to Q3 2024
- Management Plans approvals for Mining – 2024
- Management Plans and Designs for Phase 2 of ASR – 2024
- Start of Construction 2024/2025

170km All-Season Access Road

DESIGN AND CONSTRUCTION

Phase 1

- Winter Road (PWR)
- Geotechnical studies to measure permafrost and finalize Phase 2 designs

Phase 2

- Two season winter roads
- Two consecutive summers to build All Season Road



Phase 1 Winter Road



Connection of road at KP 4



Finished Product of dozer at KP 143.3, Mulch on left and side slope material on right.



Winter Road



Grader on road making touch ups at KP158

Project Update

2024 ACTIVITIES

All Season Road

- Design on road ongoing – to be completed in summer 2024 including crossings, borrow pits, construction schedule
- ASR Contract tender in development for construction in 2025
- Phase 2 Management Plans
- Type A Water Licence completed in 2024 – change required for building ice bridge over Liard



Project Update

2024 ACTIVITIES

Feasibility Study

- Expected June 2024

Prairie Creek 2024

- Water Treatment ongoing
- General Camp and Site maintenance and clean up
- No Construction at Prairie Creek in 2024

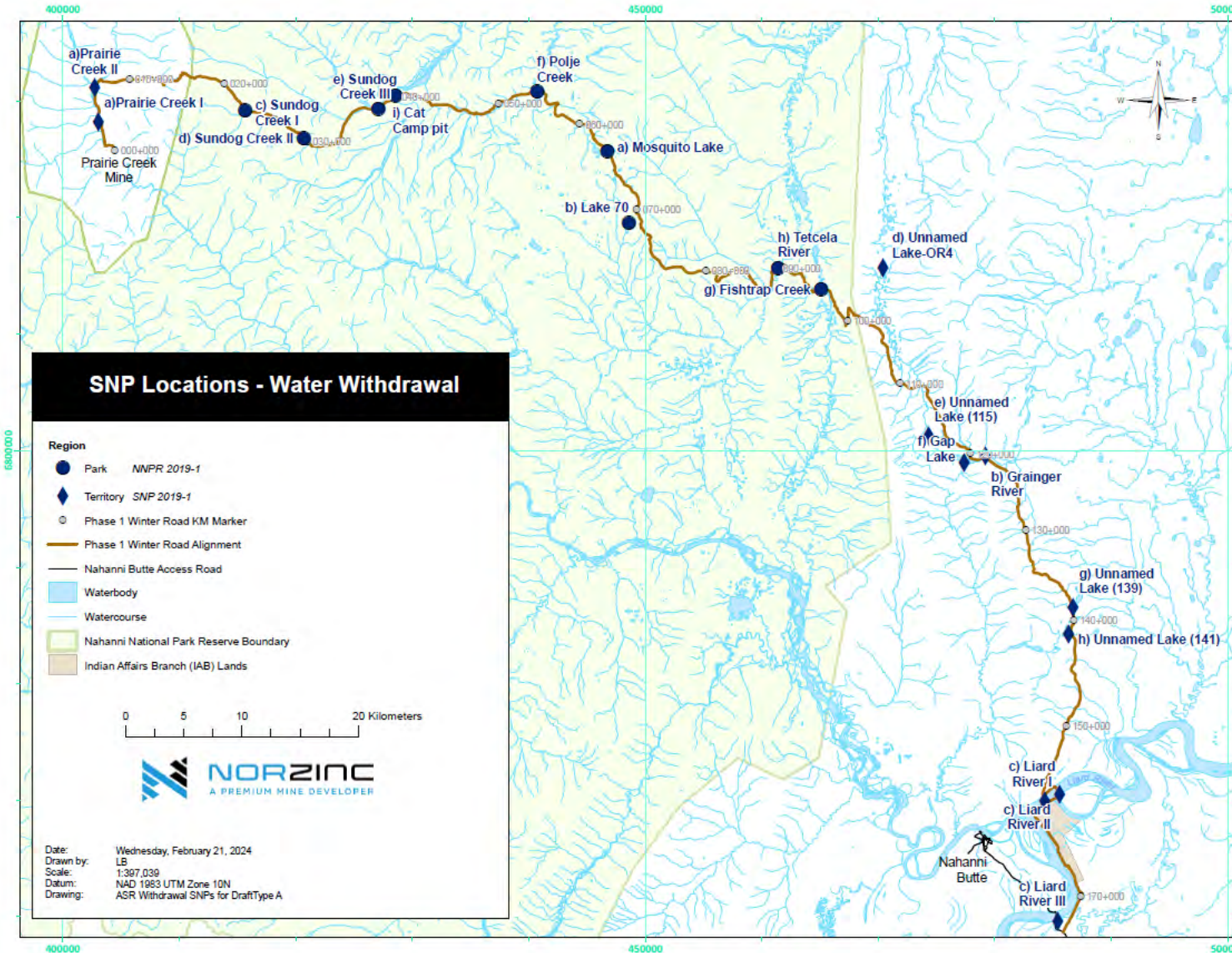


Type A Water Licence – All Season Road

2024 ACTIVITIES

Water Use for building the Liard Ice Bridge

- CZN must apply for a Type A Water Licence allowing more than 299 m³ of water a day for the project to allow for building of ice bridge over Liard River
- Only requested change is in the amount allowed per day, not the amount from any of the sources that were approved during the Type B Water Licence in 2019
- No change to already approved water source locations
- Licence is expected summer 2024



Trade & Transport Sector Benefits

IMPROVING TRADE AND TRANSPORT CORRIDORS



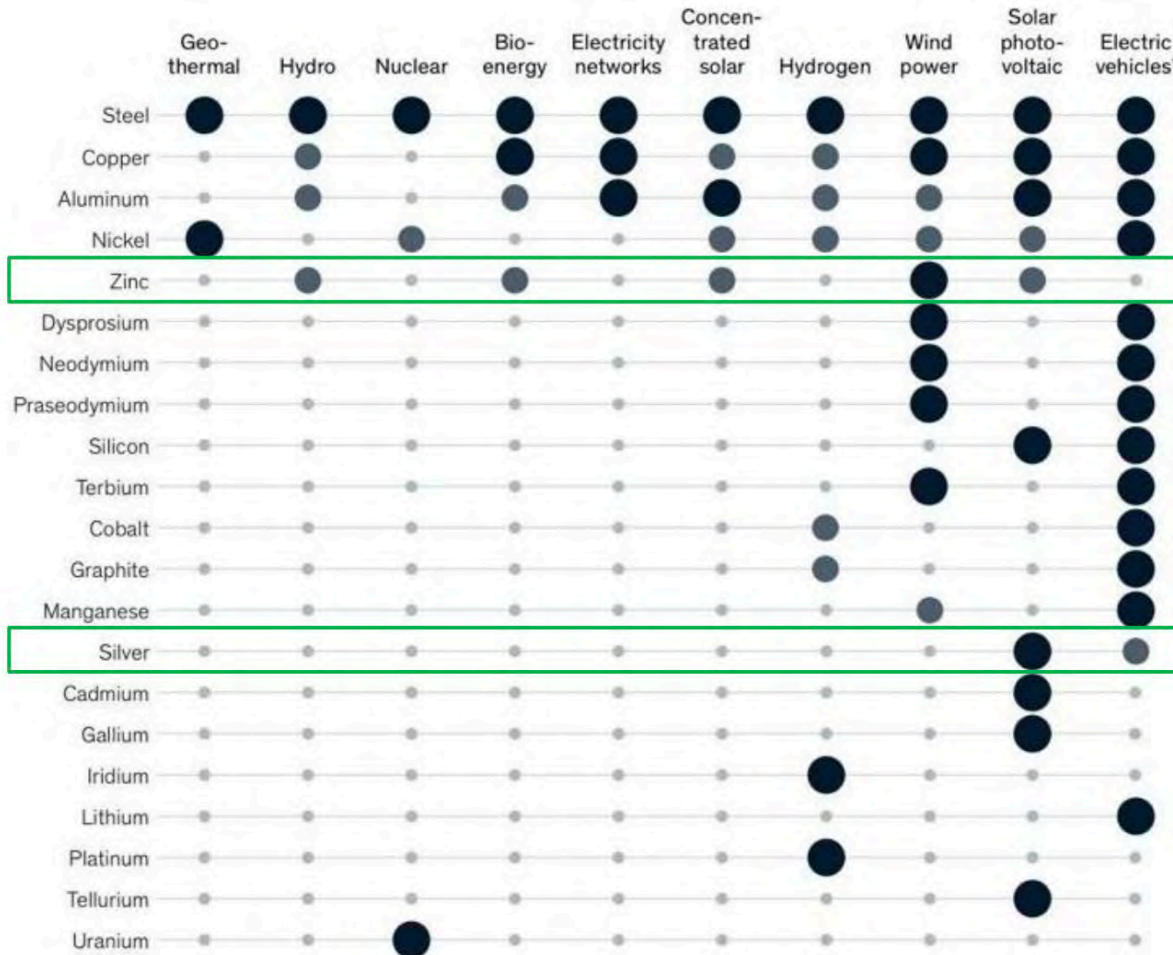
Deepening Trade Corridors and Increasing Exports

- Directly increasing exports supply and connection to global markets as approximately 90% of total production is anticipated to be exported to Europe and/or Asia, deepening these trade corridors, and increasing value of total exports
- The Project will provide transportation for over \$8 Billion of product over 20 years and support over \$11 Billion of indirect economic development
- Further supports Canadian trade by creating new linkages, increasing transportation capacity, and reducing bottlenecks in the system

Transport Corridor Development in the North

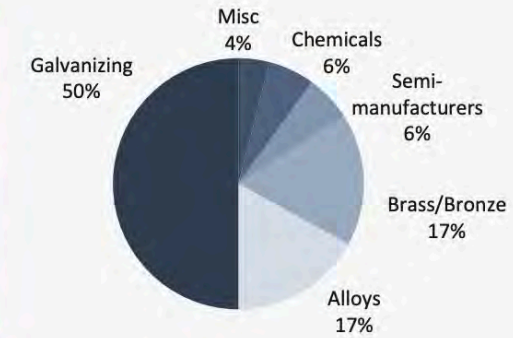
- Encourages development and improvement of Liard Highway 7, which will be a benefit to the region and local First Nations and communities
- All Season Road will traverse through the Nahanni National Park Reserve and local indigenous traditional territory, opening up access to additional lands as well as to parts of the National Park that otherwise will not be accessed
- Support transportation of goods into the NWT as well as being a significant contributor to the GDP of the NWT and Canada. It is expected to support increased capacity into and out of the NWT

Zinc – A Critical Metal for the Green Revolution

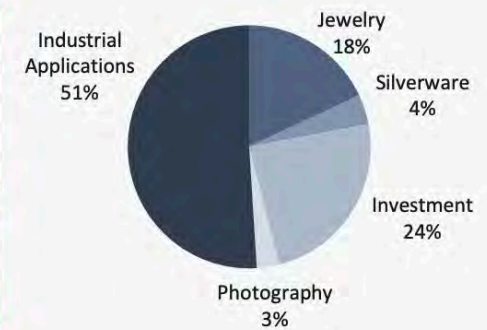


✓ Zinc designated as a strategic metal by US government in November 2021

Zinc Applications



Silver Applications



¹Includes energy storage.
Source: Critical raw materials for strategic technologies and sectors in the EU, A foresight study, European Commission, Mar 9, 2020; The role of critical minerals in clean energy transitions, IEA, May 2021; McKinsey analysis.



NORZINC

A PREMIUM MINE DEVELOPER

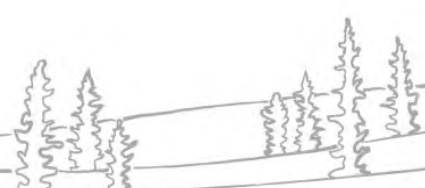
OFFICE:
510 Burrard St
Vancouver, BC V6C 3A8
604-688-2001



Mackenzie Valley Highway Project

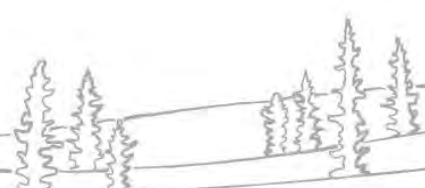
Project Update - MVRMA Resource Co-management Workshop –
Fort Simpson, NT

March 2024



Presentation Outline

- Project Overview
- Project Update
 - Background
 - Recent Engagement
 - Current status
- Project Next Steps



GNWT Transportation Strategy

Mackenzie Valley Highway is a key initiative under the GNWT Transportation Strategy

- Vision to connect the Mackenzie Valley from Wrigley to Tuktoyaktuk
- Current focus on Wrigley to Norman Wells

Project Benefits

- All-season access
- Improved quality of life
- Economic expansion and diversification



Project Overview

Scope

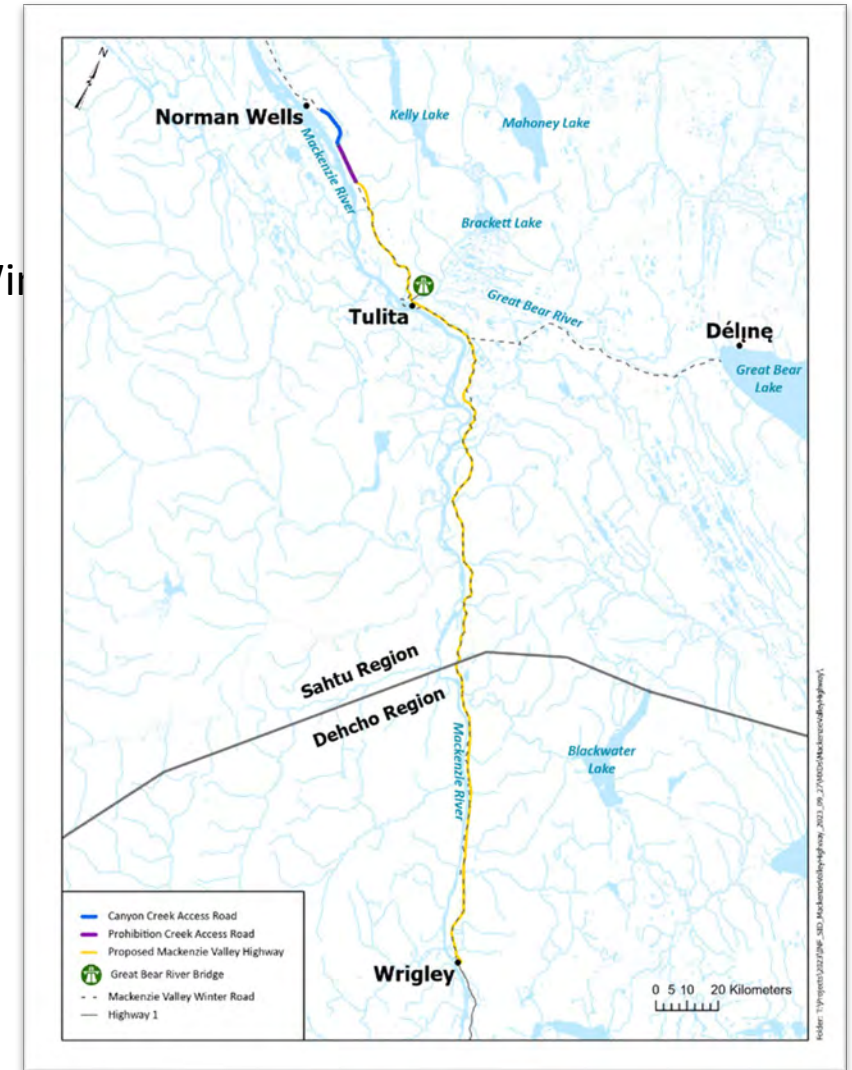
- 281 km of new all-season gravel road
- Connects to existing bridges along the Mackenzie Valley Winter Road and existing road portions

Project Activities

- Additional watercourse crossing structures (culverts)
- Temporary and permanent quarries and borrow sources
- Infrastructure and workspaces during construction
- Ongoing highway operations and maintenance after construction

Project Schedule

- 10 years to build over a 20-year period
- Built in 3 segments



Project Update: Background

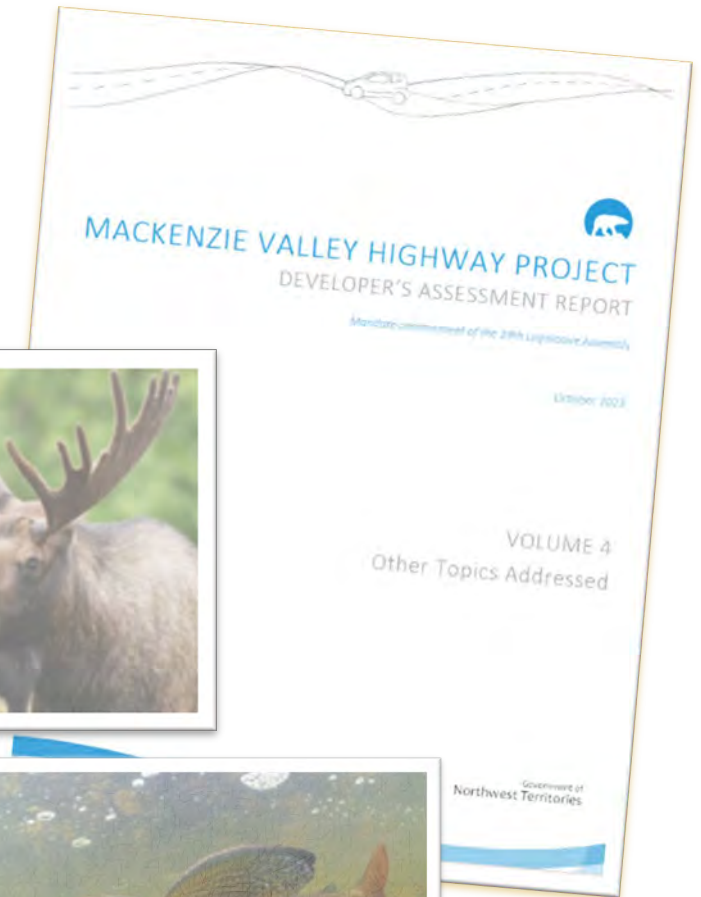
2010-2012 - Project Description Reports

2013 - Environmental Assessment referral

2015 - MVEIRB Terms of Reference issued

2018 - Receipt of federal funding to advance Project

2019-2023 - Technical studies completed



Project Update: Engagement

Developer's Assessment Report

- Project description and construction activities
- Potential project interactions and effects
- Mitigation and monitoring
- Socio-economic research

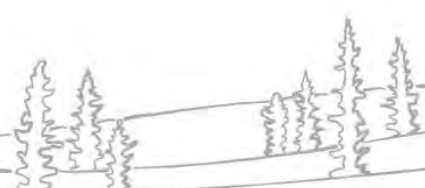
Traditional Knowledge Studies completed

- Tulita Renewable Resources Council
- Norman Wells Renewable Resources Council

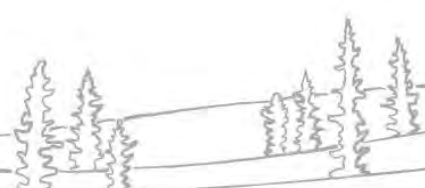
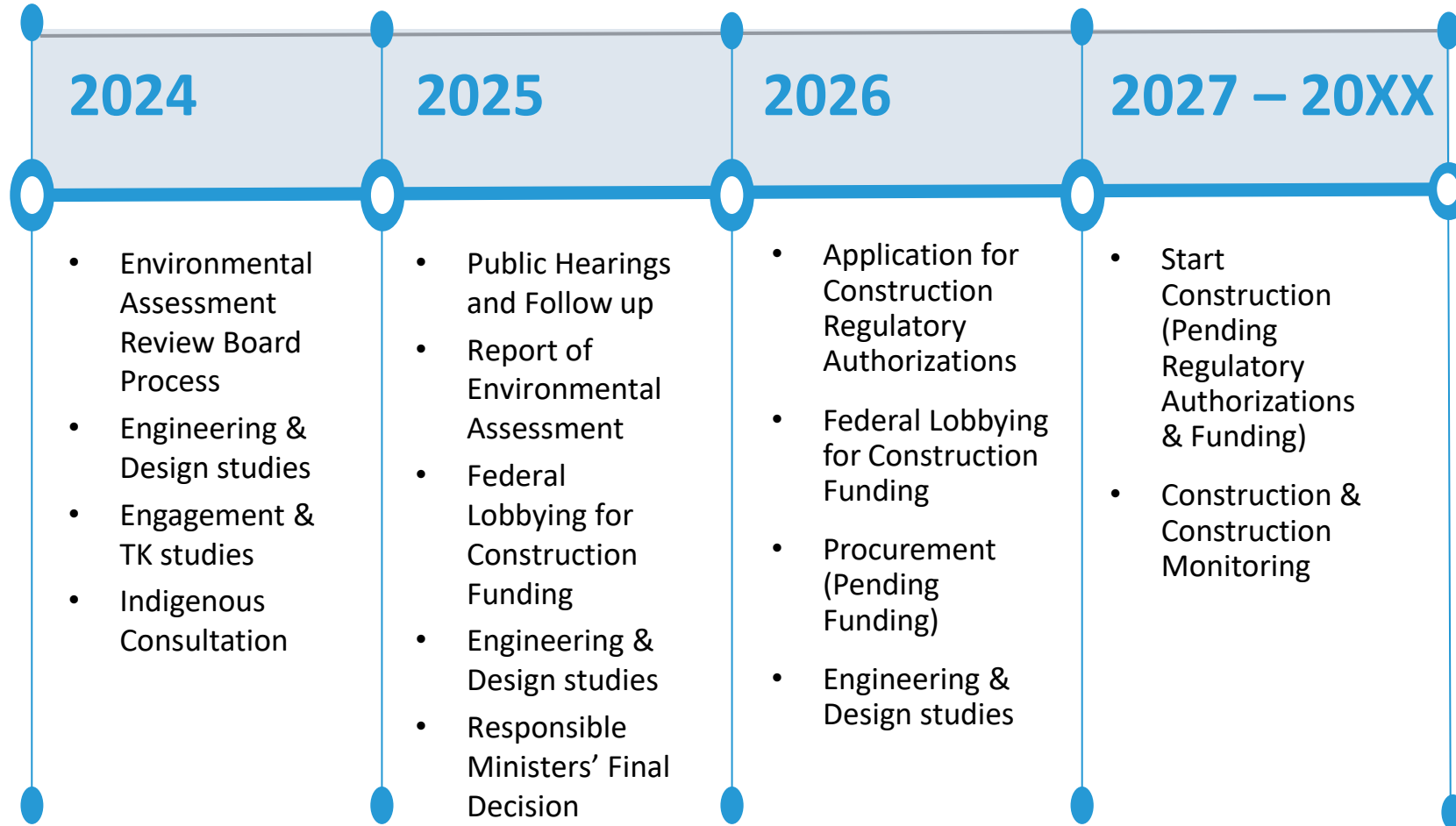


Project Update: Current Status

- Developer's Assessment Report submitted to MVEIRB
- Environmental Assessment analytical phase underway
- Work currently underway
 - Consultation and Engagement
 - Engineering & Design Technical Studies
 - Traditional Knowledge Studies
 - Pehdzéh Ki First Nation
 - Łíídlı́ Kúé First Nation



Mackenzie Valley Highway Project Next Steps



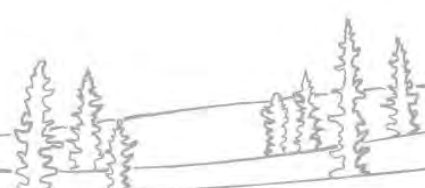
Contacts and More Information



Email: MVH@gov.nt.ca

Project Website:
www.inf.gov.nt.ca/en/MVH

Mackenzie Valley Highway EA:
<https://reviewboard.ca/registry/ea1213-02>



Oil & Gas Reclamation Updates

March 26, 2024
Fort Simpson



Presentation Contents

Oil and Gas Reclamation

- Oil and gas reclamation activities
- OROGO regulates:
 - Well abandonment
 - Pipeline decommissioning
 - Infrastructure decommissioning
- Regulatory activities
- Working with other regulators

Updates and Current Status

- Progress from 2017 to 2024
- Remaining suspended wells and anticipated activity by region

Reclamation Activities: Wells

- Permanently plugged, cut and capped (abandoned)
- Potable groundwater protected
- Oil and gas zones isolated
- Signage installed



Credit: ELM Inc.

Reclamation Activities: Pipelines

- All pipelines pigged and purged (cleaned)
- Above-ground components removed
- Underground components capped



Credit: ELM Inc.

Reclamation Activities: Infrastructure

- Separator shacks, batteries, and other above-ground infrastructure
- Must be removed within 12 months of well abandonment
- Any remaining spills or debris must be cleaned up



Regulatory Activities

Reviewing applications against legislation, regulations, and guidelines and interpretation notes issued by the Regulator.

Monitoring activities through daily reports, well operations reports, and annual reporting on environment, safety, and production.

Inspecting wells and facilities: before, during, and after activities.

Responding to incidents as required.

OROGO INCIDENT STATUS REPORT
NWT DIVISION OF THE REGULATOR OF OIL AND GAS OPERATIONS

Incident #	INC-2023-002-IMP-OA-2021-004
Incident occurred on:	January 15, 2023
OAIACW #:	ACW-2021-001
Operator:	Imperial Oil Ltd.
Location:	Jean Marie B.

Version: August 23, 2022

OROGO Operations Inspection Summary Report

Well Information

Cameron M-46
1974
Coordinates (in decimal degrees, verified onsite)
Datum: NAD 27 NAD 83 Unknown
Lat: 60° 5' 52" N
Long: 117° 26' 18" W

Completed an H2S jump? Yes
 Estimated % of H2S: 2% or
 Measured % of H2S: 0%

Suspended
Risk level: Level 2

Wellbore plug? Yes No

Wellbore sealed? Yes No

Program step on departure: 78. Move in waterjet out and cap crew and equipment.

Program step on departure: 81. Rig in the waterjet out and cap crew. Cut and cap the well 1.5 meters belowground level following the waterjet company procedures. Take pictures of the well before the cut, with the wellhead removed, the cut surface, and the vented cap before and during installation.

On Date and Contact Information
Inspection: March 8, 2023 | OROGO Inspector:

OROGO
NWT DIVISION OF THE REGULATOR OF OIL AND GAS OPERATIONS

WELL SUSPENSION AND ABANDONMENT GUIDELINES AND INTERPRETATION NOTES

OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS

REVISED VERSION
May 25, 2022

ELM DAILY REPORT

WELL ID	WELL NAME	WELL TYPE	WELL STATUS	WELL OPERATOR	WELL LOCATION	WELL DEPTH	WELL DIA.	WELL PERM.	WELL PROD.	WELL INJECT.	WELL TEMP.	WELL PRESS.	WELL VIBR.	WELL NOISE	WELL VIBR. DIR.	WELL NOISE DIR.	WELL VIBR. INT.	WELL NOISE INT.	WELL VIBR. EXT.	WELL NOISE EXT.
1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001	1000000001

Supervisor Changes

SUPV. PROVIDED	DATE	TIME	REASON	BY	APPROVED

Stand Party Changes

STAND PARTY PROVIDED	DATE	TIME	REASON	BY	APPROVED

Working with Other Regulators

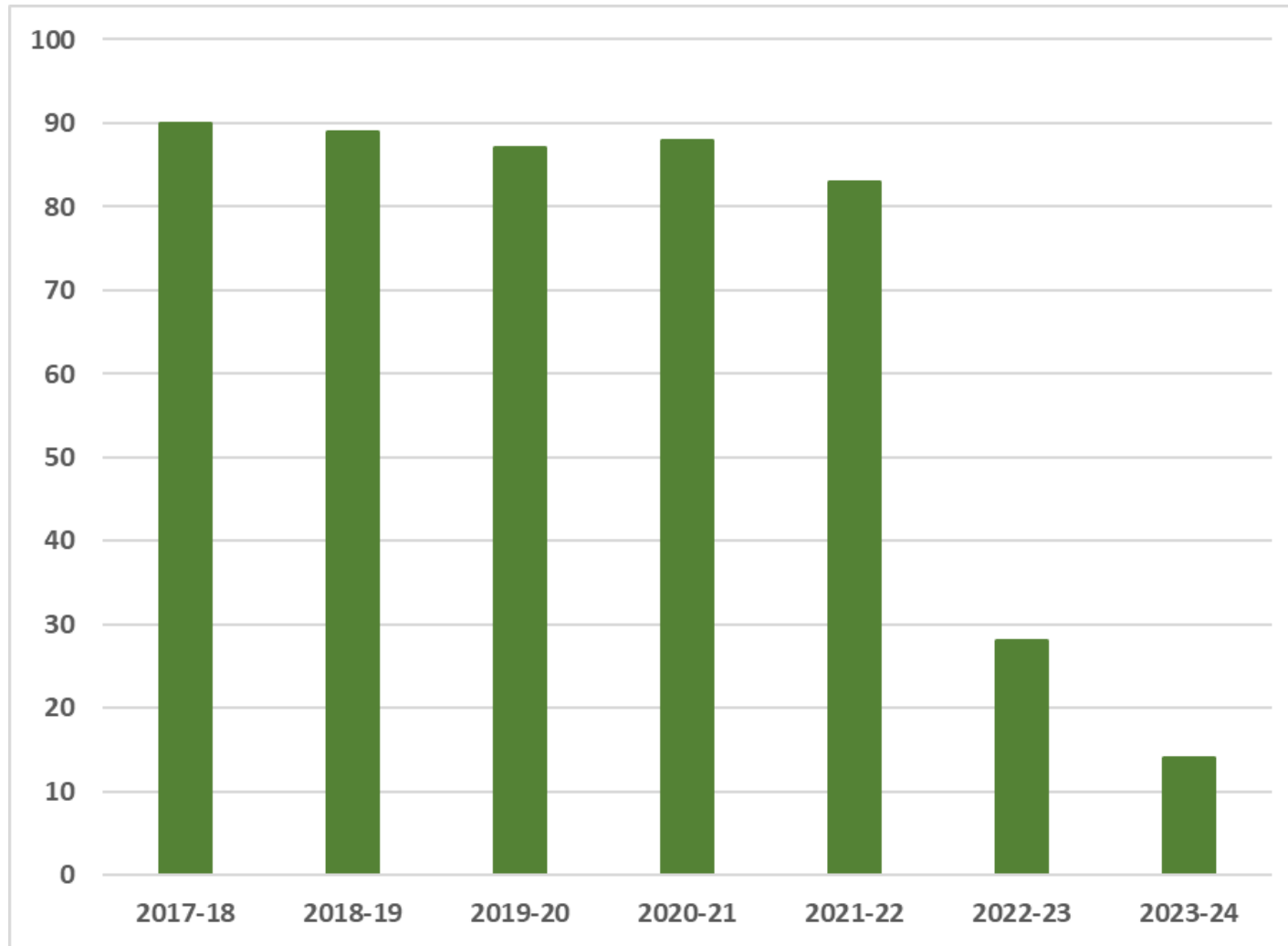
Other regulators are involved in oil and gas reclamation: Land and Water Boards, Workers Safety and Compensation Commission, Canada Energy Regulator, etc.

OROGO coordinates:

- Pre-season / post-season briefings
- Weekly meetings with operators for all regulators
- Joint inspections
- Discussions on areas of joint regulation



Suspended Wells: 2017 to 2024



2023-24 data to
March 22, 2024

Gwich'in Settlement Area Update

Aurora College: 1
suspended well in Inuvik.

Well abandonment
operations underway.



Sahtu Settlement Area Update

Suncor: 3 suspended wells near Colville Lake.

MGM: 7 suspended wells near Colville Lake.

Abandonment deadline for all wells: March 31, 2025.



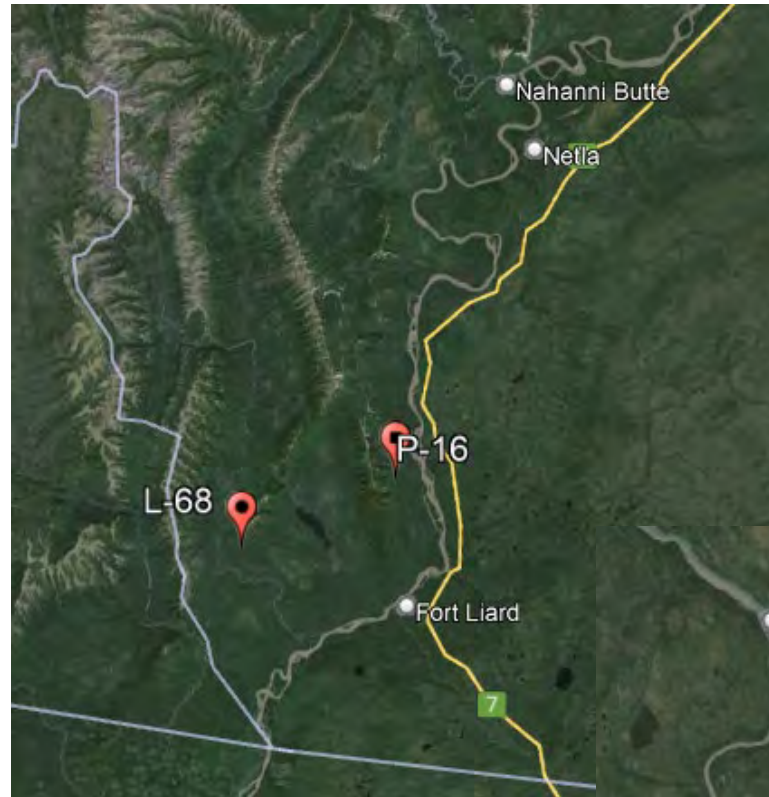
Dehcho Region Update

Imperial: 1 suspended well near Jean Marie River.

CNRL: 1 suspended well in the Liard West field.

Prairie Provident: 1 suspended well in the Liard West field.

Paramount: surface infrastructure removal and clean-up of any remaining spills.

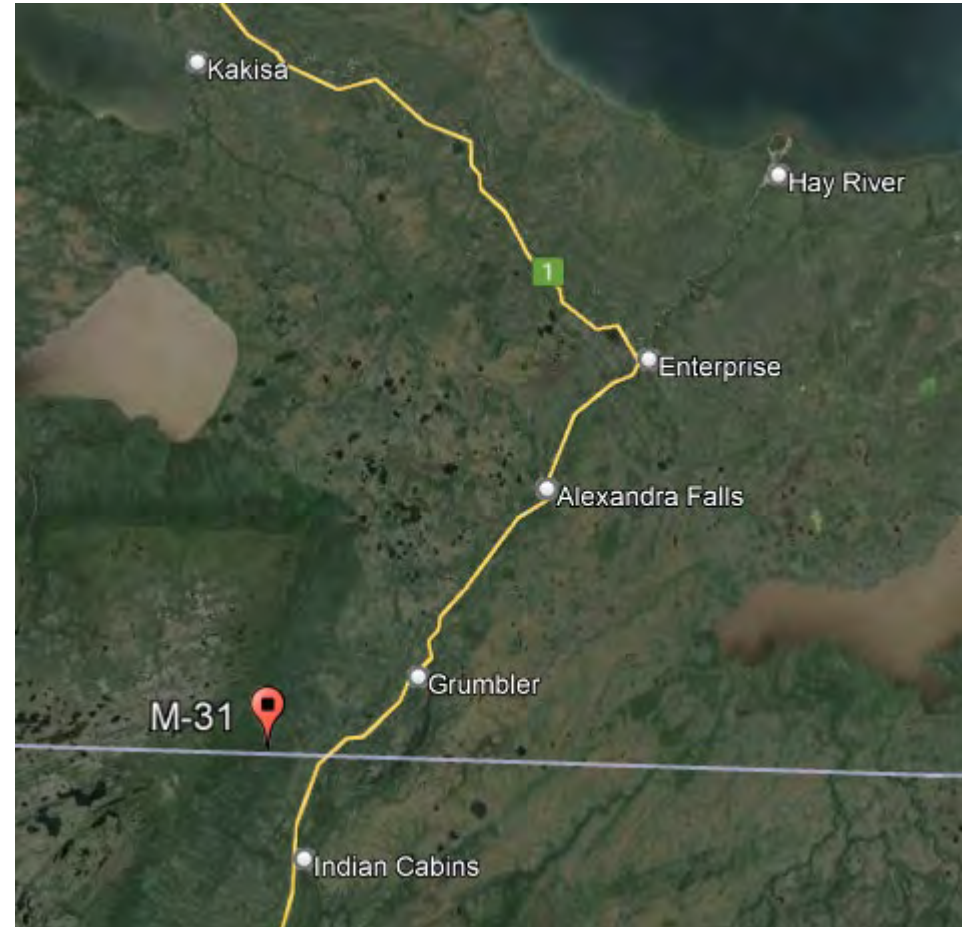


South Slave Region Update

Strategic Oil & Gas Ltd:

1 suspended well at
Cameron Hills.

Historic spills now
accessible for clean-up.





Government
of Canada

Gouvernement
du Canada



Cantung Mine Update

March 26, 2024

Co-Management Workshop





OUTLINE

1. WHERE & WHO WE ARE

2. WHERE WE HAVE BEEN

- 1960'S - 2015

3. WHERE WE ARE NOW

- 2015-PRESENT

4. WHERE WE ARE GOING

- FINAL CLOSURE





WHERE





WHO

**NATC
(Licensee)**

Court-Appointed Monitor

- Alvarez & Marsal Canada Inc. (A&M)

Supported by Advisors

- Northern mining expertise

C&M Contractor

- Runs mine site

**Gov't of Canada
(Funder)**

CIRNAC

- Administered through Northern Abandoned Mines Reclamation Program (NAMRP)

**Managed out of Yellowknife/
Ottawa**

Supported by Project Technical Office

- Other support: Engineer of Record (EOR)
- Engineering & Technical
- Closure Engagement Facilitation



WHO

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Gov't of Canada
(Funder)

CIRNAC

- Administered through Northern Abandoned Mines Reclamation Program (NAMRP)

Managed out of Yellowknife/
Ottawa

Supported by Project Technical Office

Sharleen

Sam

- Other support: Engineer of Record (EOR)
- Engineering & Technical
- Closure Engagement Facilitation



WHERE WE HAVE BEEN

- **Early 1960s – 2015 open pit and underground mining and milling**
- **Several periods of temporary closure**
 - Economics
 - Fire
- **Tailings into 5 TCAs and floodplain**
- **Workers and their families were housed on site**
 - Workforce was 230 people
 - Townsite housed up to 600 people
- **Access through Yukon**
 - Nahanni Range Road to Watson Lake
- **Historic mine – Predating the MVRMA**
 - Court case in early 2000's whether water licence renewal triggered an impact assessment
 - Decision that continued mining & milling was exempt from impact assessment





WHERE WE ARE NOW





WHERE WE ARE NOW


2015-2016

- **Re-licencing and authorizing dry stack tailings facility**
- **NATC filed for creditor protection (June 2015)**
 - A&M appointed as the Monitor
- **Cantung re-entered C&M**
- **NWT *Devolution Agreement***
 - Cantung becomes Canada's responsibility and a New Site Requiring Remediation, as per the *Devolution Agreement*
- **Cantung becomes a federal area under the MVRMA**
 - Funding for Cantung provided by CIRNAC under NAMRP
- **Attempted to sell Cantung**
 - Did not result in a sale
- **Communities Working Group established**
 - Comprised of impacted Indigenous groups
 - Acho Dene Koe First Nation, Dehcho First Nations, Fort Simpson Metis Local 52, Kaska Dena Council, Liard First Nation, Łııdlıı kúę First Nation, Naha Dehé Dene Band, Ross River Dena Council
 - Typically meet quarterly to share information



WHERE WE ARE NOW

2017-2023

- **Attempted again to sell Cantung**
 - Did not result in a sale
-  **April 2022 - Decision to move towards final closure**
- **Undertook technical work to support closure planning**
 - Various studies to inform a current Conceptual Model of the site
- **Continued Care and Maintenance**
 - Contractor now in place
 - Season site presence only
 - New water licence in place





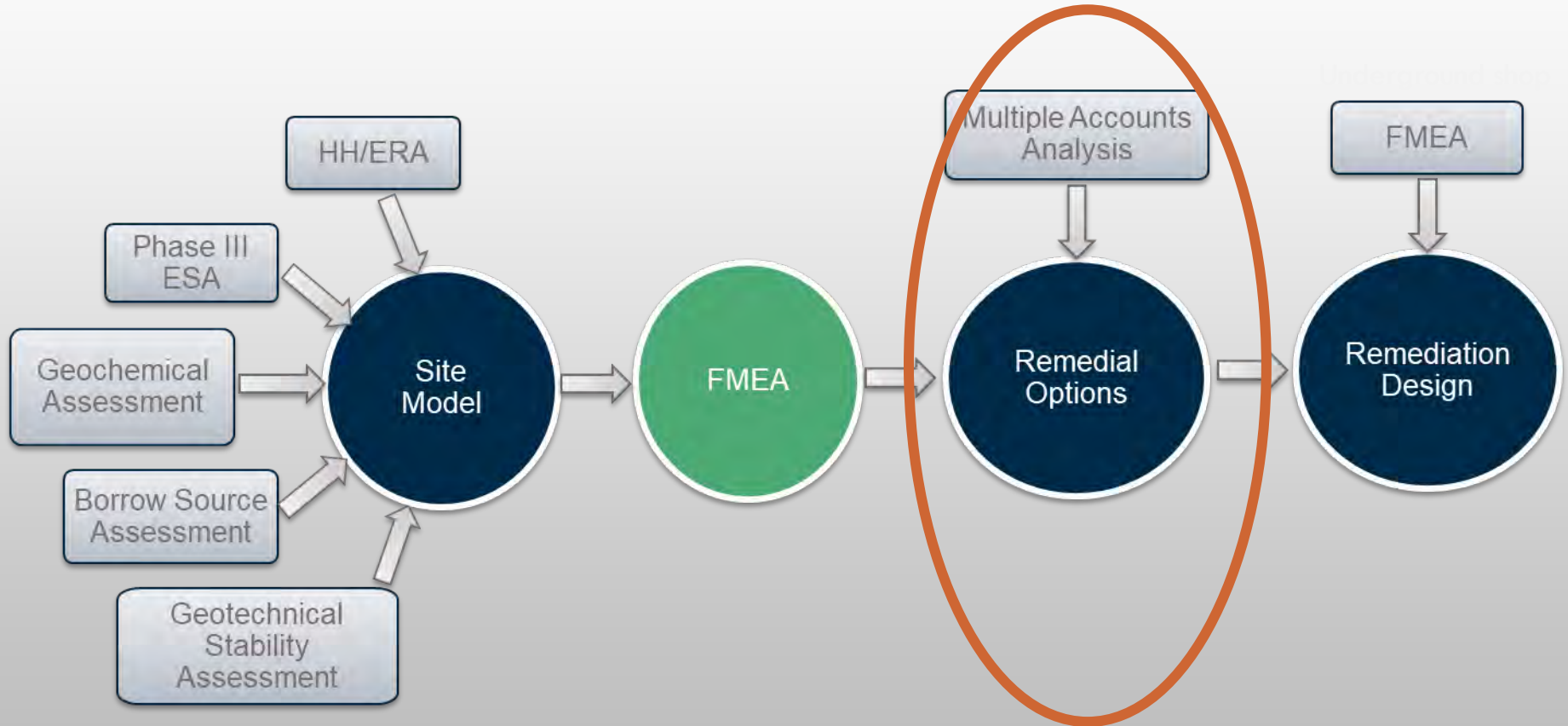
WHERE WE ARE NOW

- **Closure planning is underway**
- **Held in-person/hybrid workshops with Indigenous Partners**
 - Assessment work, FMEA
 - Closure Planning (2)
- **Bi-lateral/Community meetings where requested**
- **Updating Goals, Principles, & Objectives**
 - Starting point: MVLWB Guidance, 2013 approved objectives
- **Exploring and Analysing Closure Options**
 - Largely focussed on tailings
- **Exploring post-closure uses and what this could look like**
 - Tourism, Mining/exploration, Traditional land use, Research and science



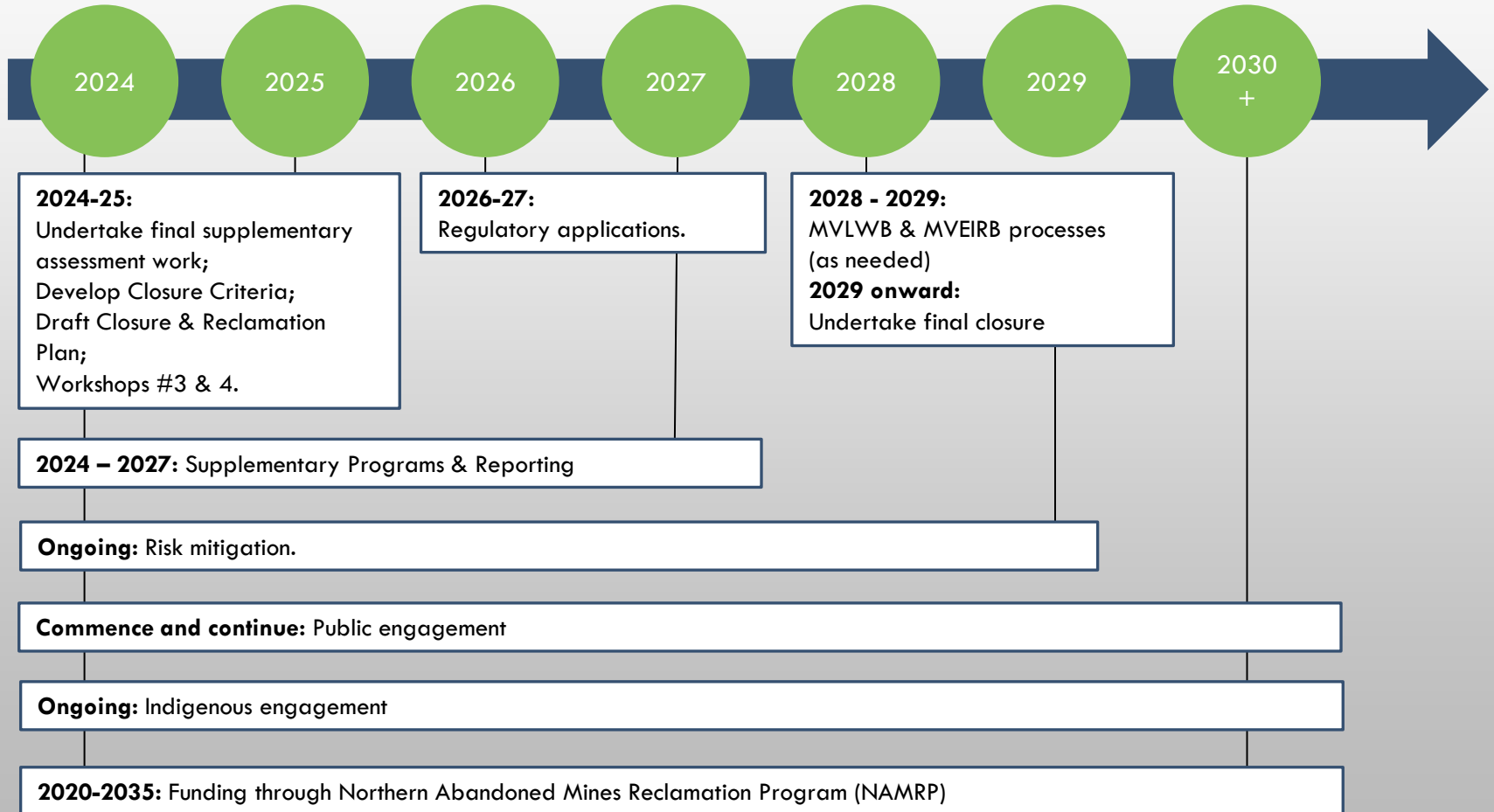


WHERE WE ARE NOW





WHERE WE ARE GOING





CONNECT WITH US

- **A&M/NATC:**

- **Todd Martin (604.638.7445)**
tmartin@alvarezandmarsal.com
- **Marianna Lee (604.639.0845)**
marianna.lee@alvarezandmarsal.com

- **CIRNAC:**

- **Jeffrey Mackey**
jeffrey.mackey@canada.ca
- **Sam Kennedy**
sam.kennedy@rcaanc-cirnac.gc.ca

DEH CHO LAND USE PLANNING COMMITTEE
One Land One Plan



Ndéh Łié - Mek'ęę Ats'et'ı Łié
Dehcho Ndéhé T'áhagot'ı gha Sááhniogpáh-ké

DEHCHO LAND USE PLANNING COMMITTEE
One Land One Plan



Ndéh Łié - Mek'ęę Ats'et'ı Łié
Dehcho Ndéhé T'áhagot'ı gha Sááhniogpáh-ké

Dehcho Land Use Planning Update

Dehcho Land Use Planning Committee

March, 2024

Membership of the Dehcho Land Use Planning Committee (DLUPC)

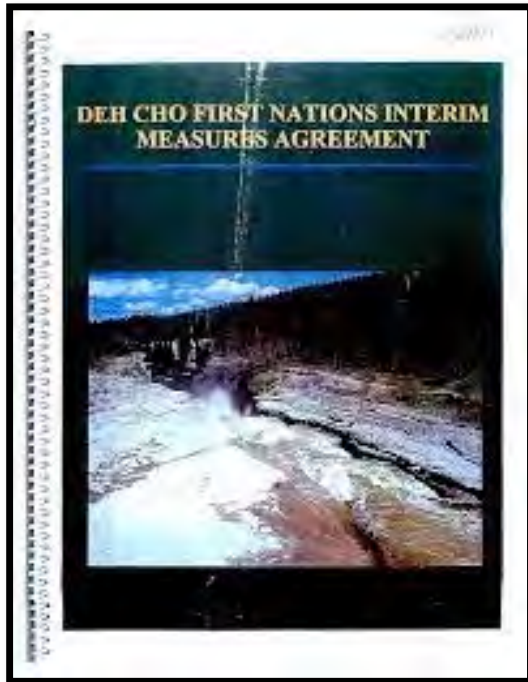
Membership

- Chair – Tina Gargan
- DFN Member – Ramona Pearson
- DFN Member – Allen Bouvier
- GNWT Member – Gina Ridgely
- Gov. of Canada Member – Janet Pound

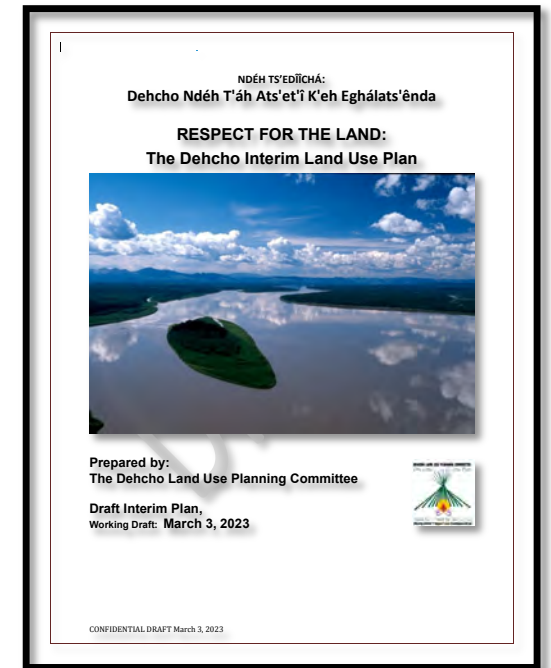
Staff

- Executive Director/Senior Planer – Heidi Wiebe (Part Time, Yellowknife)
- Office Manager - Sophie Bonnetrouge (Full time, Fort Providence Office)

DLUPC Mandate



- Develop a land use plan for the Dehcho territory for lands outside the existing boundaries of a local government and Nahanni National Park Reserve
- Purpose of the Plan is to promote the social, cultural and economic well being of residents and communities in the Dehcho territory, having regard to the interests of all Canadians.
- Taking into consideration the principles of respect for the land, as understood and explained by the Dehcho Elders, and sustainable development, the Plan shall provide for the conservation, development and utilization of the land, waters and other resources in the Dehcho territory.



SEVEN Types of Land Use Zones

Protected Area Zone (1)

- Committee agreed to a new zone designation for Edehzhie but has not discussed or agreed to other details

Candidate Protected Area Zone (5)

- Areas moving through federal or territorial protected area legislation, restricts the 5 specified land uses – usually through an interim land withdrawal

Conservation Zone (16)

- Areas with important cultural or wildlife values
- Oil & gas, mining, agriculture, commercial timber development not permitted
- No tourism may be permitted in Birch Lake CZ

Special Management Zone (6)

- Restrict oil and gas and mining and may permit agriculture, tourism and commercial timber development while protecting cultural and ecological sites
- Jean Marie South SMZ permits forestry, oil/gas but not mining

SEVEN Types of Land Use Zones cont'd

Special Development Zone (18)

- May permit forestry, oil/gas, mineral activities, tourism; sometimes agriculture
- Conformity Requirement #2 requires applicants to identify specific cultural and ecological features (Table 2)

General Use Zone

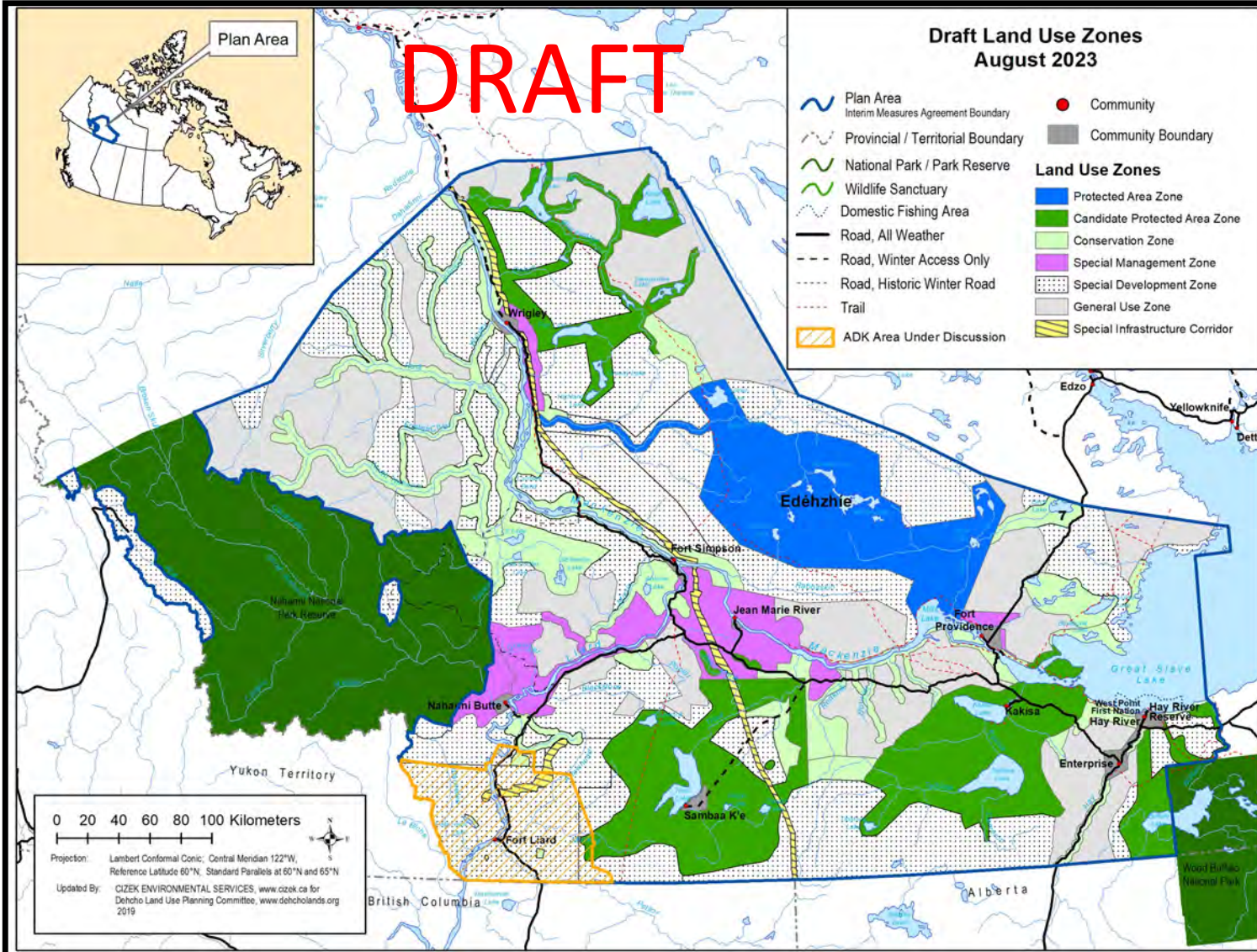
- Permits all land uses subject to Conformity Requirements or additional guidance (Recommendations)

Special Infrastructure Corridor Zone

- Constrain development of two proposed pipelines to these corridors (Mackenzie Gas and Netla-Arrowhead)
- These “float” over the other zones.

Proposed Permitted /Prohibited Uses by Zone

(Not yet approved, subject to change)



Zone Type	Oil & Gas	Mining	Forestry	Tourism	Agriculture
Protected Area Zone (PAZ)	Managed in accordance with sponsoring legislation and establishment agreements.				
Candidate Protected Area Zone (CPAZ)	N	N	N	N	N
Conservation Zone (CZ)	N	N	N	Y	N
Special Management Zone (SMZ)	Y/N	N	Y	Y	Y/N
Special Development Zone (SDZ)	Y	Y	Y	Y	Y/N
General Use Zone (GUZ)	Y	Y	Y	Y	Y
Special Infrastructure Corridor (SIC)	Permits a pipeline				

Conditional Uses (Under Revision)

- Non-exclusive geophysical surveys (seismic)
- Minor infrastructure
- Community Expansion & Infrastructure
- Quarrying
- Transportation & Utility corridors
- Pipelines
- Hydro-electric development
- Forest Management Activities: Prevention of forest fire and disease, salvage logging
- Previously managed through Conformity Requirements
- Moving under Zoning to clarify which uses are allowed in Conservation Zones (and in some cases Candidate Protected Areas), and to harmonize the conditions for this.





Conformity Requirements, Actions and Recommendations

Once approved by all Parties, the land use plan may provide binding and non-binding direction on the following topics to guide land use and mitigate impacts from development:

Dene Laws, Values and Principles	Air Monitoring and Management
Preservation of culture and language	Mitigating impacts to cultural & ecological features
Community involvement	Water Management
Climate change	Commercial Fishing
Community infrastructure	Hydro-Electric Development
Quarrying	Revegetation
Linear corridors	Commercial Timber Development
Pipelines	Tourism
Work Camps	Agricultural Practices
Cumulative Effects Management	Significant Environmental and Habitat Features
Mine Reclamation	



Northwest Territories & Nunavut
Mining for jobs
nunavut news/north news/north
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Outstanding Issues at Main Table

1. Zone Designation of Zones 41 and 42 (areas excluded from Edehzhie)
 - Resolved – Parties have agreed that they should be Special Development Zones
2. Relationship between the Plan and the IMA
3. Geographic Scope of the Plan
4. Special Infrastructure Corridors
5. Termination Clause

DLUPC Internal Revisions

- Working through comments from Parties 2019 Internal Review and comments submitted by others (KFN in 2021, EMB in 2023)
- Making the Plan clearer, addressing inconsistencies and ambiguities
 - Combining and clarifying conditional uses through Zoning (CR 1, Table 1, Map 1)
 - Using consistent words and phrases, and in the right context. E.g. Plan area vs Dehcho Territory; Should vs Must vs Reasonable Efforts
 - Clarifying the intent of some plan direction e.g. Hydro-development
- Re-evaluating the status of some plan direction. e.g. Should some Recommendations be Conformity Requirements? Should some be deleted because the Action has been completed already?
- Working through detailed Implementation questions
- Adding new zone type for established protected areas under federal or territorial legislation (Protected Area Zone)
- Assessing Dehcho Plan against Boreal Caribou Range Plan
- Updating Zone Descriptions and inserting them back into the Plan

Path Forward





Questions?



Contact Info:
Heidi Wiebe
Cell: 867-447-0961
Email: [exdirdlupc@
dehcholands.org](mailto:exdirdlupc@dehcholands.org)



Updates About Land Use Planning in the Sahtú

RESOURCE CO-MANAGEMENT
WORKSHOP

MARCH 26-27, 2024

SAHTÚ NEK'E ʔEGHÁLATS'EYEDA
KESÓRÍDAOTS'EDÉHʔAKE / SAHTÚ
LAND USE PLANNING BOARD



Board Members & Staff

- Board Members
 - Heather Bourassa, Chairperson (Nominated by Board)
 - Martina Simons (GNWT Nominee)
 - Michael Mifflin (Canada Nominee)
 - Dakota Erutse (SSI Nominee)
 - Judy Tutcho (SSI Nominee)

All nominees are submitted to the Minister of Affairs Canada (NAC).
The Minister makes appointments for 3-year terms.

Staff

- Justin Stoyko, Executive Director
- Alex Tassioulas, Land Use Planner
- Jenna Grandjambe, Admin Clerk

Sahtú Settlement Area

Sahtú Settlement Area Quick Facts:

- 283,000 km²; larger than the United Kingdom
- 5 communities with a total population 2,669 (2022)
- No all-weather road access
- One of the largest approved land use plans in the world
- Dene have lived here since time immemorial



Why Do Land Use Planning?

- From the *Mackenzie Valley Resource Management Act* and the *Sahtu Dene and Métis Comprehensive Land Claim Agreement*:

"The purpose of land use planning is to protect and promote the existing and future well-being of the residents and communities of the settlement area having regard to the interests of all Canadians."

Sahtu Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA)

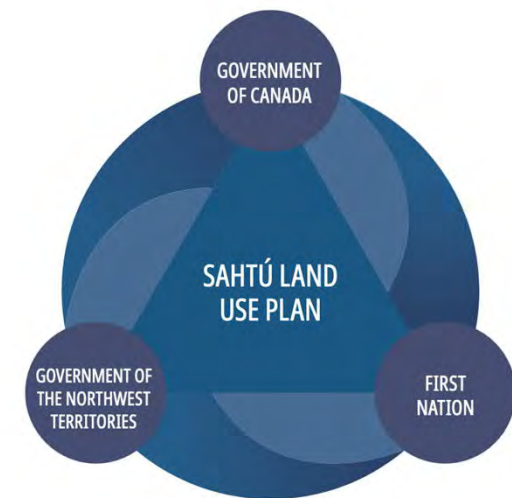
25.2.4

The following principles shall guide land use planning in the settlement area:

- (a) the purpose of land use planning is to protect and promote the existing and future well-being of the residents and communities of the settlement area having regard to the interests of all Canadians;
- (b) special attention shall be devoted to:
 - (i) protecting and promoting the existing and future social, cultural and economic well-being of the participants;
 - (ii) lands used by participants for harvesting and other uses of resources; and
 - (iii) the rights of participants under this agreement;
- (c) water resources planning is an integral part of land use planning;
- (d) land use planning shall directly involve communities and designated Sahtu organizations; and
- (e) the plan developed through the planning process shall provide for the conservation, development and utilization of land, resources and waters.

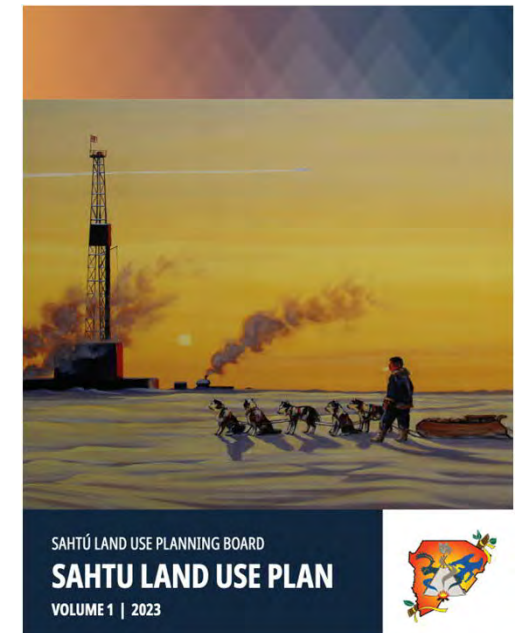
What Is the Land Use Plan?

- The Plan provides direction to land owners, regulators and applicants on what land uses are appropriate, where, and under what conditions to achieve the vision and goals identified for the Settlement Area.
 - Provides certainty on land – protect ecologic, cultural, wildlife, sacred sites, economic interests, and make sure community benefits are provided.
- Living document (meant to change over time).
- Developed over years of community interviews on vision, goals, issues, land use.
- First Plan approved in 2013.
- Needs approval from 3 levels of government for any changes – agreement between all Parties.



Plan 5-Year Review

- First complete and approved land use plan Review in the Northwest Territories.
- Adopted by Sahtú Land Use Planning Board - May 31, 2021.
- Approvals:
 - Sahtú Secretariat Inc. – July 9, 2021.
 - GNWT – June 6, 2022.
 - Canada - June 7, 2023.
- Work started out in 2018 to identify what needs to be addressed and speak with communities.



What Was Changed in the 5-Year Review?

Updates to legislation.

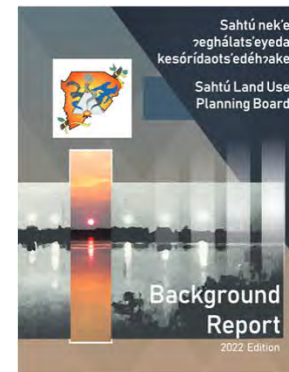
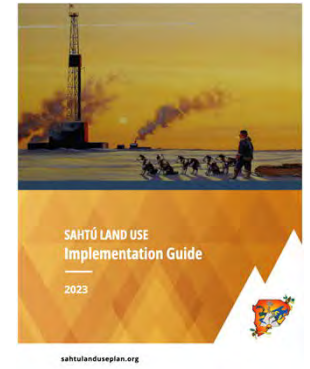
Corrections of typos and other problems.

Significant mapping review and update.

Community requested changes to zoning.

What Else Have We Been Up To?

- Updated Documents:
 - Background Report (2022).
 - Implementation Guide (2023).
- New Documents:
 - Plain Language Summary (May 2022).
 - Monitoring & Evaluation Report (3 years starting in 2021).
- Supporting approvals of other ongoing amendment.
- New website and online registry (August 2022).
- Social media and communication strategy:
 - Ongoing community meetings and school visits to listen to concerns and maintain relevancy of the land use plan.
- Help other organizations with mapping.
- Evaluate how the Plan is achieving its Vision and Goals (starting).



Challenges of Northern Land Use Planning - Internal

- Geography.
- Data availability.
- Finding agreement on shared goals and priorities (Economic, Social, Cultural, Environmental).
- Unresolved planning issues.
- Lack of other northern land use planning successes.
- Logistics of relationship-building in a remote setting (travel between communities \$\$\$).



Challenges of Northern Land Use Planning - External

- Board vacancies (delays in appointments).
- Lack of economic investment in the region.
- Lack of interest in land use planning by communities.
- Plan review delays.
- High turnover of government staff.



MAHSI



Questions?

- www.sahtulanduseplan.org

Tłıchq Wenek'e

Tłıchq Land Use Plan

Review, Update,
Implementation &
Co-Management
Considerations

Photo source: Ekwò Nàxoèhdee K'è Boots on the Ground Monitoring Program

Resource Co-Management Workshop | March 2024
By Mark Poskitt, Tanisha Beaverho, & Phoebe Rabesca

Tłıchq Ndek'àowo



Tłıchq Government

Background

- Tłıchq Wenek'e is the Tłıchq Land Use Plan (LUP).
- Enacted as a Tłıchq Law in 2013, the LUP assists with the management of ~39,000km² of Tłıchq Government (TG) lands.
- LUP uses maps, policies, and planning statements to protect the land, and Tłıchq culture and way of life.
- Key goals of LUP include:



Protect the land, water, and wildlife.



Protect traditional land uses



Document important sites



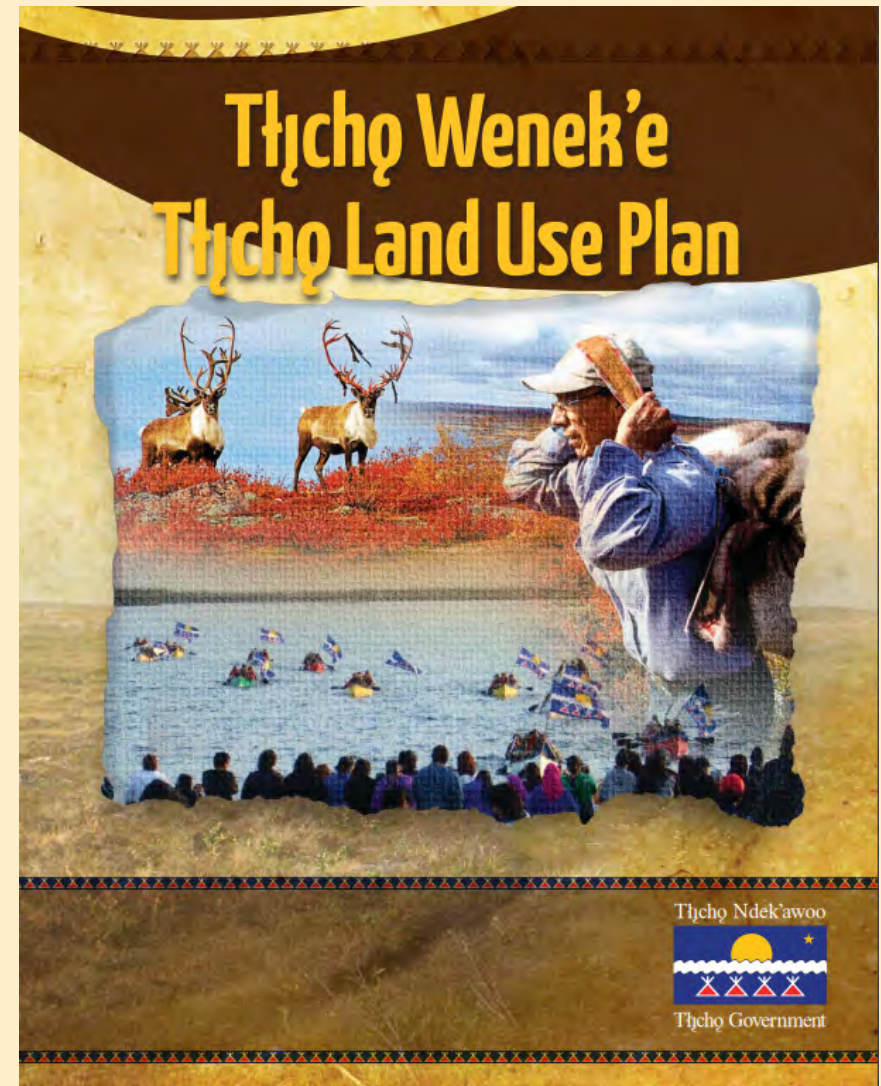
Tłıchq approach to land management



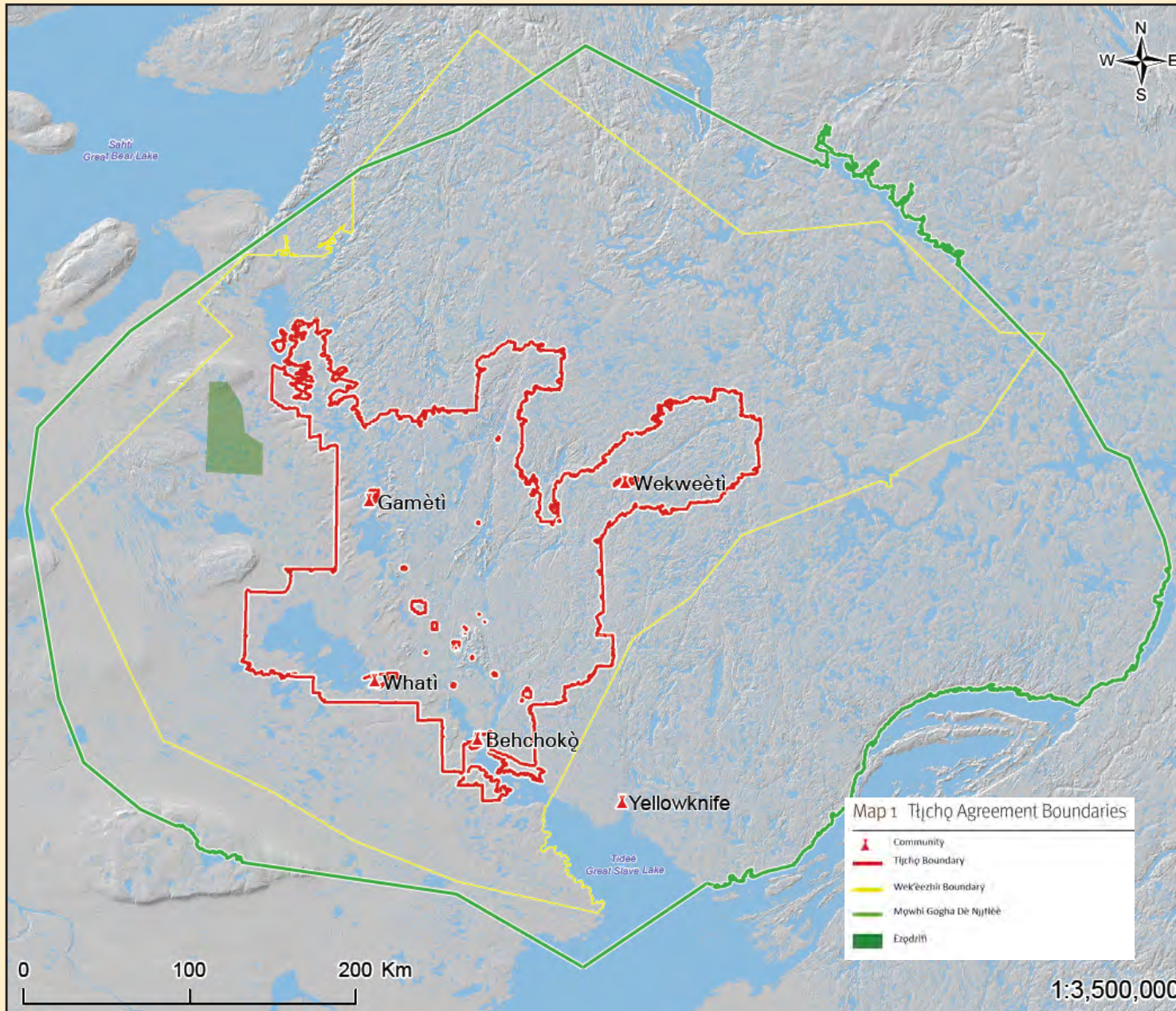
Greater certainty for future



Help connect youth with the land



Tłıchq land boundaries



LUP Review?

Section 7.9. of Wenek'e provides direction about how this LUP may be changed and updated. According to S.7.9., the LUP can either be changed through a **plan variance**, a **plan amendment**, or a **formal plan review**.



A **variance** involves minor changes to the Plan, that do not compromise its goals or objectives, have a minimal land use impact, and do not create a precedent.



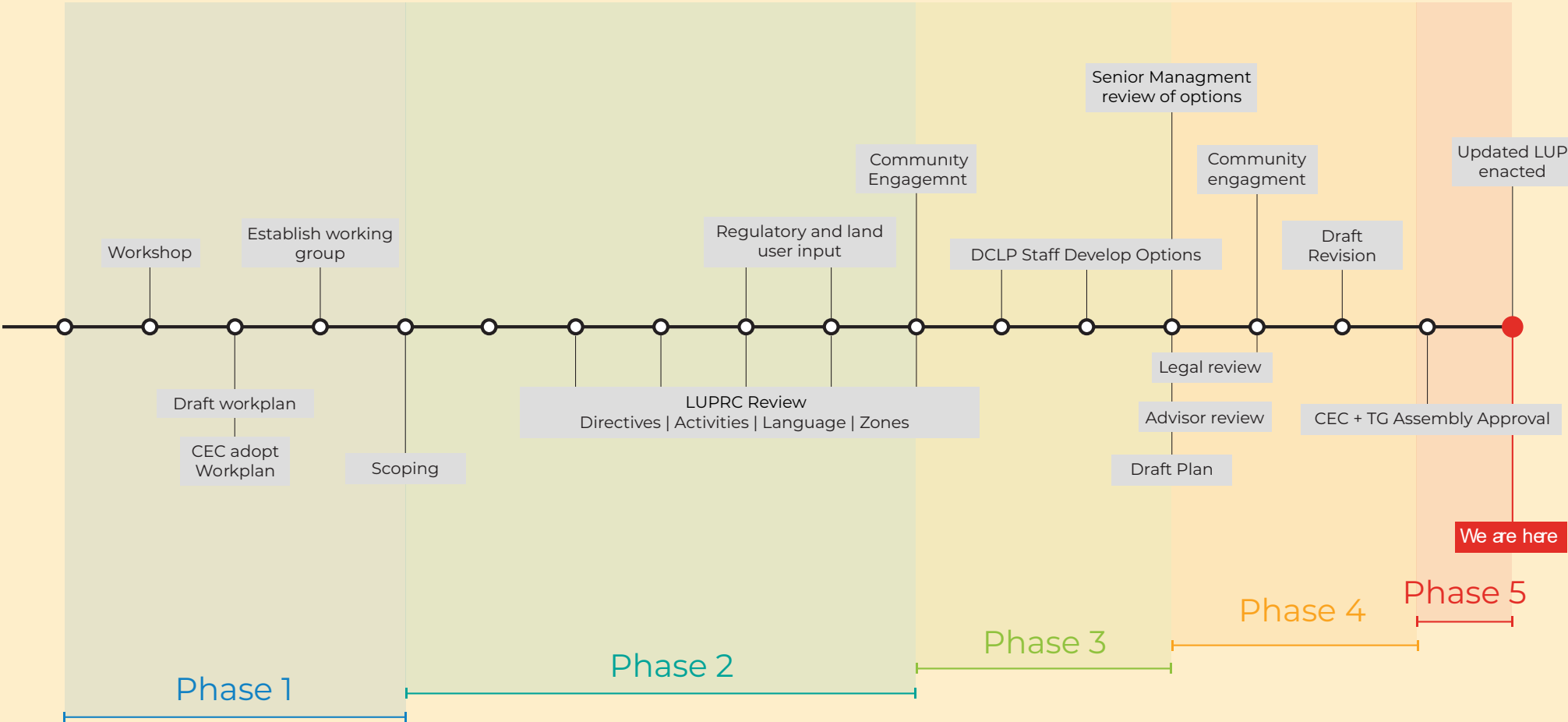
Plan **amendments** may be needed to address a new land use or new information.



A Tłıchq LUP **review** is a comprehensive re-evaluation of the entire Plan involving considerable research, review and engagement.

Review Process

LUP Review Timeline



Review Focus

1. Land Protection **Directives** (i.e. policies)
2. Land Use **Activities**
3. Tłıchǫ Yatıı **Language**
4. Land Protection **Zones**

Updates | summary

- Comprehensive review and verification of existing land protection policies;
- Significant rewording and revamping of many policies (e.g. caribou, traditional knowledge);
- Creation of new policies, where needed (e.g. climate change, cabin management);
- New Tłjchq Yatı translations for all chapter titles;
- Incorporation of revised Tłjchq Yatı spelling for land protection zone names, and incorporation of Tłjchq animal and place names);
- Verification of, and minor adjustments to, zone boundaries.



Gamètì, 2022. An early ice break-up season.

Updates | summary

- Zone goals and descriptions verified with elders;
- New land use activities and definitions added (e.g. different types of tourism; commercial foraging; agriculture);
- Enhanced description of traditional Tłıchq ecoregions, and new info added descriptive sections of LUP where necessary;
- Updated all maps, and added some new ones (e.g. Tłıchq wetlands, migratory caribou herds).



Marion Watershed Stewardship Program (MWSP), Hislop Lake, 2022.

Engagement

1. Community Engagement

- DCLP community tour of Behchokò, Gamètì, Whatì, and Wekweètì, with presentation on LUP review;
- Second community tour of Behchokò, Gamètì, and Whatì in Fall 2022;
- Elders mapping workshop in March 2022;
- LUP Review Committee included elders from each community.

2. Treaty Partner Engagement

- TG has duty to consult with Treaty Partners when enacting or amending a law;
- Where appropriate and useful, Treaty feedback has been incorporated.



Elders' mapping workshop, 2022

Implementation

- Next review scheduled for 2033.
- Main task over the next 10 years will be implementing new policies and land management approaches within LUP.
- Important that new plans being developed in co-management areas (WLUP, WFMP) are consistent with, and supportive of the Tłıchq Government LUP.
- Communication, outreach, and education materials will be developed for Tłıchq Citizens in each of the four Tłıchq communities, as well as for industry and other governments.
- A living document: Chapter 7.9. allows for amendments and variances if needed.



Implementation | Ex.1

- The Tłıchq Agreement allows Tłıchq Citizens to build traditional **cabins or camps** across their traditional territory. Many have done so.
- In the original Tłıchq LUP, “camp or cabin” is a considered land use in all five land use zones.
- Since 2013, the TG has created a **cabin registration** process and database, and a system for creating (free) cabin **land leases** for Citizens.
- Increasing number and density of cabins along HWY3 necessitated a more

involved approach from TG.

- **Cabin guidelines** have been created and added to LUP.
- Several **enforcement policies** added to LUP to support guidelines.



Traditional Tłıchq cabin at Hislop Lake.

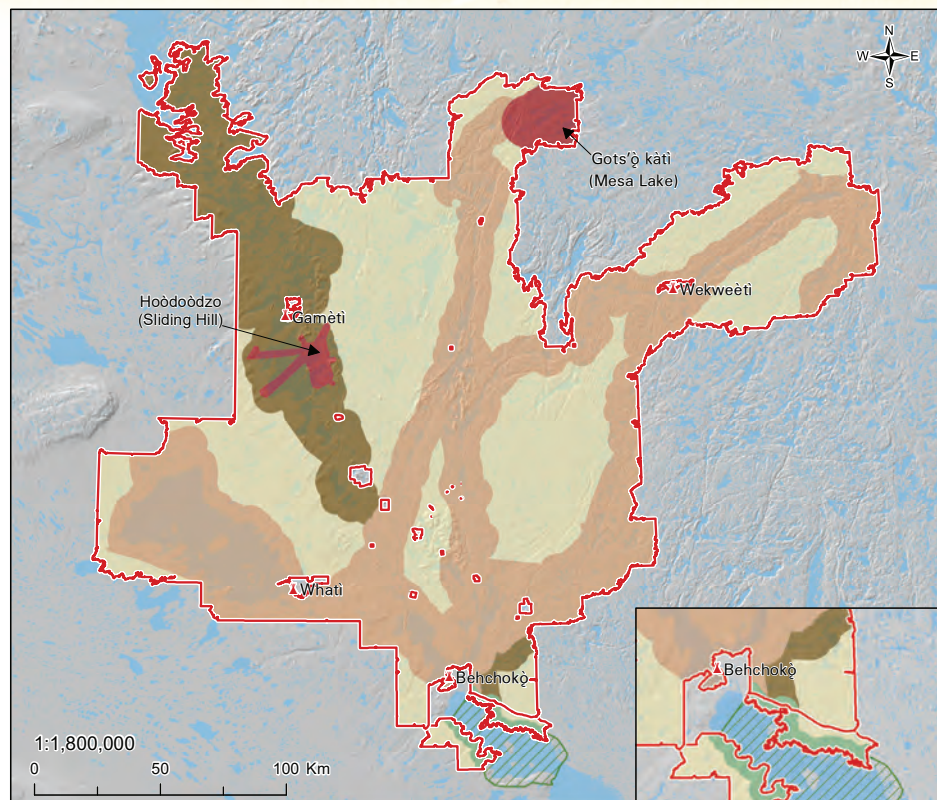
Implementation | Ex.2

- **Climate change** is having an increasing and significant impact on the NWT.
- Tłıchq elders, knowledge holders, and land users have noticed many changes.
- Drier, longer summers, with more wildfires.
- More unpredictable shoulder seasons and ice conditions.
- Greater potential for floods, in certain areas.
- In 2023, 16 traditional Tłıchq cabins burnt down, along with three houses in Rae (Behchokò).
- Previous LUP did not have much on climate change.
- Several **policies added to LUP** relating to climate change, including one which provides direction on the creation of a **Climate Adaption Plan** for the Tłıchq Region.

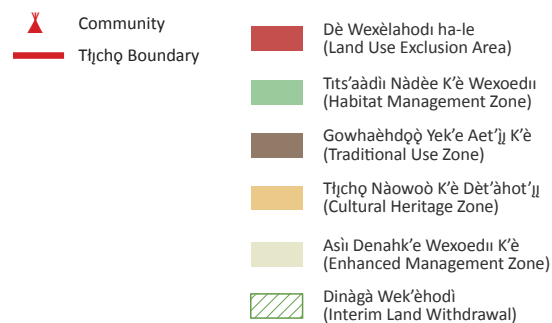


Wildfire damage near Enterprise, NWT, 2023.

Integration | Ex.1



Map 14 Tłı̄chǫ Land Protection Zones



Dinàgà Wek'èhodì & Tłı̄chǫ Habitat Management Zone

- Tı̄ts'aàdii Nàdèe K'è Wexoedii (Habitat Management Zone) created to support, and integrate with future protected area.
- 2nd most restrictive zone in Wenek'e.
- When Dinàgà Wek'èhodì Protected Area is established, and management plan created, policies and considered uses in LUP zone may need to be amended.

Integration | Ex.2



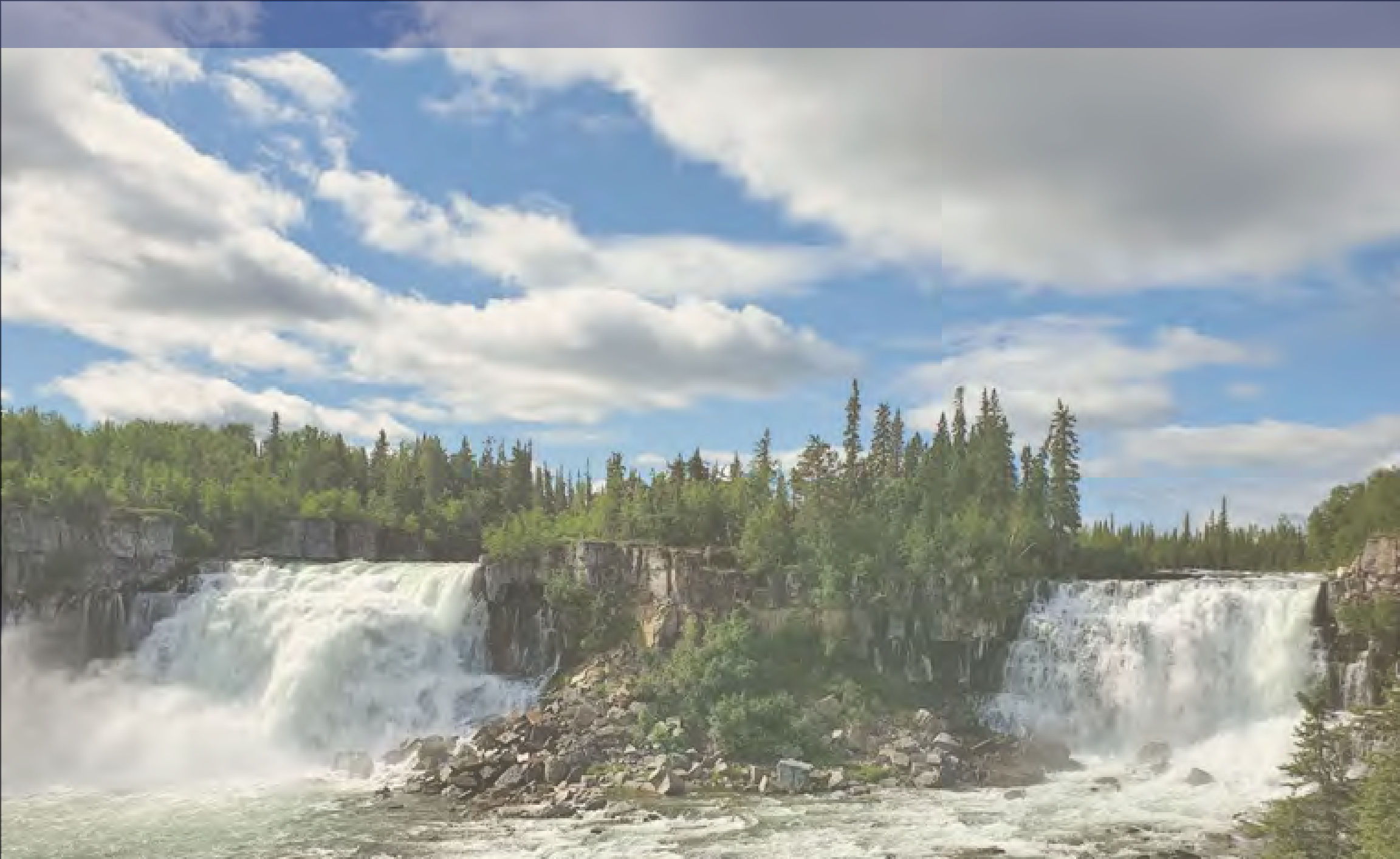
Tłjchq Tłjłdeé (HWY9)



Tłjchq traditional cabin along HWY9.

Wek'éezhì Co-Management Area Plans

- Wek'éezhì Management Area, and Management boards (WRRB, WLWB) established through Tłjchq Agreement (2005).
- Wek'éezhì LUP and Forest Management Plan currently being developed.
- Tqdzı (Boreal Caribou) Range Plan already developed.
- Interim woodcutting and cabin protocols for HWY9.
- Cabin management on public lands.



Masi cho!



The Gwich'in Land Use Plan

Nan Geenjit Gwitr'it T'agwàa'in *(Working for the Land)*



Resource Co-management Workshop

March 26th and 27th, 2024

The Planning Board Mandate

The Board is mandated to develop and implement a land use plan that provides for the conservation, development and use of land, waters and other resources.

Legislation includes direction to develop a Plan that is particularly devoted to the needs of the Gwich'in while considering the needs of all Canadians.

*Mandate is from the
GCLCA and MVRMA*



Planning Board Membership



- Five Members; two nominated by GTC, one by GNWT, one by Canada. These 4 nominate the Chair
- Appointed by the Minister of Northern Affairs
- Three year term, and can be reappointed

Current members:

- Bob Simpson (Chair)
- Gerry Kisoun (GNWT)
- Grant Gowans (GTC)
- Ashley Ens (GTC)
- Conrad Baetz (Federal)

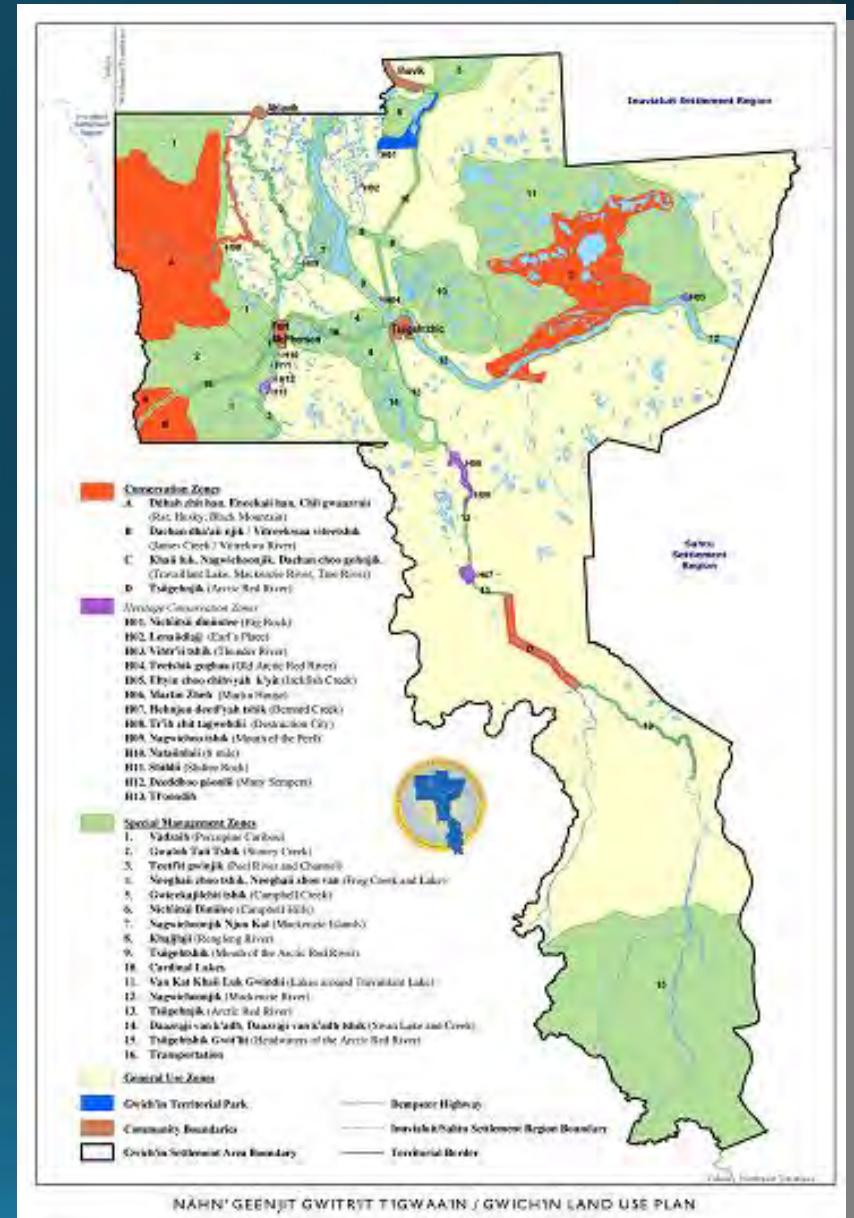
The Plan Basics

It's an integrated land use plan

Three-tiered Zoning:

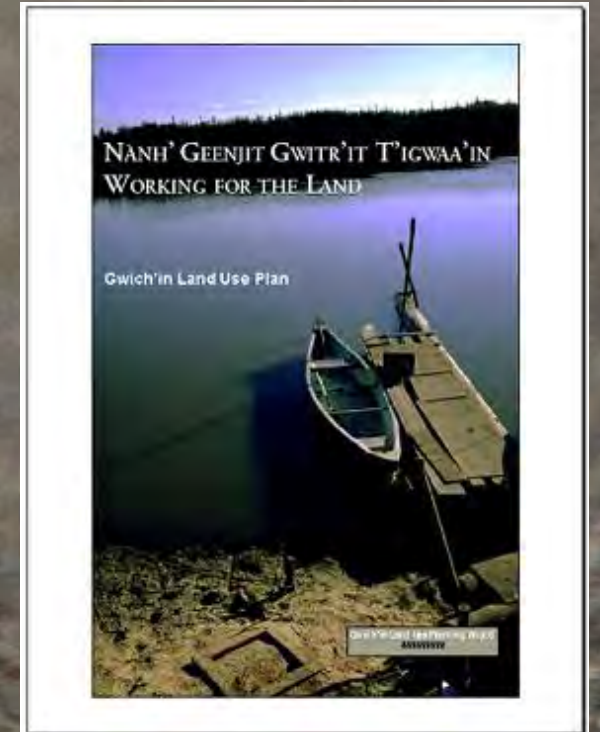
- **General Use Zones**
(57% of GSA)
- **Special Management Zones**
(33% of GSA)
- **Conservation and Heritage Conservation Zones**
(10% GSA)

The Gwich'in Settlement Area is approx.
57,000 km²



The Authority of the Plan

The Mackenzie Valley Resource Management Act states that all licences, permits, and other authorizations relating to the use of land, water, and the deposit of waste in the Gwich'in Settlement Area must conform to the Plan.



Flexibility Regarding Specific Projects



Exceptions:

- The activity wouldn't have a significant impact
- A “one-off” allowance; the Plan doesn't change
- Requires a decision of the Planning Board

Amendments:

- The activity would have a significant impact
- Changes the Plan zoning and/or policy
- Requires a decision of the Plan signatories

Applications for Exceptions or Amendments to the Plan

- Possible consultation or a public hearing
- The Board will try to coordinate any consultation with regulators if possible (may try to run processes at same time)
- GLUPB will strive to have a decision on an exception within the regulatory timeframe
- Decision on an amendment needs GTC, GNWT, and Federal approval. Timeframe is expected to be months.



Long Term Adaptability of the Land Use Plan

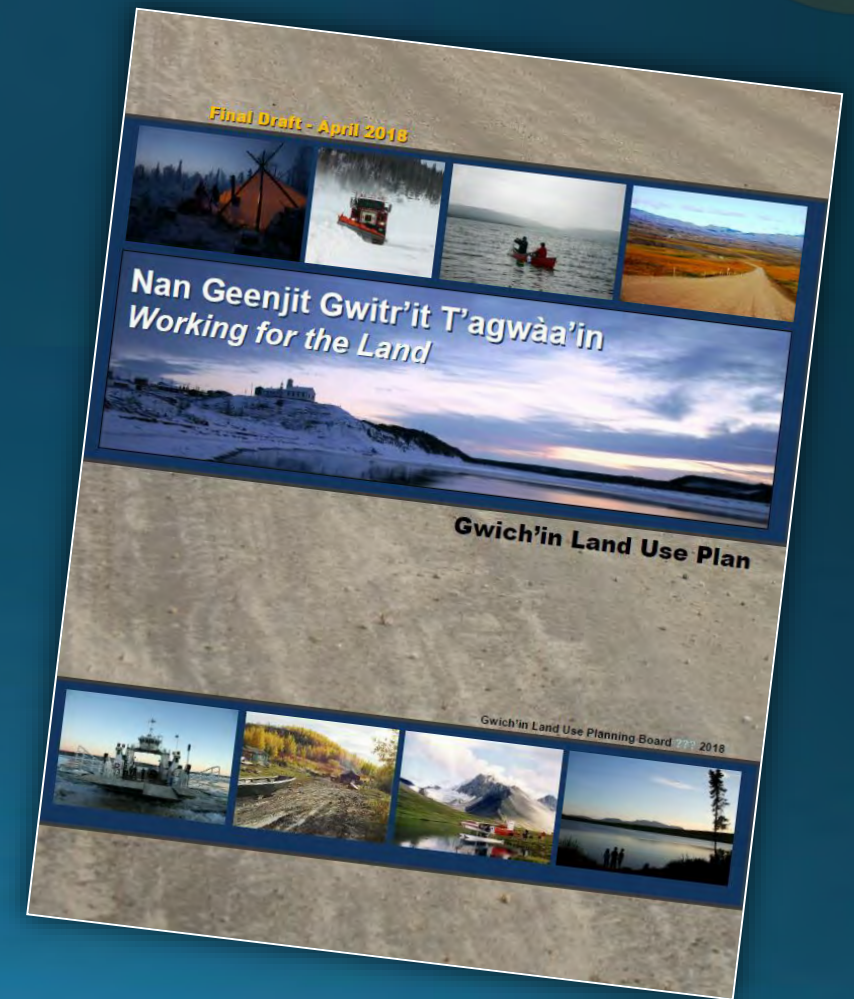
Comprehensive Review

- Once every 5 years
- Begins by gathering updated regional information
- Involves intensive consultation
- Ensures the Plan is relevant and effective over time.
- Any proposed changes must receive approval by GTC, GNWT, and Canada

Status of the Comprehensive Review

2018 Draft – still has a little further to go before final approval process

Delays due to large project reviews, regulatory system review, NWT devolution, legislation reviews, and capacity issues with the GLUPB, GTC, GNWT, and CIRNAC. (Staff workload, Board vacancies, etc.)



Overlap of Renewable Resource Management with the GRRB

The Government of Canada raised concerns that the Plan Conservation Zone section 4.7.1 has policy that could potentially overlap with the authority of the GRRB because the plan could restrict approvals of commercial fisheries, on which, the GRRB provides input to DFO.

The GRRB is the main instrument of wildlife management under the GCLCA so, initially, CIRNAC took a narrow interpretation of the claim and asserted that the land use plan cannot directly manage wildlife.

The GLUPB, GRRB and GTC position is that commercial authorisations for renewable resource land uses and may include outfitting and commercial fisheries, etc. are within the scope of the Plan. All policy in the Plan has been developed with full consideration of GRRB management plans/policy and the GRRB review of the land use plan.

The Answer to the Integration Question?

Wildlife Harvesting and Management Objective from 12.1.1 (f) of the GCLCA

To integrate planning and management of wildlife and wildlife habitat with the planning and management of all types of land and water use in order to protect wildlife and wildlife habitat.

The land use planning process recognizes and relies on the GRRB as “the main instrument of wildlife management” in the GSA (GCLCA 12.8.1). The land use plan can be a potential tool for the GRRB and government to implement aspects of wildlife management plans.

The GLUPB is currently working with planning partners to further define how the planning process integrates with the GRRB’s activities under its mandate to help illustrate this and provide more certainty about perceived overlap of jurisdictions.

Looking Ahead to the Next Review



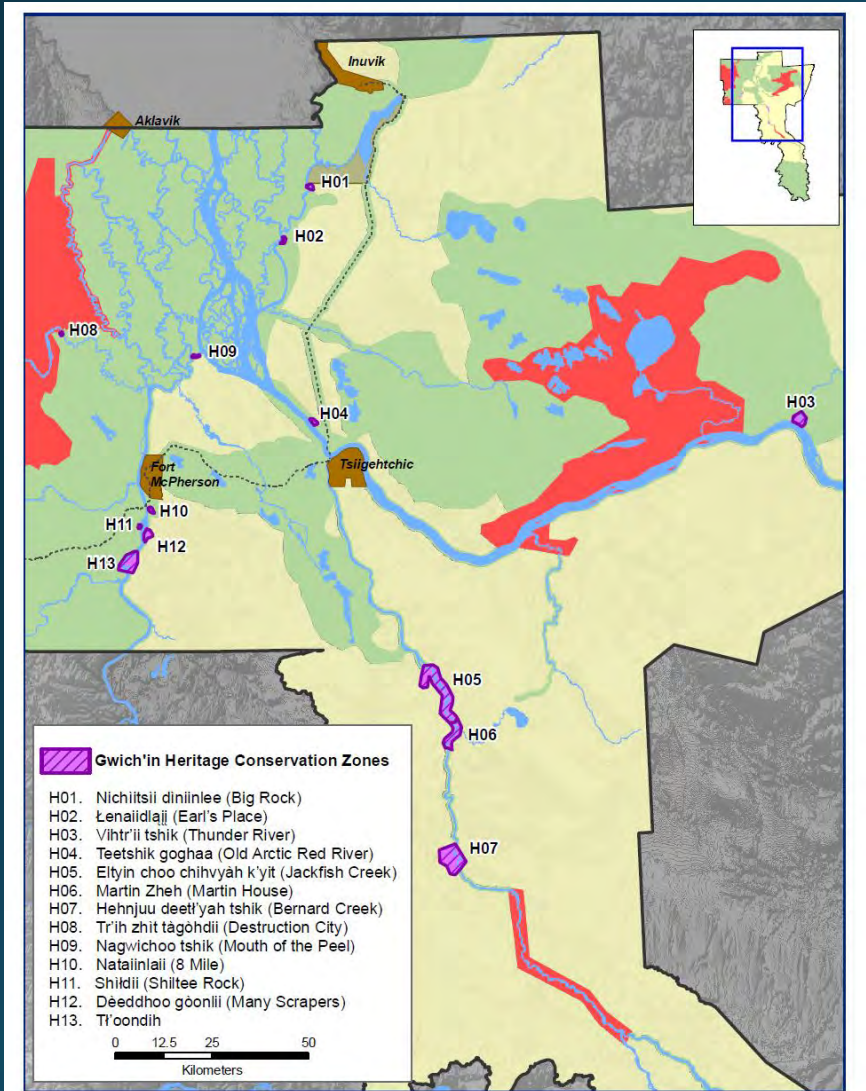
To be more timely with the next comprehensive review, a second land use planner was hired to begin that process.

Vince Deschamps was in Inuvik for a 2-year term 2020-2022, and is now working remotely on a casual basis.

These are some of the reports and such he is working on to bring to planning partners for consideration in the upcoming planning process:

- Natural Capital and Ecosystem Services assessment
- Water Balance Study
- Modeling options to use when considering climate change issues

A Test Case for Site Specific Planning



Shildii is a sacred site on the Peel River about 18 km above Fort McPherson.

There are many legends and stories connected to Shildii. One interpretation of the stories is that rock pillars at Shildii represents two (or three) brothers who were turned into stone. Elders have said that one (or two) of the pillars have fallen some time ago.

The Gwich'in Department of Culture and Heritage has a great website to get more details! <https://gwichin.ca/>



Multiyear Data Capture for Analytics



Under consideration...

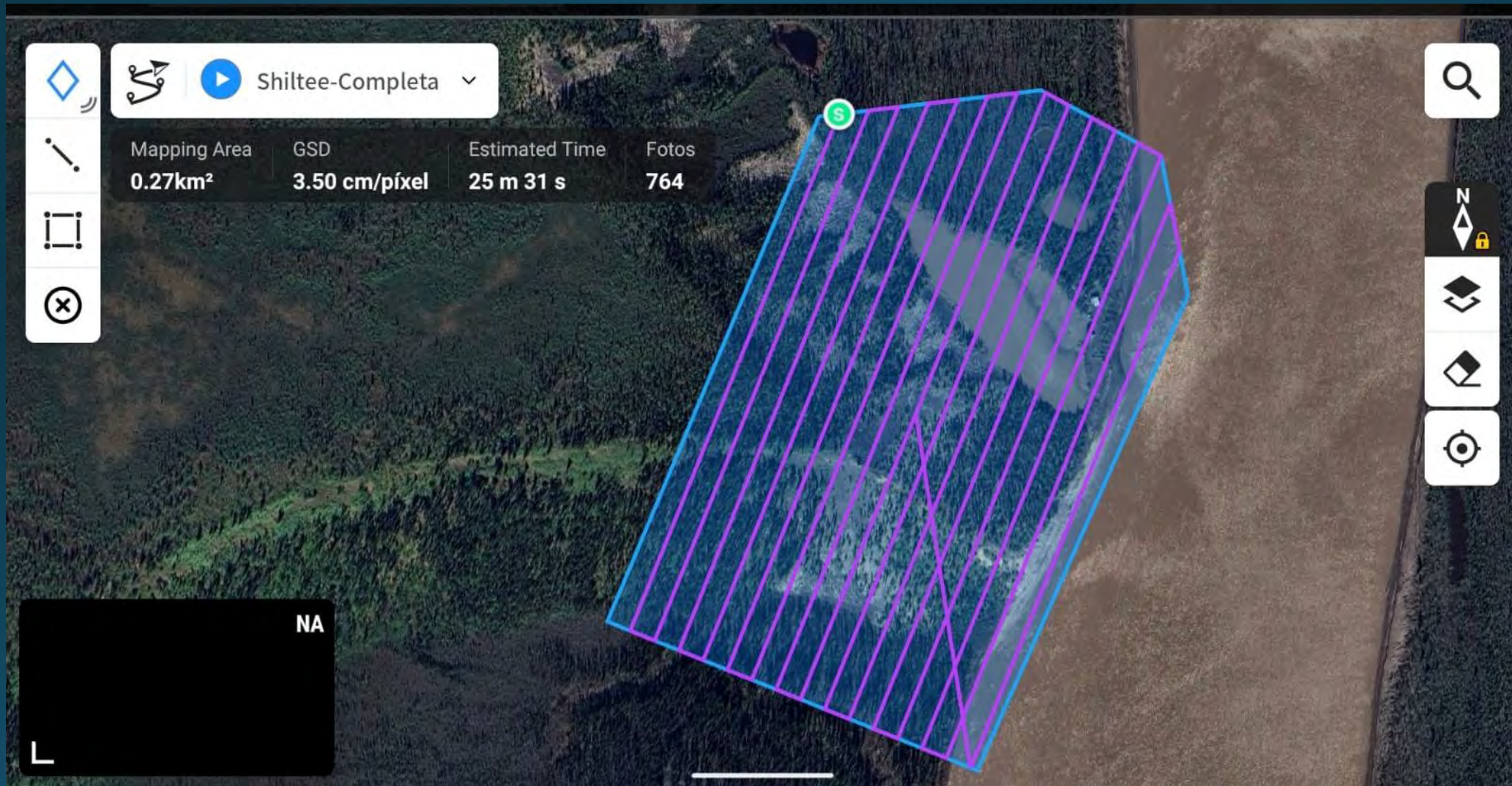
- **Erosion Detection**

- Volumetric analytics
- Surface Analytics
- Slope Steepness and Slope Length

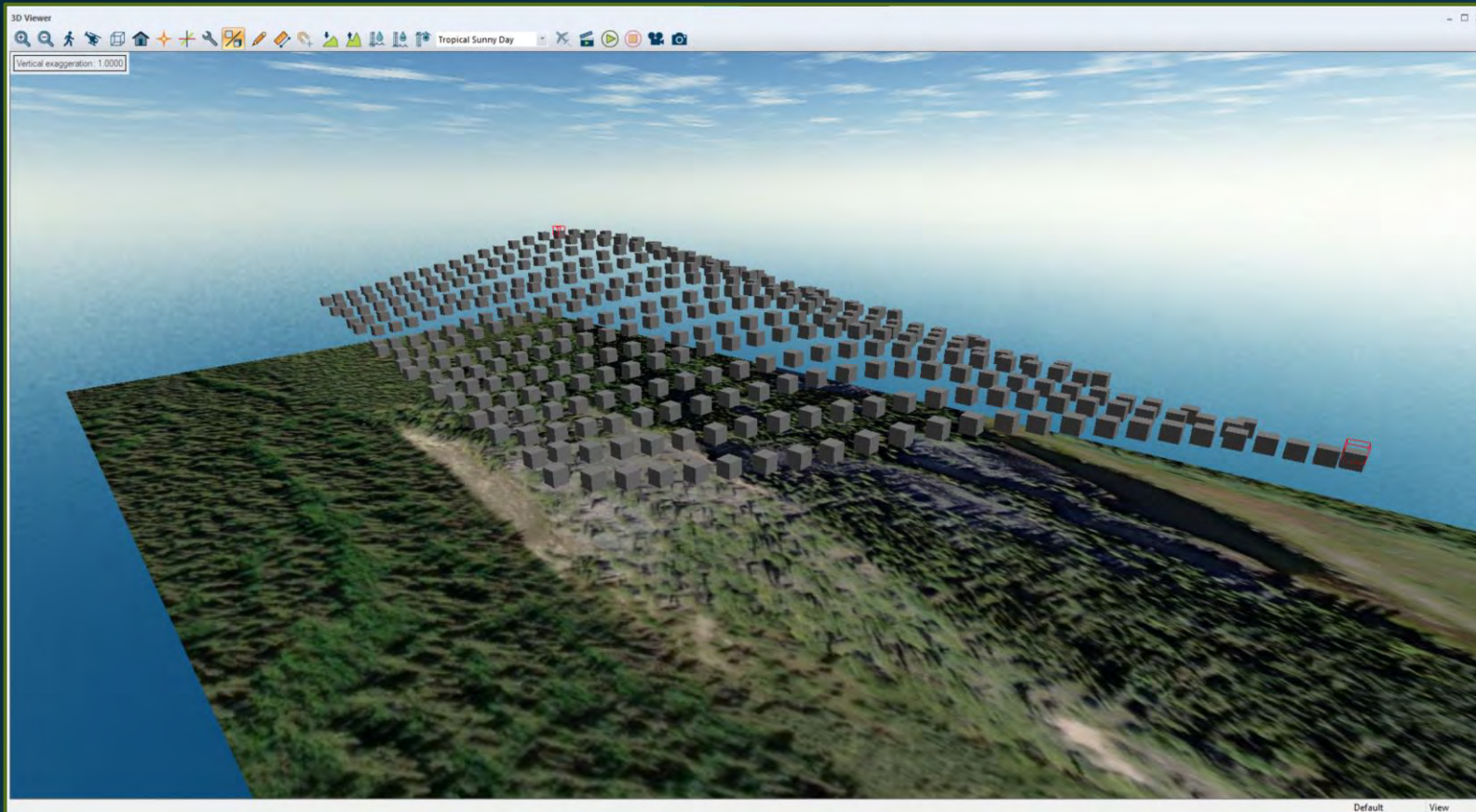
- **Ecological Changes**

- Normalized Difference Vegetation Index (NDVI)
- Classification analytics

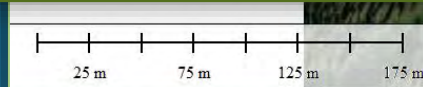
Overall Area Flightpath



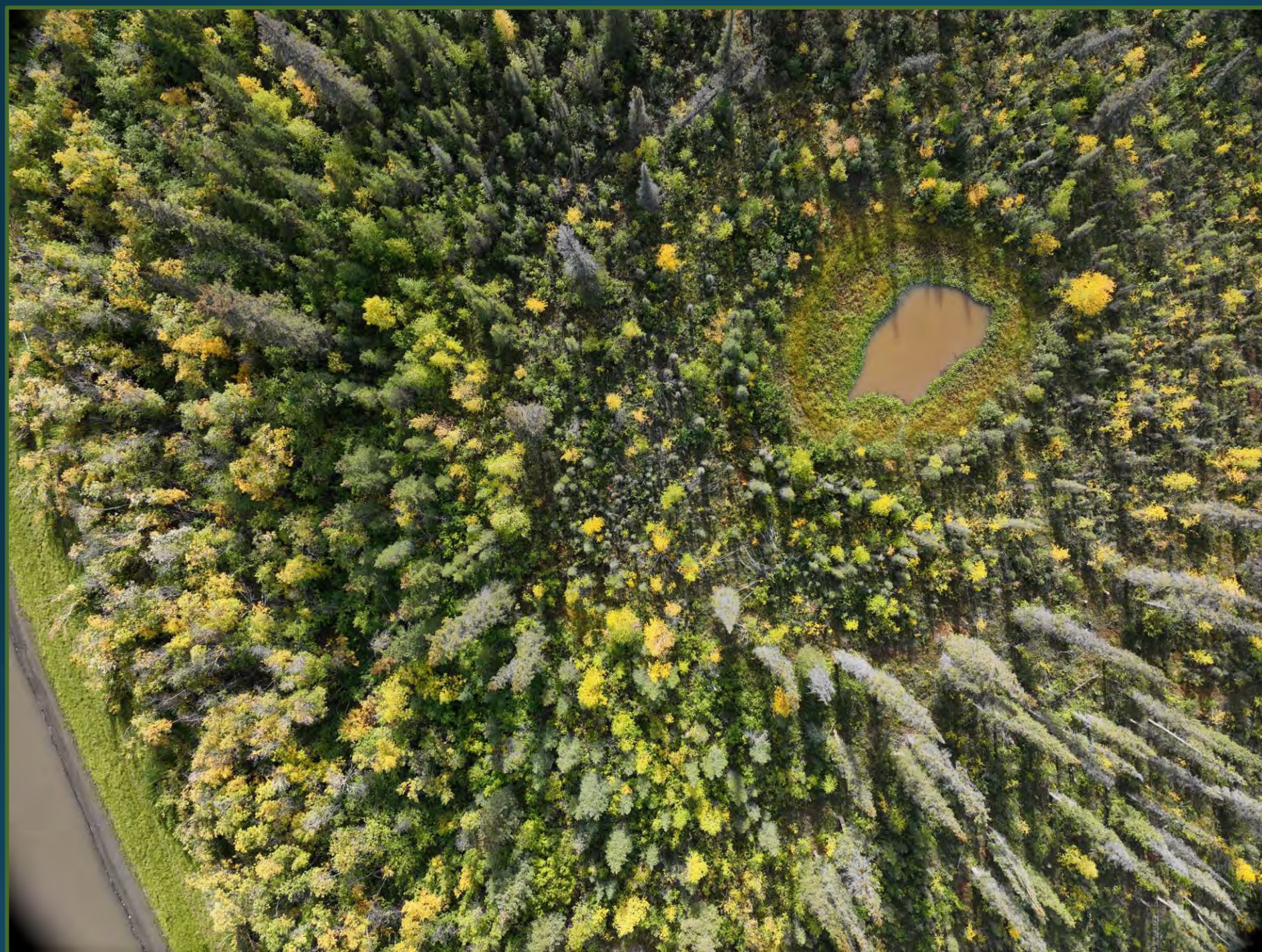
The height relative to the terrain varied with each flight to get different levels of detail.



The relative height of the flights varied between 25m to 40m.

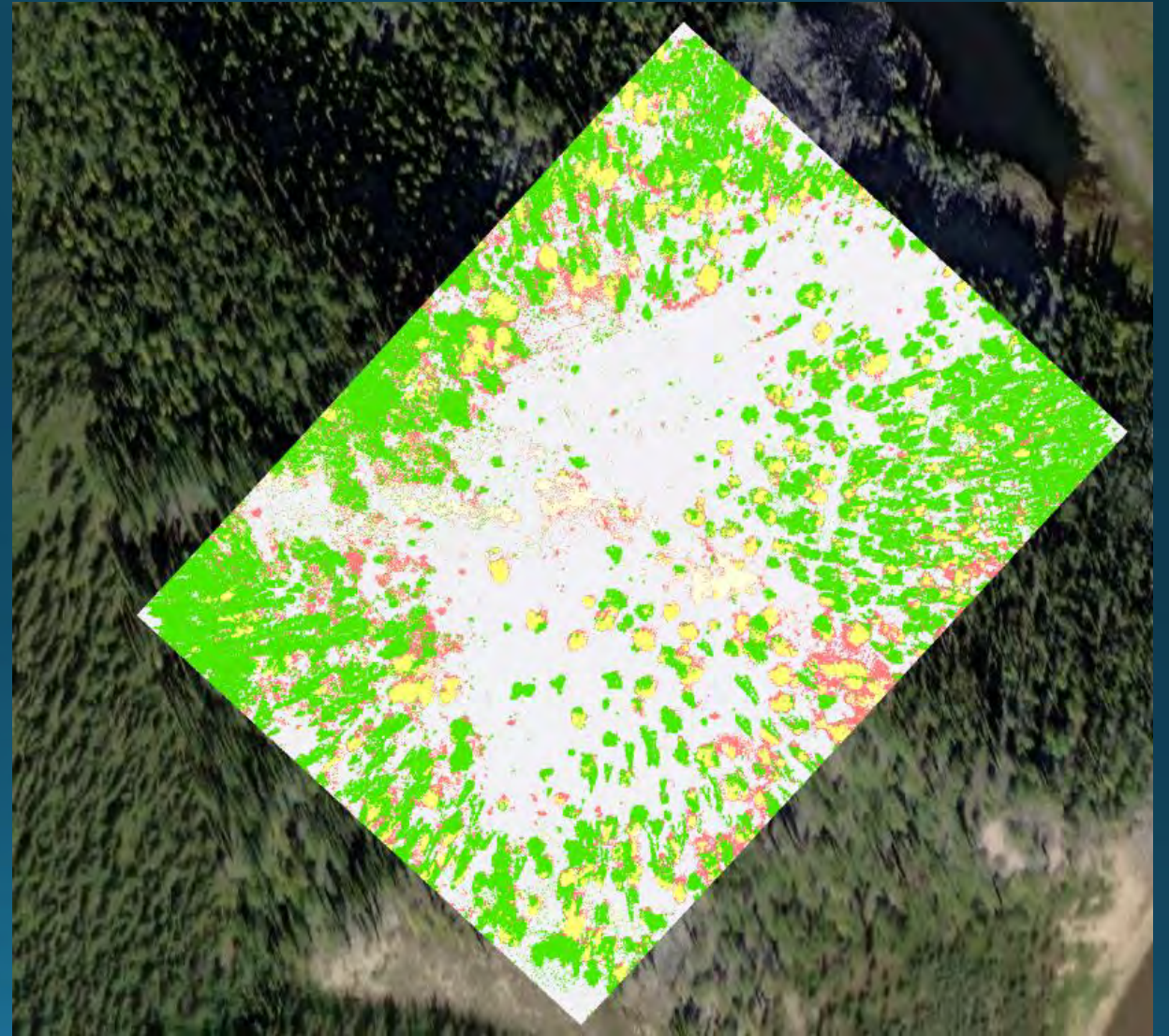


ature(s) selected --> RGB(076,091,060) (World_Imagery)



A random scene
beside the hill to
show the level of
detail captured.

Supervised Classification Example



Supervised Classification Legend

Classes	Feature	Area (square meters)
1	Vegetation - Coniferous	16,291.58
2	Vegetation - Deciduous	3,457.00
3	Vegetation – Shrubs	4,170.41
4	Bare rock/some organic	26,327.67
5	Bare rock outcrop	2,353.00

Community GIS Project

GIS capacity in the communities will strengthen land use planning activities so the GLUPB purchased computers and ESRI licences.



- Communities are asked to comment on regulatory applications – this project hopes to be a support for that process
- Communities are interested in monitoring and mapping
- The GLUPB is partnering with others for long term support for training and data updates

Gwich'in Regional Atlas

The Planning Board has been working on a regional atlas that will be similar to the one produced in The Sahtu.

The process has been slow and maybe not so steady, but we will get there!



Wrapping things up...

Feel free to contact the Board at any time for more information or to provide comments.

Alex Moses Greenland Building
105 Veterans' Way
Inuvik, NT XoE oTo
Phone: (867) 777-3506
Toll Free (NWT only): 1-888-450-4443
E-mail: planner@gwichinplanning.nt.ca
Website: www.gwichinplanning.nt.ca

*Haii, Mahsi,
Thank you for your time*



Mackenzie Valley
Review Board



A Regional Strategic Environmental Assessment of the Slave Geological Province – Developing a Common Vision for a Sustainable Future

MVRMA Resource Co-management

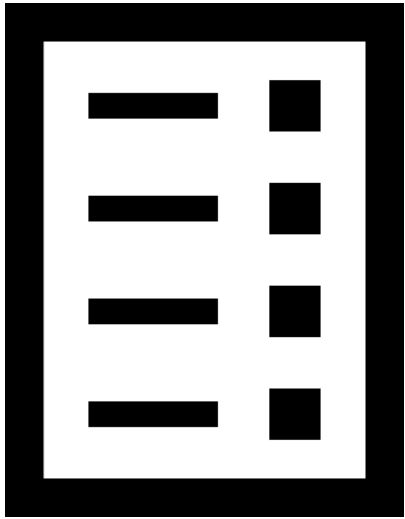
Workshop - Łíídlıı Kúé

March 26-27, 2024

Mark Cliffe-Phillips, Executive Director



1. Outline



- Legal Context
- What is a RSEA?
- Why is one needed for the SGP?
- Process to date
- Next Steps
- Questions and discussion





Legal Framework

RSEA and the MVRMA



Part 5.2 of the MVRMA

Regional Study

- 144.32 (1) The federal Minister may establish a committee to conduct a study of the impact of existing or future works or activities carried out in a region of the Mackenzie Valley.

Appointment of members

- (2) The federal Minister shall appoint one or more persons as members of the committee.



Part 5.2 of the MVRMA

Mandate

- (3) The federal Minister shall establish the committee's terms of reference after seeking and considering the advice of the territorial government and, if the study examines works or activities affecting any first nation or the Tlicho First Nation, the advice of that first nation or the Tlicho Government, as the case may be.



Part 5.2 of the MVRMA

Consideration of the Report

- 144.39 The report must be considered in the exercise or performance under this Act of any powers, duties or functions of the boards established under subsections 36(1), 38(1), 54(1), 56(1), 57.1(1) and 99(1), the Mackenzie Valley Environmental Impact Review Board, its review panels, or a review panel or a joint panel established jointly by the Review Board and any other person or body, and of any body conducting a preliminary screening of a proposal for a development under section 124.





What is an RSEA?

How can they be used in
the Mackenzie Valley?



Reginal Strategic Environmental Assessment

- A process designed to systematically assess the potential environmental effects, including the cumulative effects, of alternative strategic initiatives, plans, or programs for a region.
- The overall objective is to inform the preparation of a preferred development strategy and environmental management framework(s) for a region.

(CCME, 2009)



Perspectives Paper



Key themes for Continuous Improvement



Well-being



Consideration of climate change



Cumulative effects & Regional Strategic EA



Collaborative project planning and early engagement



Cumulative effects and RSEA

- Cumulative problems **need cumulative solutions** (Thevinal and Ross, 2007)
 - Regional studies, and specifically, **regional strategic EA** offer an opportunity to get the **right lens** and take **collaborative approaches** to understanding the **broader context** and the **root causes** of cumulative effects



What is a RSEA?

RSEAs:

- are focused on future desired outcomes and values for a region
- are focused on understanding cumulative effects and consequences at a regional scale
- are flexible in scope and approach, depending on regional needs and questions
- involve multiple sectors, levels of governance, rights-holders and stakeholder groups



RSEAs can:

- improve project-specific EIA by improving the understanding of the current state of the human and biophysical environment, regional stressors, and trends that already exist
- improve our understanding of the most sensitive or limiting environmental and economic factors related to development
- inform planning and management
- facilitate informed decision making by identifying and understanding trade-offs
- identify the specific information or collaboration needed to support future decision making



RSEA – Moving Forward

- MVEIRB initiated discussions in Mackenzie Valley
- Discussed emerging practices with EA partners across Canada
- Location and scope of RSEA needed to be determined collaboratively considering:
 - Likely future development
 - Cumulative effects
 - Interdependence of future development
 - Multiple different values, strategies, visions for well-being, for a region, and for development



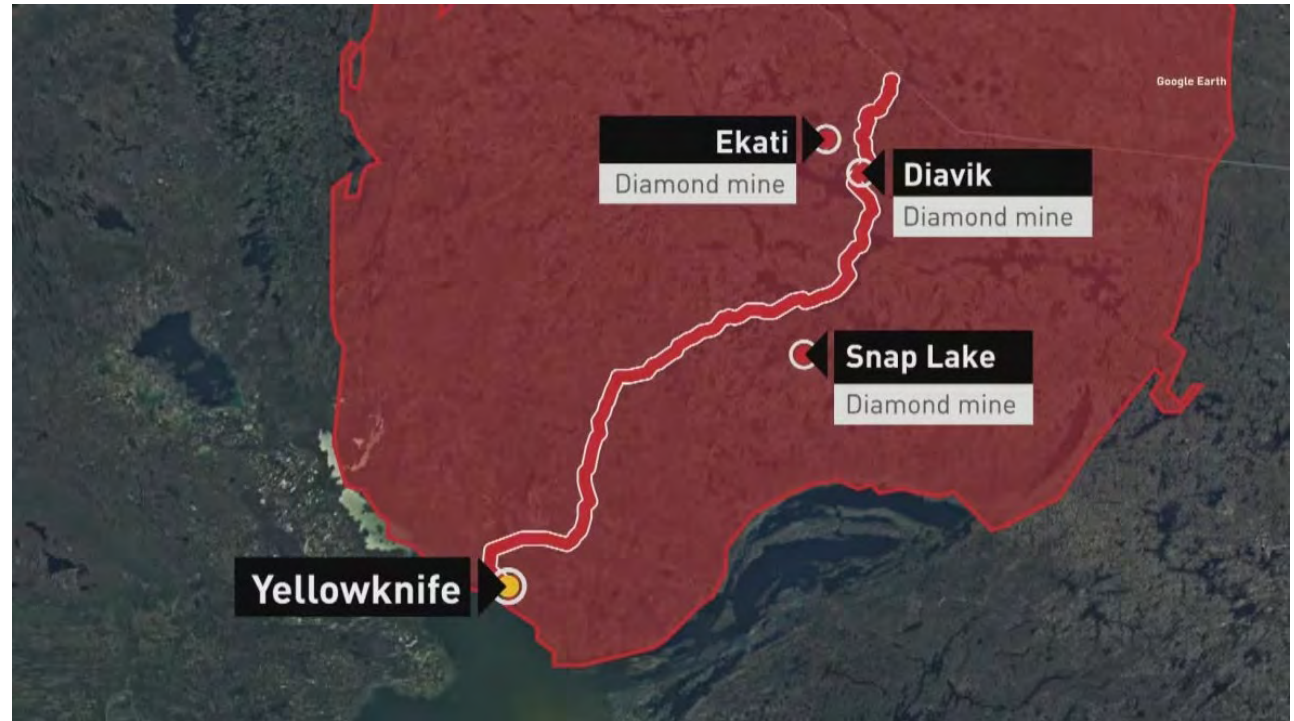
Slave Geological Province

The Need for a Regional
Strategic Environmental
Assessment (and a better
name?)

Mackenzie Valley
Review Board



Where is the Slave Geological Province?



~200,000 square KM's





Why is this region ready for an RSEA?



Photo: Arctic Canadian Diamond Company

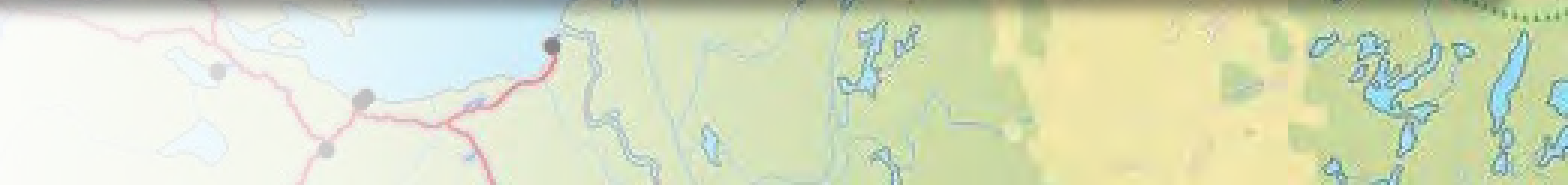


Photo: Pat Karic





-  active mine
-  proposed mine
-  closed mine



unities
g all-we
road
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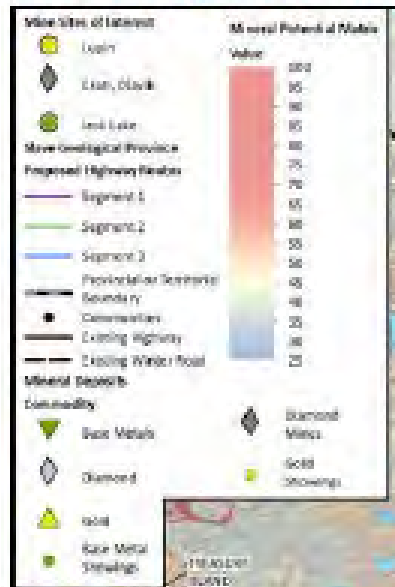
150



Review Board Perspectives

- Already significant caribou, socio-economic and cultural cumulative effects have been identified in recent Review Board decisions
- The Review Board is confronted with significant challenges in its efforts to assess or mitigate potentially significant cumulative effects during project assessments, particularly to the Bathurst Caribou herd and the resulting effects on communities that depend caribou for maintaining their culture, traditional rights to harvest, and food security.





Government of Northwest Territories / Gouvernement des Territoires du Nord-Ouest

2030 NWT CLIMATE CHANGE STRATEGIC FRAMEWORK

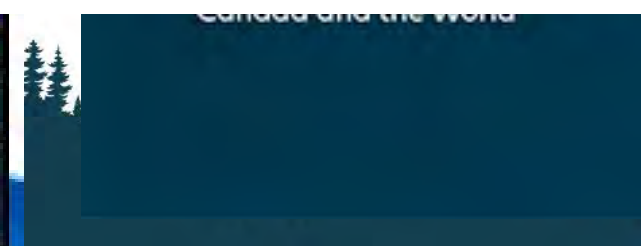
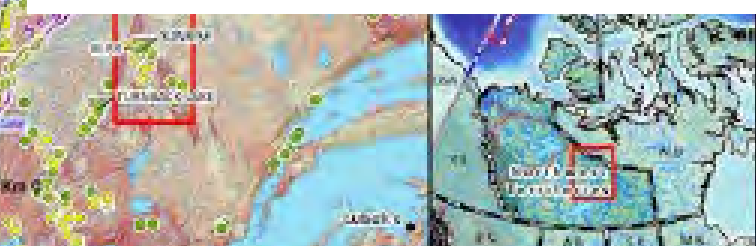
CADRE STRATÉGIQUE SUR LE CHANGEMENT CLIMATIQUE DES TNO 2030

Le présent document contient la traduction française du résumé et le message du ministre



Strategy

CYCLING: Economy for





Process to date

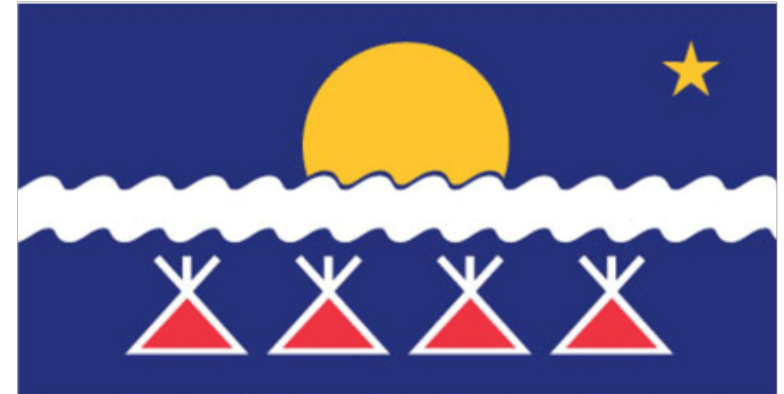
Moving forward
together



Tłıchq Government Request – June 7, 2021

- Tłıchq Government's view is that in order to reconcile competing values we need an independent assessment of options, impacts, and benefits, before permanent infrastructure is built.
- Believe Part 5.2 of the MVRMA is the right tool – Regional Studies

Tłıchq Ndek'áowo



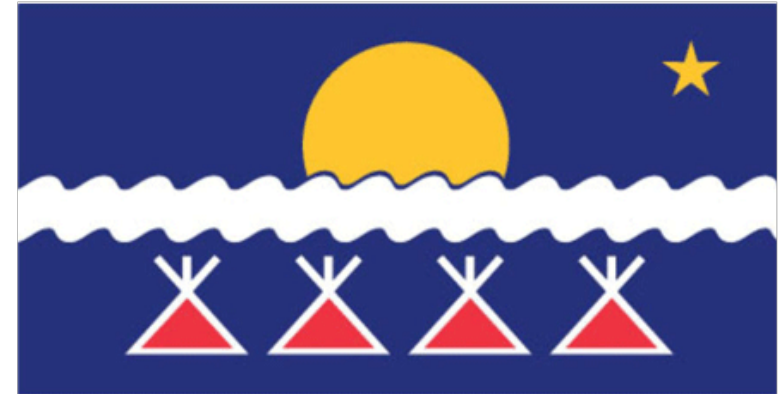
Tłıchq Government



Tłıchq Government Request – June 7, 2021

- To make good decisions about the future of this region, we all need good information.
- The type of study requested is a regional strategic environmental assessment, as described in the MVEIRB Perspectives Paper

Tłıchq Ndek'áowo



Tłıchq Government



Tłıchǫ Government Request – June 7, 2021

- TG recommend that MVEIRB be tasked with carrying out the RSEA using a structure like an environmental impact review.

MVEIRB:

- Could follow a scope and terms of reference established by a steering committee of Indigenous, territorial, and federal governments.
- Is independent from any one party or government.
- Has experience using a variety of public engagement and consultation approaches, evaluating impact predictions, and making clear recommendations.
- Has recently assessed projects in the Slave Geological Province, including considerations for caribou, water, cultural use of the area, minimizing impacts and maximizing benefits.



Review Board Perspectives

- During the Board's decision process on a project change at the Ekati Mine, the Review Board wrote to the Minister of Northern Affairs in support of an RSEA for the Slave Geological Province in December 2021
- The Minister responded in February 2022 that additional parties needed to be engaged on the potential for an RSEA and tasked the Review Board with hosting a multistakeholder workshop





RSEA Workshop

June 2022



Building knowledge and consensus



- Workshop brought in experts and practitioners from across Canada
- Sharing knowledge and experience from other regional studies, strategic assessments and RSEA's



precaution
reason
together
powerful
engagement
all-encompassing
forward-looking
lasting-wellbeing
opportunity
innovation
forward-looking planning
collaboration
interrelationships
sustainability
beaurocracy
impacts
uncertainty
cumulative
informative
holistic
caribou
equity
cumulative
baseline
planning
informed
culture
collaborative
cumulative effects
forward-thinking
working together

Workshop Outcomes

1

There was a general increase in participants' understanding of RSEA.

2

Workshop participants were able to engage in authentic discussions and present their views and valued components for the RSEA.

3

Participants agreed that the RSEA must be inclusive, equitable and designed based on Indigenous knowledge and traditional values; they agreed that the process must be Indigenous led.

4

During the workshop Indigenous groups and First Nations indicated a need to have nation-to-nation discussions before adopting and expressing their positions.

5

Participants agreed to submit written positions on the RSEA to CIRNAC by July 29th, 2022.



Principles



Indigenous led

Primarily designed, implemented and or executed based on Indigenous Knowledge and world view, considering future generations and to inform future decisions.



Partnership

Equal participation of all parties, awareness, and consultation. Built on trust, transparency, and openness. Working together as partners towards a common goal.



Inclusive

Active engagement and capacity building. Meeting people where they're at and ensuring no one gets left behind.



Respect

Mutual respect among parties, recognising the self-determination of all Indigenous people and their ability to make independent decisions.



Collaboration

Common vision, shared outcomes. Braiding Traditional Knowledge with western science



Responses from Parties

- Overall, generally positive responses for the RSEA from NWT Indigenous governments
- As well as from GNWT, land and water boards, Chamber of Mines for the NWT and Nunavut
- General consensus that if a study goes forward, governance, geographic and temporal scope, capacity funding, and clear outcomes are needed



Minister's approval – February 2023

Minister supports the recommendation to initiate a regional study of the Slave Geological Province under Part 5.2 of the Mackenzie Valley Resource Management Act, including:

- a collaborative approach to the design and implementation of the study.
- Initially NWT only, but with involvement of parties from Nunavut
- A governance structure designed to foster a fair and transparent process over interest-based outcomes – Workshop Feb. 2023
- Meaningful opportunities for public participation



Minister's approval – February 2023

- The regional study shall specifically **consider the impacts to caribou** and strategies for mitigation of cumulative effects and caribou protection
- The regional study shall also consider other priorities of our northern partners, including objectives to:
 - **protect and promote the social, cultural, and economic well-being of residents;**
 - support the responsible advancement of **climate change** adaptation and mitigation, cumulative effects, and the **green economy;** and,
 - contribute to the objectives of the **Critical Minerals Strategy**, such as the responsible advancement of critical minerals projects and supporting infrastructure development in the North.



Minister's approval – February 2023

- The regional study shall be designed so that outcomes can be considered for near-term anticipated development and planning processes. Consideration for longer term.
- The study shall aim to be completed within a two- to three-year timeframe.
- The regional study shall not interrupt existing and ongoing regulatory and planning processes.



Next Steps and Final Takeaways



Next Steps

- Discussions between Indigenous, Territorial and Federal Governments on governance structure and terms of reference
- Ongoing bilateral meetings between Indigenous Governments
- Comments on draft Terms of Reference
- Determination on role of the Review Board in the conduct of the RSEA (ex. Secretariat role)
- Final Terms of Reference and formation of the Committee
- Initiate the RSEA



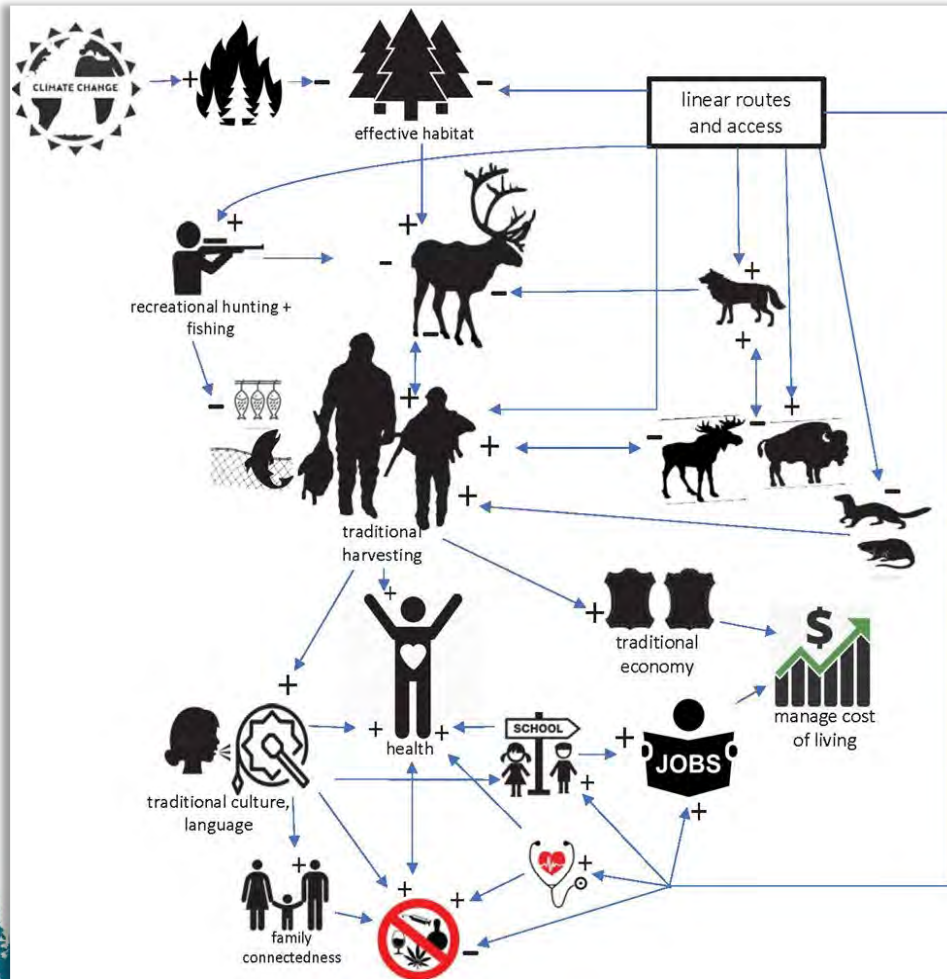
Streamline, Inform and Improve

RSEA can improve efficiency and effectiveness of project impact assessment by:

- Reducing time and cost of project assessment
- Providing key baseline information
- Establishing key VC's and assessment criteria
- Identifying areas of important cultural, ecological and heritage value
- Providing more effective management and mitigation options



RSEA can help us understand the impacts of our future decisions



- We need to understand the relationship between all aspects of the biophysical and human environment
- Need to understand how future projects or activities will interact with that system
- Help create a roadmap for the future

Mársı | Kinanāskomitin | Thank you |
Merci | Hąǰ' | Quana | Qujannamiik |
Quyanainni | Máhsı | Máhsı | Mahsı

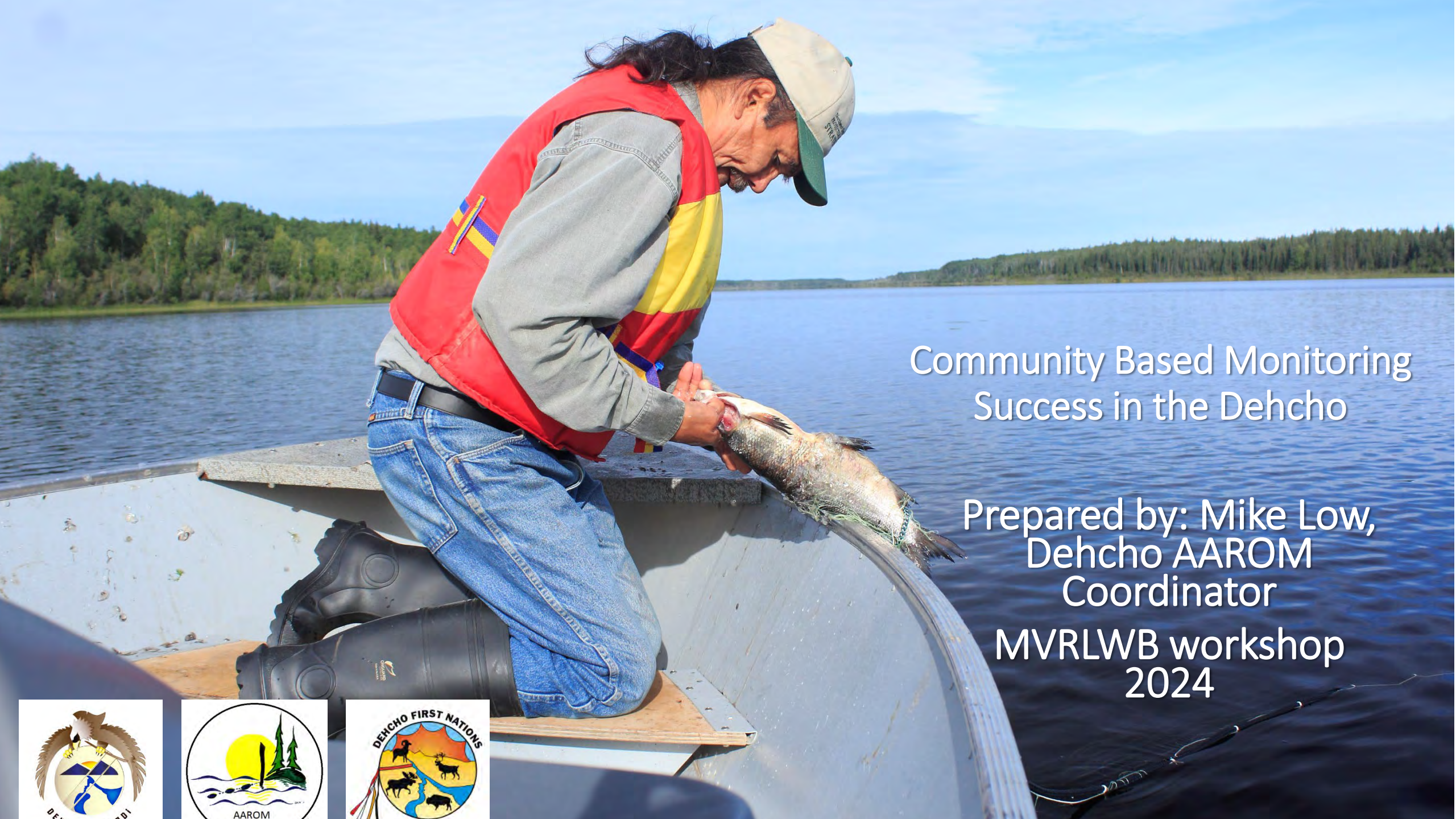
Questions?

mcliffephillips@reviewboard.ca

For more information:

www.reviewboard.ca





Community Based Monitoring
Success in the Dehcho

Prepared by: Mike Low,
Dehcho AAROM
Coordinator
MVRLWB workshop
2024

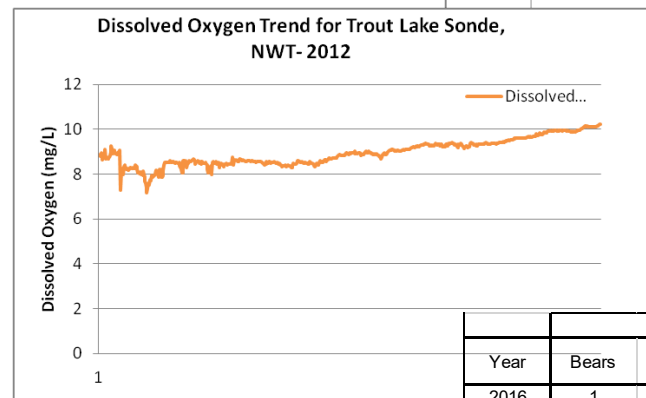
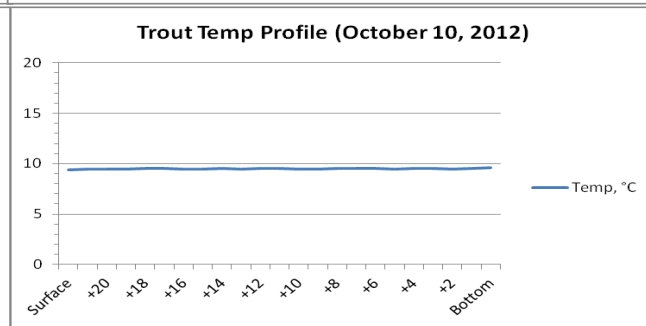
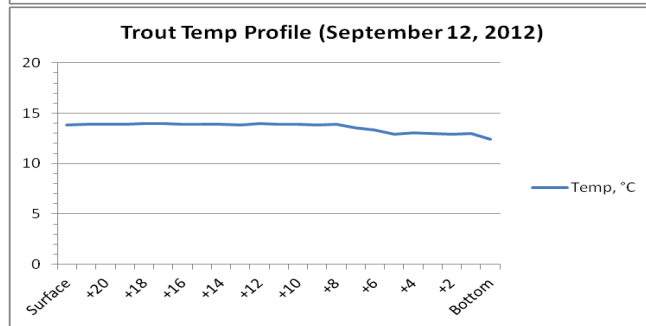
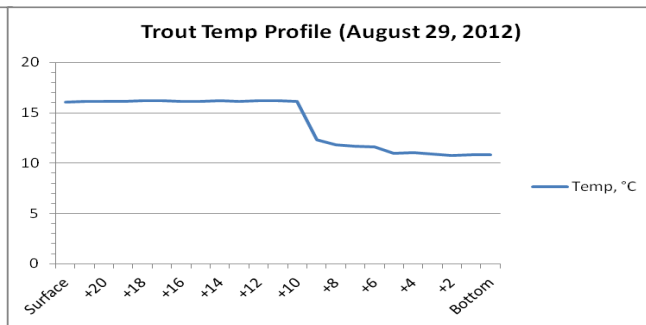
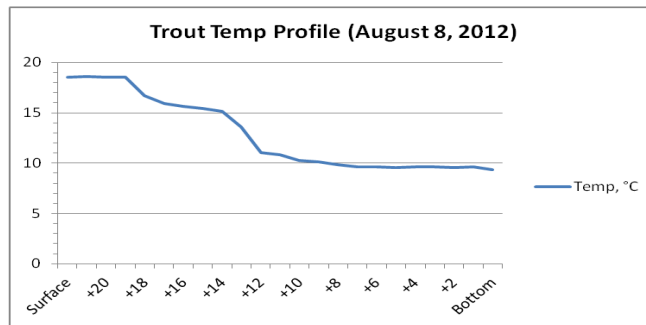
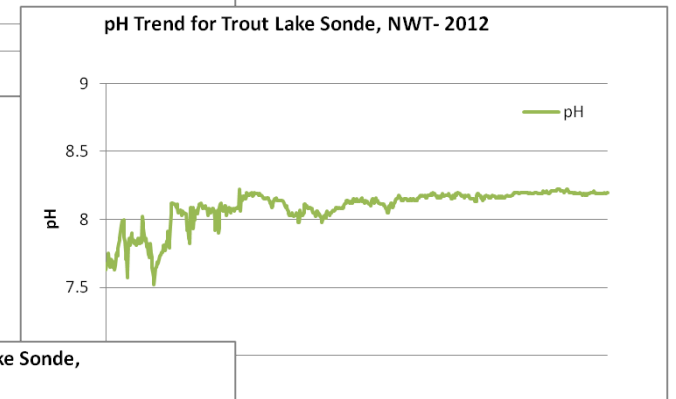
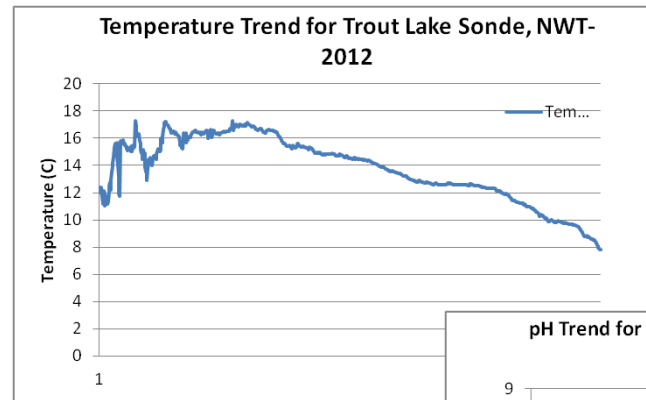
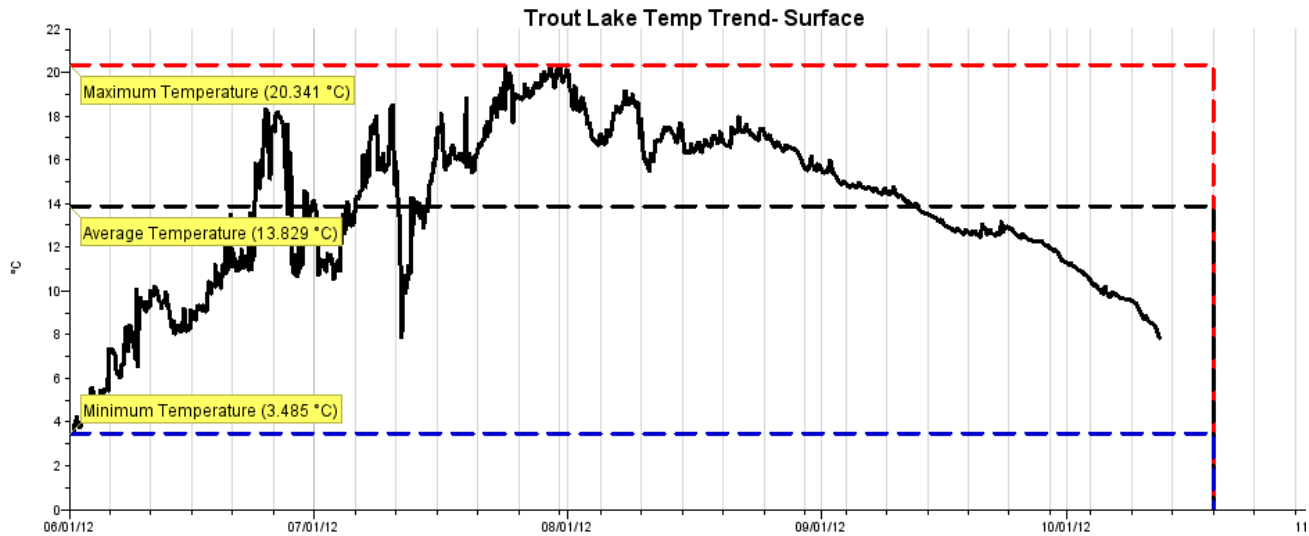




- A different approach to resource management was needed
- Get Dene on the land- Guardians
- Provide equipment, training and salaries

- Lots of community input
- Clear concerns with upstream development and climate change
- Lots of changes





Year	Wildlife						
	Bears	Moose	Beaver	Caribou	Lynx	Muskrat	Small Game
2016	1	1	3	0	0	3	2
2017	2	1	0	0	0	4	2
2018	1	0	0	0	0	2	0
2019	52	38	29	21	2	22	0

Year	Birds										
	Game Birds	Ducks	Geese	Shorebirds	Hawks	Loons	Eagles	Crow	Swans	King fisher	Gulls/ Terns
2016	3	1157	429	78	18	590	61	88	8	15	987
2017	84	1013	259	70	59	428	50	229	8	15	668
2018	43	140	1	67	5	74	35	23	8	7	105
2019	0	1762	626	422	59	1090	315	522	33	74	716



- Dehcho AAROM and the Guardians are integral to many research projects
- Providing travel logistics, workers, cooks, equipment and ensuring community involvement
- Research projects include:
 - Fish stock studies
 - Benthic
 - Genetics
 - Mercury
 - Biomonitoring
 - Permafrost
 - Fish enhancements
- Other projects include
 - Youth ecology and culture camps
 - Community based water sampling
 - Fishery surveys
 - Country foods surveys

Health Benefits of Fish

Fish are one of the most important and frequently used traditional foods. Fish can be caught locally and year round and there are many different ways to prepare delicious fish meals.

Fish provide important nutrients in our diet and are a good source of nutrition. It is high in protein, vitamin B and omega-3 fatty acids, which are important to heart health and brain and eye development. Fish is also a significant source of Vitamin D which are important for teeth and bones.

Mercury can be found in fish as a contaminant, however the health benefits of eating fish far outweigh any risks from mercury contamination. Levels of mercury can vary from lake to lake and can be caused by human activities and natural causes.

To reduce the risk of exposure to mercury, Health Canada has established guidelines on what levels of mercury are acceptable to eat and the following recommendations should be followed.

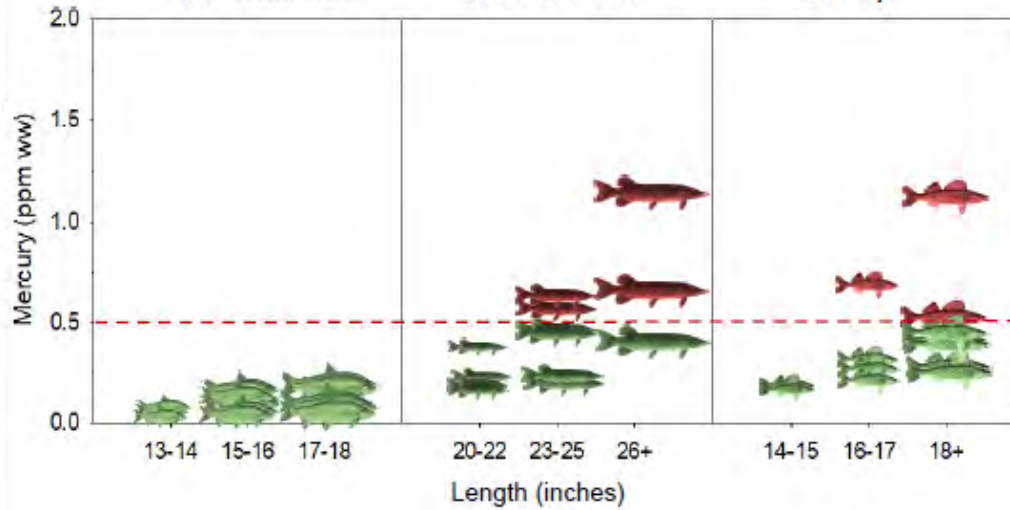
- Eat smaller (younger) fish
- Eat more fish that are lower in the food chain (bottom)



Lake Whitefish

Northern Pike

Walleye



"A Return to Country Foods"; A Workshop Series on Contaminant Perception in the Dehcho Region of the Northwest Territories.

By: Mike Low and George Low

Health Canada, Climate Change Adaptation program funded "Country Food" surveys in six of The Dehcho Dene and Métis communities.

Community leaders suggested that we needed more data on the level of use of country food, especially fish and the perception on contaminants in country food. Surveys were conducted in two major centers, Fort Simpson and Fort Providence and three smaller communities, Sambaa K'e (Trous Lake), Kait'gee Tu (Kaituma) and Jean Labre River.

Table 1. Percentage of surveyed respondents that hunt, fish, garden and gather berries.

	Hunts/fishes/gardens/gathers berries	Does not hunt/fish/garden/gather berries
Fort Simpson (200)	72.5%	27.5%
Fort Providence (100)	75.0%	25.0%
Sambaa K'e (100)	65.0%	35.0%
Trous Lake (100)	100.0%	0.0%

Table 2. Average (range) per week of wild caught fish for surveyed households.

	Meats per Week (wild caught)	Meats per Week (store bought)	Meats per Week (wild + store)
Fort Simpson (200)	3.3	2.7	6.0
Fort Providence (100)	4.4	-	4.4
Sambaa K'e (100)	3.3	3.8	7.1
Trous Lake (100)	8.9	1.7	10.6

Dr. Heidi Swanson of the University of Waterloo is researching bioaccumulation of mercury in the food chain in ten Dehcho lakes

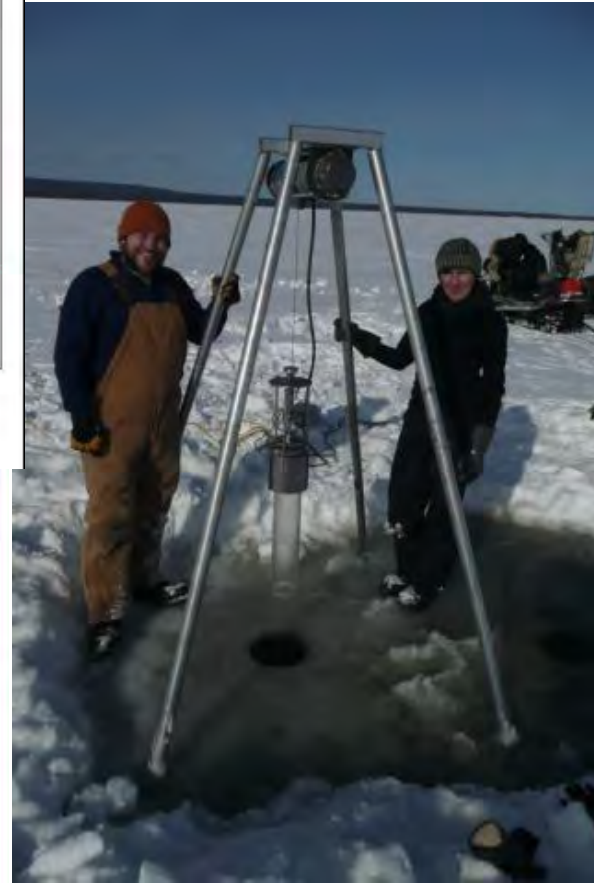
Research on mercury in the NWT may have scared some Dene and Métis people off eating any kind of fish

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Health Benefits of Fish



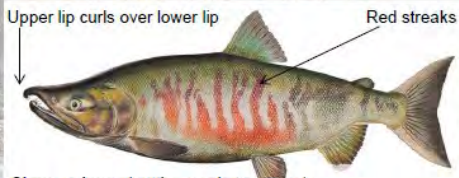
Arctic Salmon

Caught a **SALMON**? Get a **REWARD!**



Chum salmon (as they look in or near the ocean)

changes to

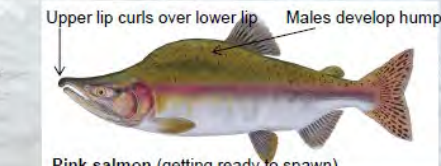


Chum salmon (getting ready to spawn)



Pink salmon (as they look in or near the ocean)

changes to



Pink salmon (getting ready to spawn)

\$50 Northern Store gift card per whole frozen salmon OR

\$25 Northern Store gift card per frozen salmon head



- GNWT's community based monitoring
- Answering community concerns

- Locations through out the Mackenzie
- Training and equipment





- Dehcho AAROM has led to decision making
- Increased fishing
- Fish management
- Country foods
- Permafrost and climate change

- Sanguez Lake fish down study
- Researchers and community working together
- A result of 2 other studies
 - Waterloo- Biomonitoring
 - Waterloo- Mercury in fish





- Results were discussed with all the communities
- Posters were designed to prevent fear
- Increased perception of fish
- Chief Stanley Sanguéz wanted to increase fishing to decrease mercury



- Involvement in large projects
- Training initiatives
- Monitoring large scale projects
- Moving towards new training and research initiatives
- Melting permafrost is a significant issue in the Dehcho
- Also connected to mercury



Mahsi Cho!





**TS'UDÉ NILĪNÉ TUYETA
K'ASHO GOT'ĪNĒ GUARDIANS**

Infrastructure





Fort
Good
Hope

NUNAVUT

Northwestern
Passages

NORTHWEST
TERRITORIES

YUKON

Hudson Bay

Canada

ALBERTA

MANITOBA

BRITISH
COLUMBIA

SASKATCHEWAN

Edmonton

Calgary

ONTARIO

QUEBEC

NEWFOUN
AND LABI

Vancouver

Winnipeg

Seattle

NORTH
DAKOTA

WASHINGTON

MONTANA

MINNESOTA

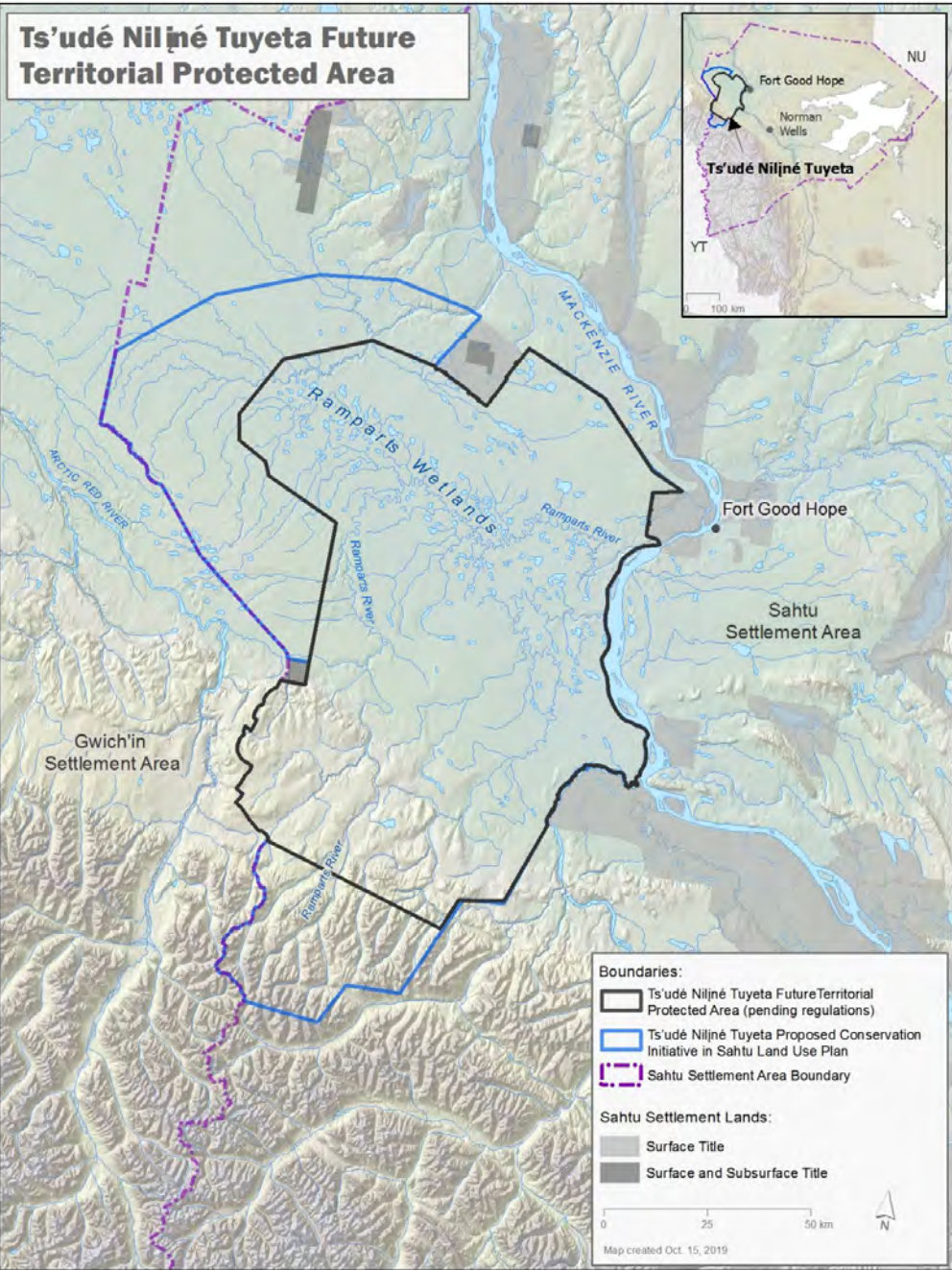
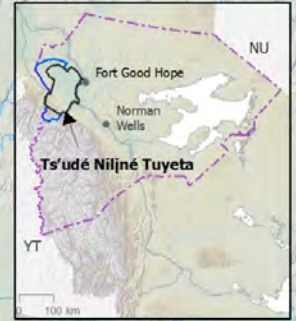
Ottawa

Montreal

NB

PE

Ts'udé Niljné Tuyeta Future Territorial Protected Area



Boundaries:

- Ts'udé Niljné Tuyeta Future Territorial Protected Area (pending regulations)
- Ts'udé Niljné Tuyeta Proposed Conservation Initiative in Sahtu Land Use Plan
- Sahtu Settlement Area Boundary

Sahtu Settlement Lands:

- Surface Title
- Surface and Subsurface Title

0 25 50 km
N
Map created Oct. 15, 2019

WHO IS IN CHARGE OF DECISIONS FOR TUYETA?

The KGF Board of Directors is made up of representatives from the Yamoga Land Corporation, Ayoni Keh Land Corporation, Behdzi Ahda, K'asho Got'ine Charter Community and Fort Good Hope Métis Local 54

The Management Board has up to 7 Members:

Acting Chair Jeanette Tobac;

K'asho Got'ine appointees Joseph Tobac, Vicky Orlias, and John Cotchilly

GNWT Appointees are Lawrence Jackson, now Rodger Boniface and Lillith Brooke (alt)

RRC plays very important advisory role, as do Frank T'Seleie, Elder Advisor, and John T'Seleie

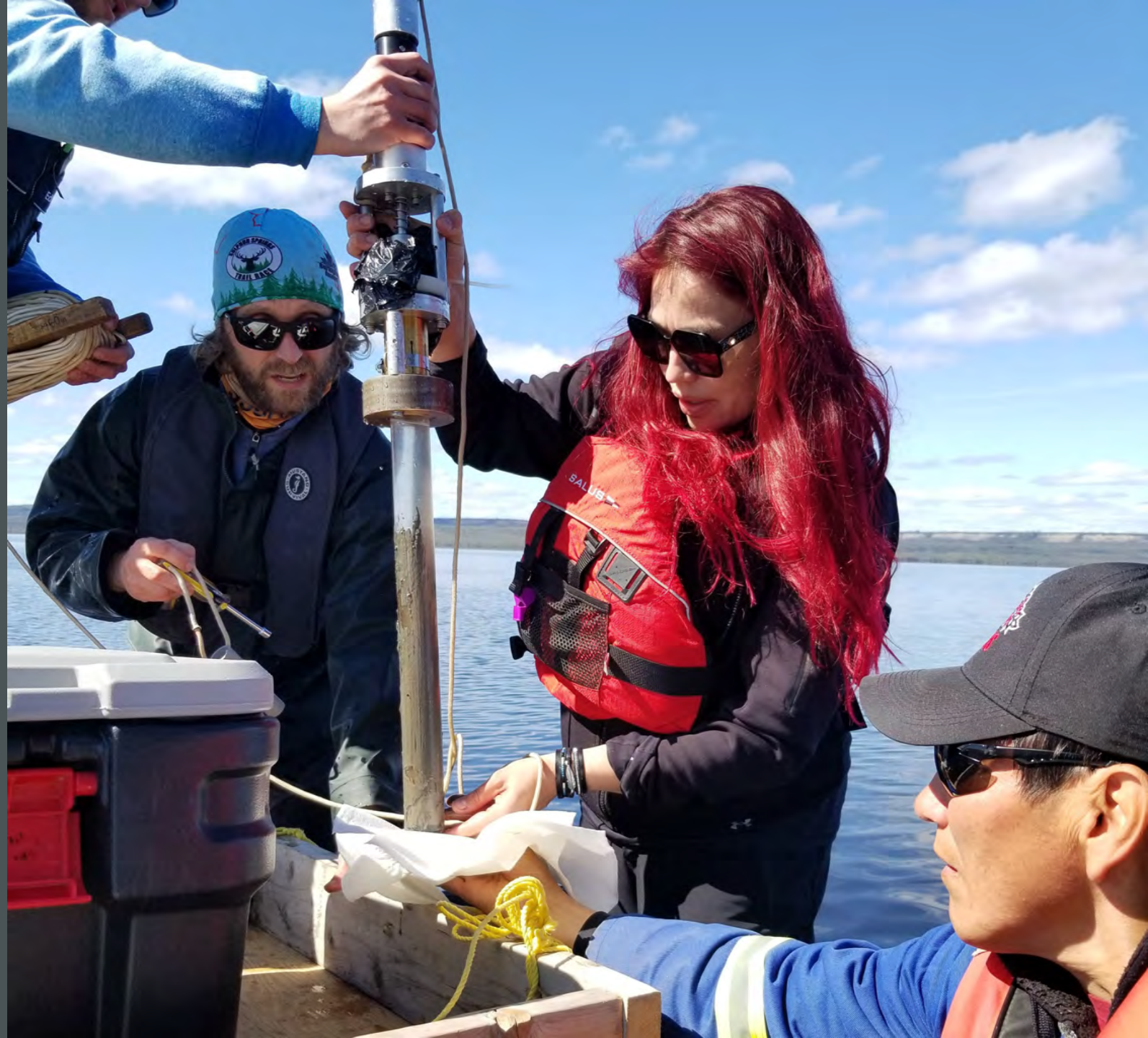




WATER AND K'ASHO GOT'INE

1. WETLANDS, LAKES, RIVERS
2. DEHO
3. DOWNSTREAM FROM
IMPERIAL OIL OPERATIONS
AT NORMAN WELLS
4. COMMUNITY WATER
INTAKE ON DEHO

CORE SAMPLING





WATER SAMPLING



COMMUNITY-BASED WATER MONITORING – GNWT

- Since 2021, The KGF Guardians have been supporting and learning from the CBM program
- Laura Krutko, our dear friend and cousin, has been working with us on water sampling annually, collecting samples from Rabbitskin, Hanna River, and some sites on the Deho.
- She joined us in our Global Water Futures camp in July of 2023. We were supposed to have camp in Tuyeta, but the water levels were so low, we were not able to safely boat up the Ramparts River to our Sasone Hiton camp.

GLOBAL
WATER
FUTURES
CAMP
NITZI BAH
CAMP, DEHO



WETLANDS AND WATER QUALITY: A COMMUNITY DIRECTED APPROACH

Kirsty Gurney, Environment & Climate Change Canada (ECCC):
GNWT (Cumulative Impact Monitoring Program, Water Management and Monitoring Division), ECCC, Polar Continental Shelf Program

How do forest fires affect water quality in Ts'ude Niline Tuyeta?



AQUATIC ECOSYSTEMS IN THE FORT GOOD HOPE AREA AS INDICATORS OF ENVIRONMENTAL CHANGE

Cumulative Impact Monitoring Program (GNWT)

Academic research team: Jérôme Comte, Kirsty Gurney, Isabelle Laurion, François Guillemette

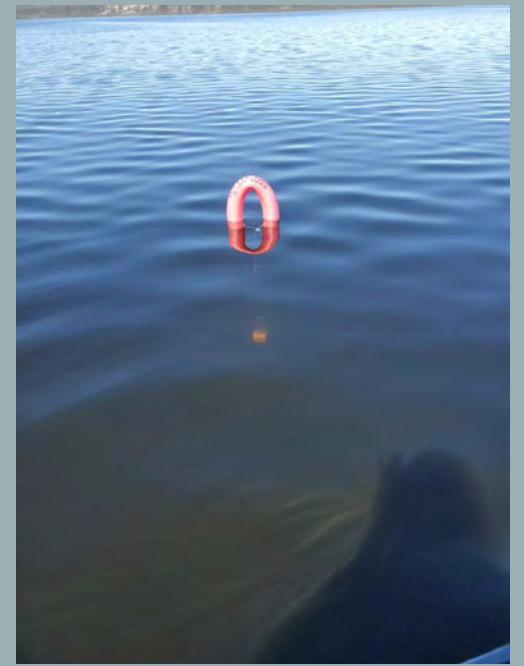
Trainer and all around awesome guy: Nigel Rossouw

Sahtú Region: Fort Good Hope

Local research coordinators: Fort Good Hope Renewable Resources Council, K'ahsho Got'ine Foundation

Collaborators: Environment and Natural Resources (GNWT)





GROUNDWATER AND GROUND THERMAL REGIMES AROUND THE DUMP

- Isabelle de Grandpré, M.Sc.
- Hydrogeologist |Hydrogéologue
- Water Resources Division |Division des ressources en eau
- Environment and Natural Resources |Environnement et ressources naturelles
- Government of the Northwest Territories | Gouvernement des Territoires du nord-ouest

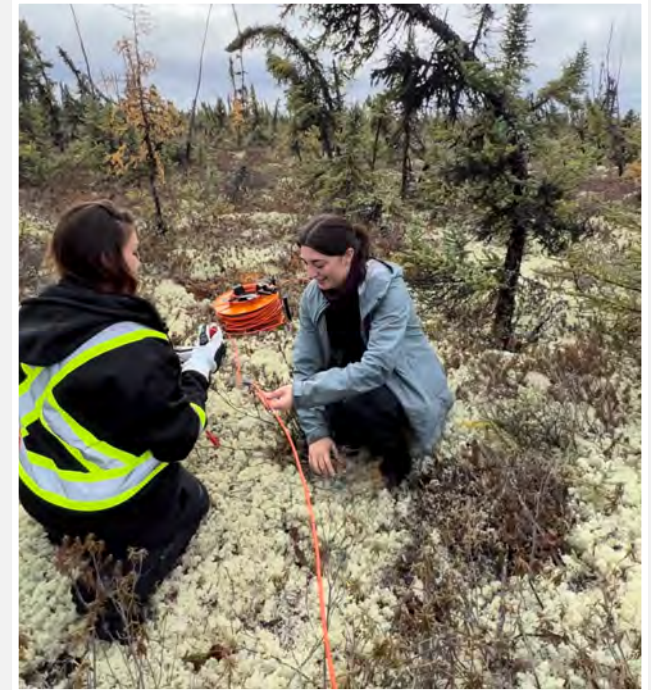
- Went in to Fort Good Hope mid-July to install sensors at and around the landfill facility in order to better understand the groundwater and the ground thermal regimes.
- 2 types of sensors: water level sensors and temperature sensors.
- 11 sensors in total: 5 water level sensors installed in 4 water wells at the landfill, and there are 6 temperature sensors, 3 in the landfill beside the water wells and 3 in the slope between the landfill facility and the MacKenzie River.

- Guardians collected the sensors and packaged them up for processing, as Covid 19 cancelled travel for Isabelle.

Teaching the students about permafrost (drilling in the ground)

Putting out a ERT Line on a burnt area and unburnt area to see the changes

PERMAFROST SAMPLING





PERMAFROST







The logo for ArcGIS Survey123 is displayed on a green-tinted background of a city skyline. It features the text "ArcGIS" in a smaller font above "Survey123" in a larger, bold font. A stylized blue and white icon of a survey form with a checkmark is positioned behind the text.

ArcGIS[®] Survey123



Birds and
Waterfowl Obser...



Environmental
Concerns



Fish Studies



Harvester
Observation



Kah'sho Got'ine
Foundation Wat...



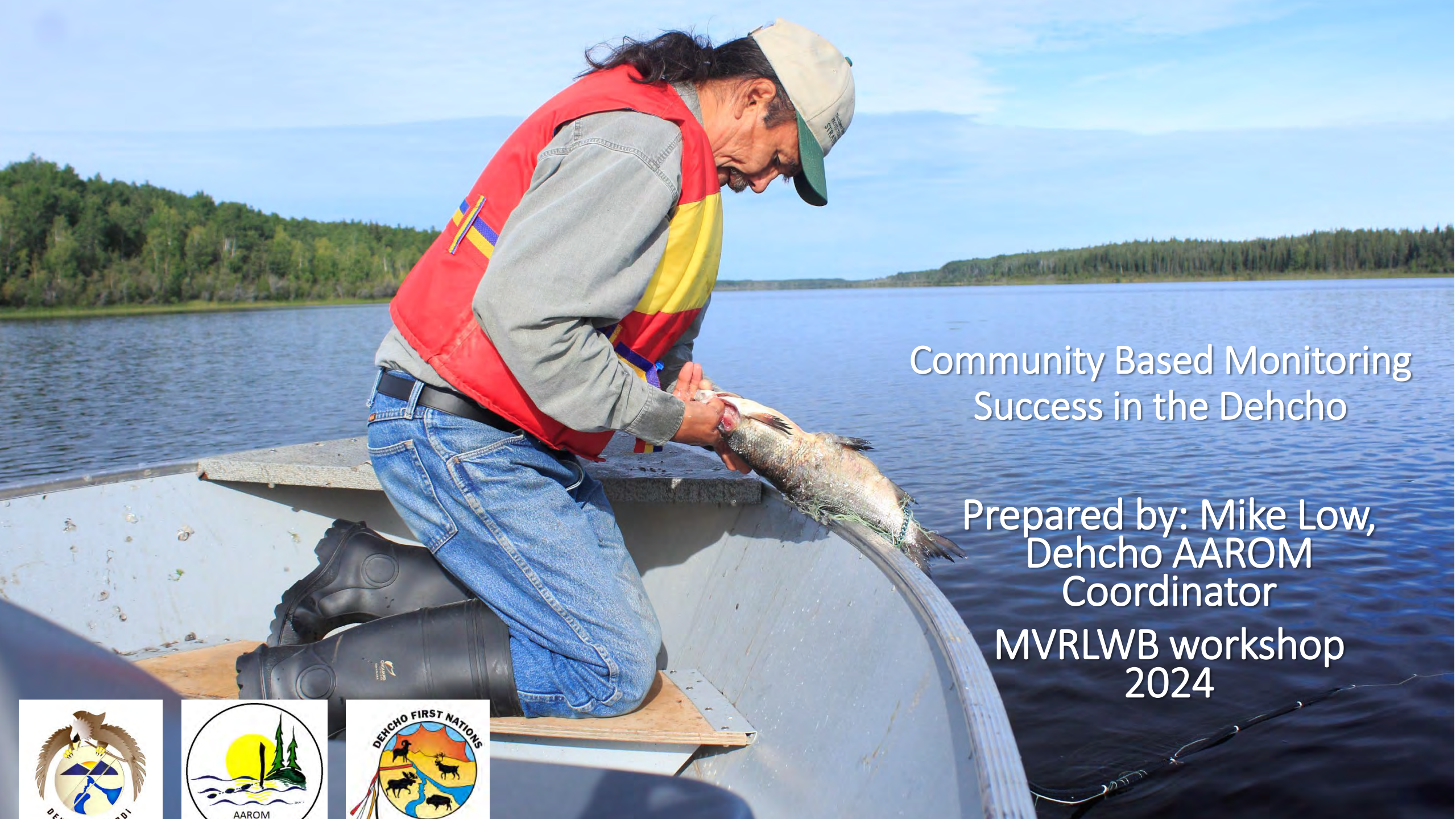
Research

SURVEY 123

- This is the survey 123 that we use to collect all our surveys
- Tanya Ball, a Yukon Land Guardians, came to train us on Survey 1-2-3. She also inspired us for some of our own water sampling protocols, to be started this summer. (depth gauges in creeks, multi-parameter sondes...

K'AHSHO GOT'INE FOUNDATION STAFF





Community Based Monitoring
Success in the Dehcho

Prepared by: Mike Low,
Dehcho AAROM
Coordinator
MVRLWB workshop
2024

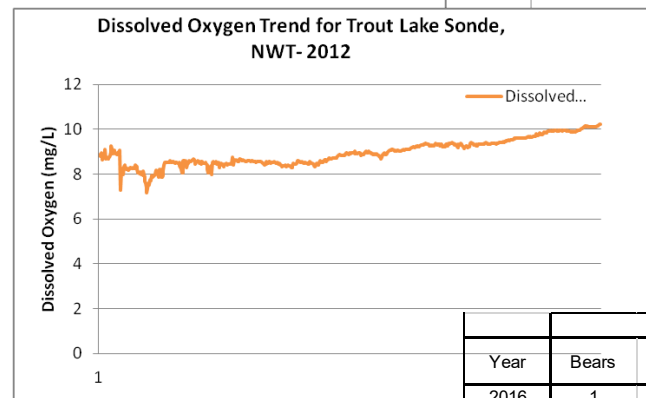
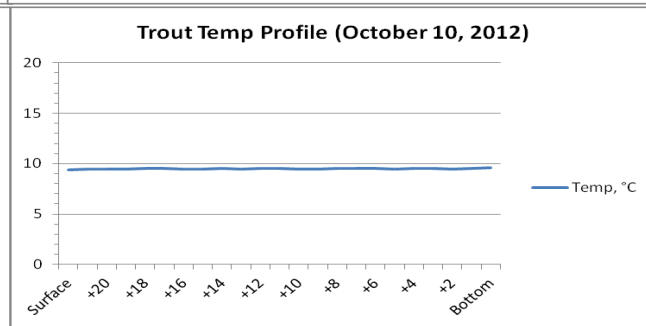
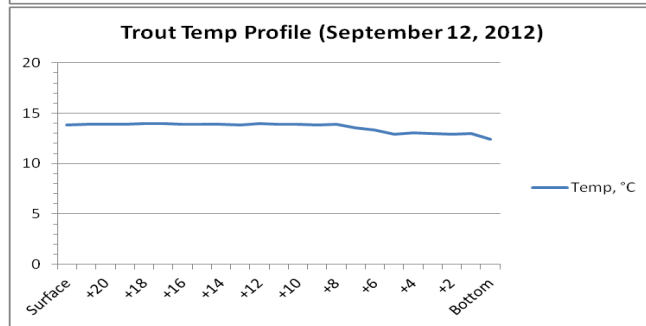
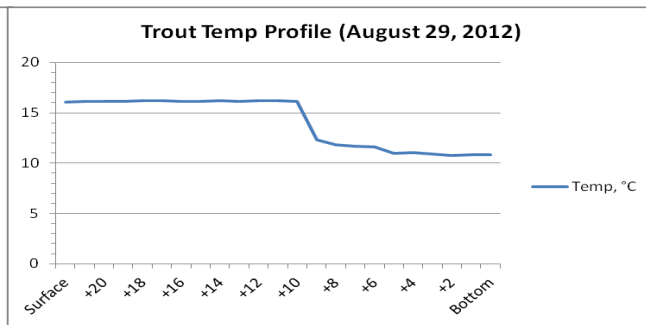
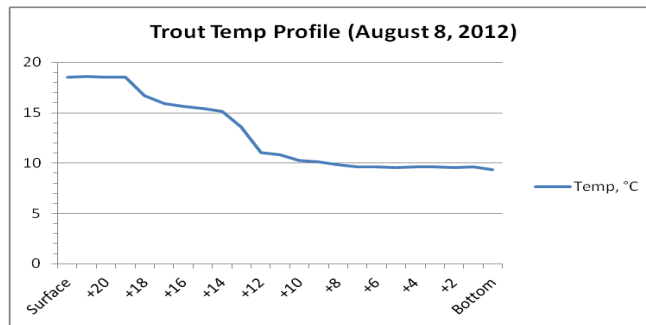
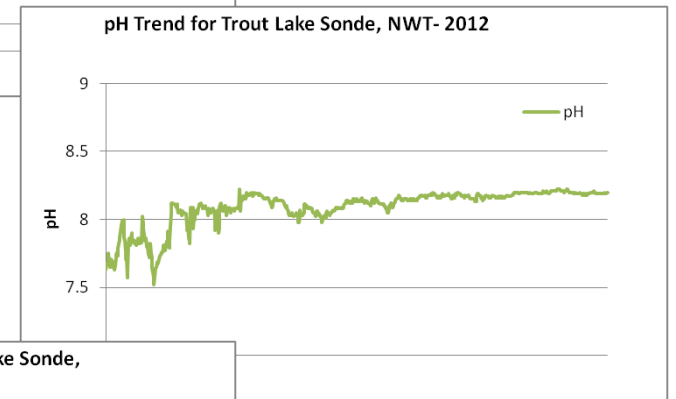
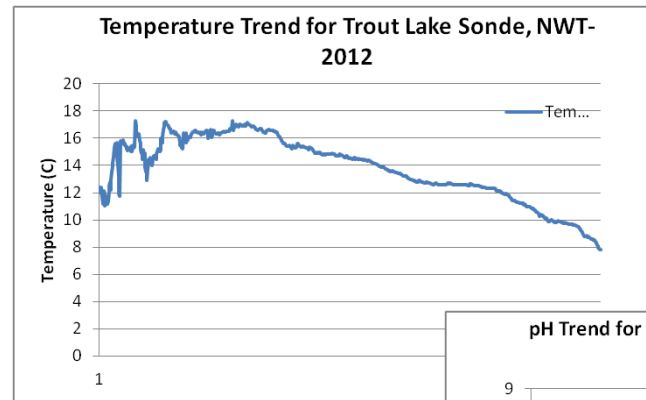
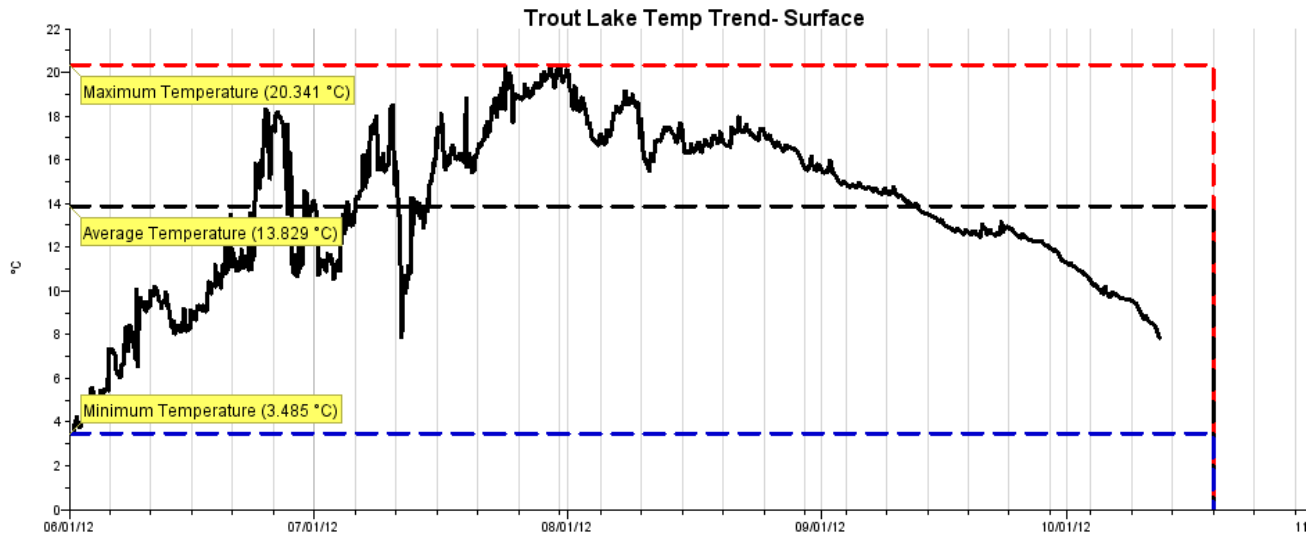




- A different approach to resource management was needed
- Get Dene on the land- Guardians
- Provide equipment, training and salaries

- Lots of community input
- Clear concerns with upstream development and climate change
- Lots of changes





Year	Wildlife						
	Bears	Moose	Beaver	Caribou	Lynx	Muskrat	Small Game
2016	1	1	3	0	0	3	2
2017	2	1	0	0	0	4	2
2018	1	0	0	0	0	2	0
2019	52	38	29	21	2	22	0

Year	Birds										
	Game Birds	Ducks	Geese	Shorebirds	Hawks	Loons	Eagles	Crow	Swans	King fisher	Gulls/ Terns
2016	3	1157	429	78	18	590	61	88	8	15	987
2017	84	1013	259	70	59	428	50	229	8	15	668
2018	43	140	1	67	5	74	35	23	8	7	105
2019	0	1762	626	422	59	1090	315	522	33	74	716



- Dehcho AAROM and the Guardians are integral to many research projects
- Providing travel logistics, workers, cooks, equipment and ensuring community involvement
- Research projects include:
 - Fish stock studies
 - Benthic
 - Genetics
 - Mercury
 - Biomonitoring
 - Permafrost
 - Fish enhancements
- Other projects include
 - Youth ecology and culture camps
 - Community based water sampling
 - Fishery surveys
 - Country foods surveys

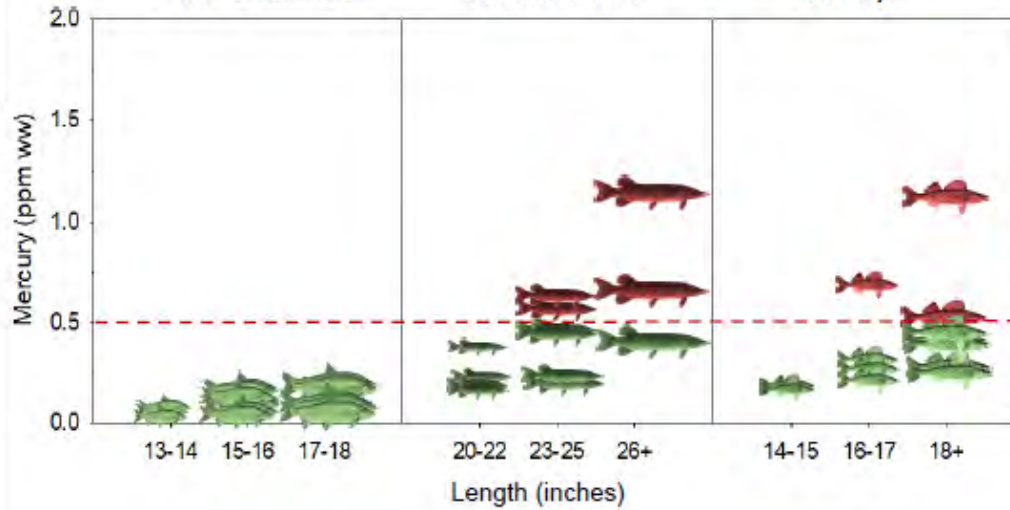
Health Benefits of Fish



Lake Whitefish

Northern Pike

Walleye



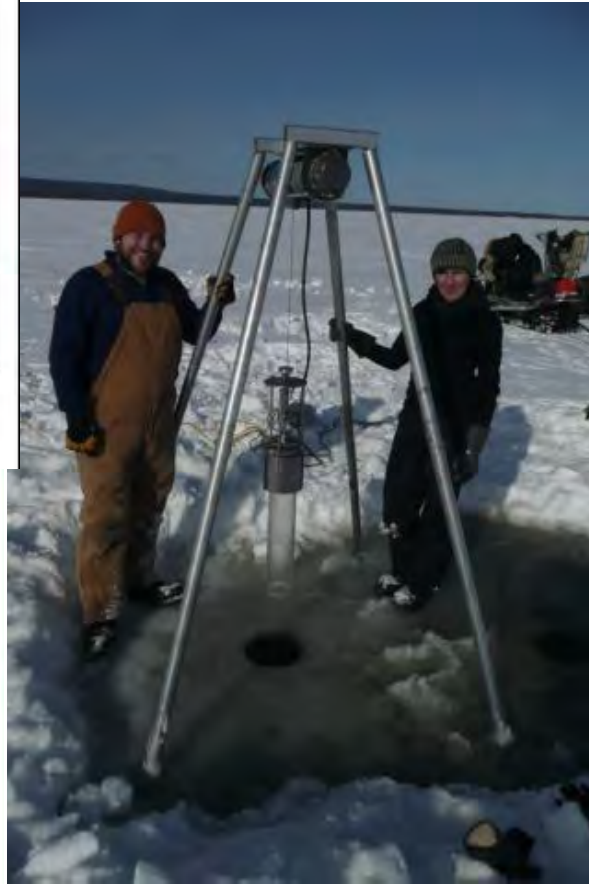
Fish are one of the most important and frequently used traditional foods. Fish can be caught locally and year round and there are many different ways to prepare delicious fish meals.

Fish provide important nutrients in our diet and are a good source of nutrition. It is high in protein, vitamin B and omega-3 fatty acids, which are important to heart health and brain and eye development. Fish is also a significant source of Vitamin D which are important for teeth and bones.

Mercury can be found in fish as a contaminant, however the health benefits of eating fish far outweigh any risks from mercury contamination. Levels of mercury can vary from lake to lake and can be caused by human activities and natural causes.

To reduce the risk of exposure to mercury, Health Canada has established guidelines on what levels of mercury are acceptable to eat and the following recommendations should be followed.

- Eat smaller (younger) fish
- Eat more fish that are lower in the food chain (bottom)



"A Return to Country Foods"; A Workshop Series on Contaminant Perception in the Dehcho Region of the Northwest Territories.

By: Mike Low and George Low

Health Canada, Climate Change Adaptation program funded "Country Food" surveys in six of The Dehcho Dene and Métis communities.

Community leaders suggested that we needed more data on the level of use of country food, especially fish and the perception on contaminants in country food. Surveys were conducted in two major centers, Fort Simpson and Fort Providence and three smaller communities, Sambaa K'e (Trous Lake), Kait'gee Tu (Kait'gee) and Jean Labre River.

Table 1. Consumption of surveyed conventional fish (herring, fish, salmon and guitar) (kg/year)

	Non-Aboriginal Total Food	Aboriginal Total Food	Non-Aboriginal Total Food	Aboriginal Total Food
Fort Simpson (200)	72.2%	88.2%	82.2%	47.2%
Fort Providence (100)	75.2%	75.2%	85.2%	45.2%
Sambaa K'e (100)	65.2%	75.2%	85.2%	45.2%
Trous Lake (100)	100.0%	88.2%	85.2%	75.2%

Table 2. Average (range) per week of wild caught fish for surveyed households

	Mean per Week (range)	Mean per Week (range)	Mean per Week (range)
Fort Simpson (200)	2.2	2.2	2.2
Fort Providence (100)	2.2	2.2	2.2
Sambaa K'e (100)	2.2	2.2	2.2
Trous Lake (100)	2.2	2.2	2.2

Dr. Heidi Swanson of the University of Waterloo is researching bioaccumulation of mercury in the food chain in ten Dehcho lakes

Research on mercury in the NWT may have scared some Dene and Métis people off eating any kind of fish

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A series of "Country Food" workshops funded by the NCP were designed to improve communications and promote discussion on country foods and contaminants

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Health Benefits of Fish



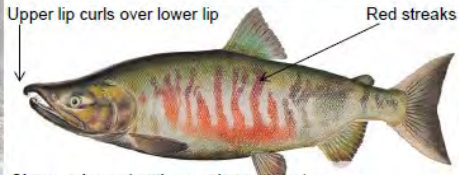
Arctic Salmon

Caught a **SALMON**? Get a **REWARD**!



Chum salmon (as they look in or near the ocean)

changes to

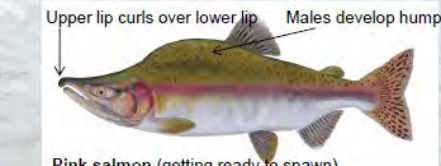


Chum salmon (getting ready to spawn)



Pink salmon (as they look in or near the ocean)

changes to



Pink salmon (getting ready to spawn)

\$50 Northern Store gift card per whole frozen salmon OR

\$25 Northern Store gift card per frozen salmon head



- GNWT's community based monitoring
- Answering community concerns

- Locations through out the Mackenzie
- Training and equipment





- Dehcho AAROM has led to decision making
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- Fish management
- Country foods
- Permafrost and climate change

- Sanguez Lake fish down study
- Researchers and community working together
- A result of 2 other studies
 - Waterloo- Biomonitoring
 - Waterloo- Mercury in fish





- Results were discussed with all the communities
- Posters were designed to prevent fear
- Increased perception of fish
- Chief Stanley Sanguéz wanted to increase fishing to decrease mercury



- Involvement in large projects
- Training initiatives
- Monitoring large scale projects
- Moving towards new training and research initiatives
- Melting permafrost is a significant issue in the Dehcho
- Also connected to mercury



Mahsi Cho!





Co Management workshop

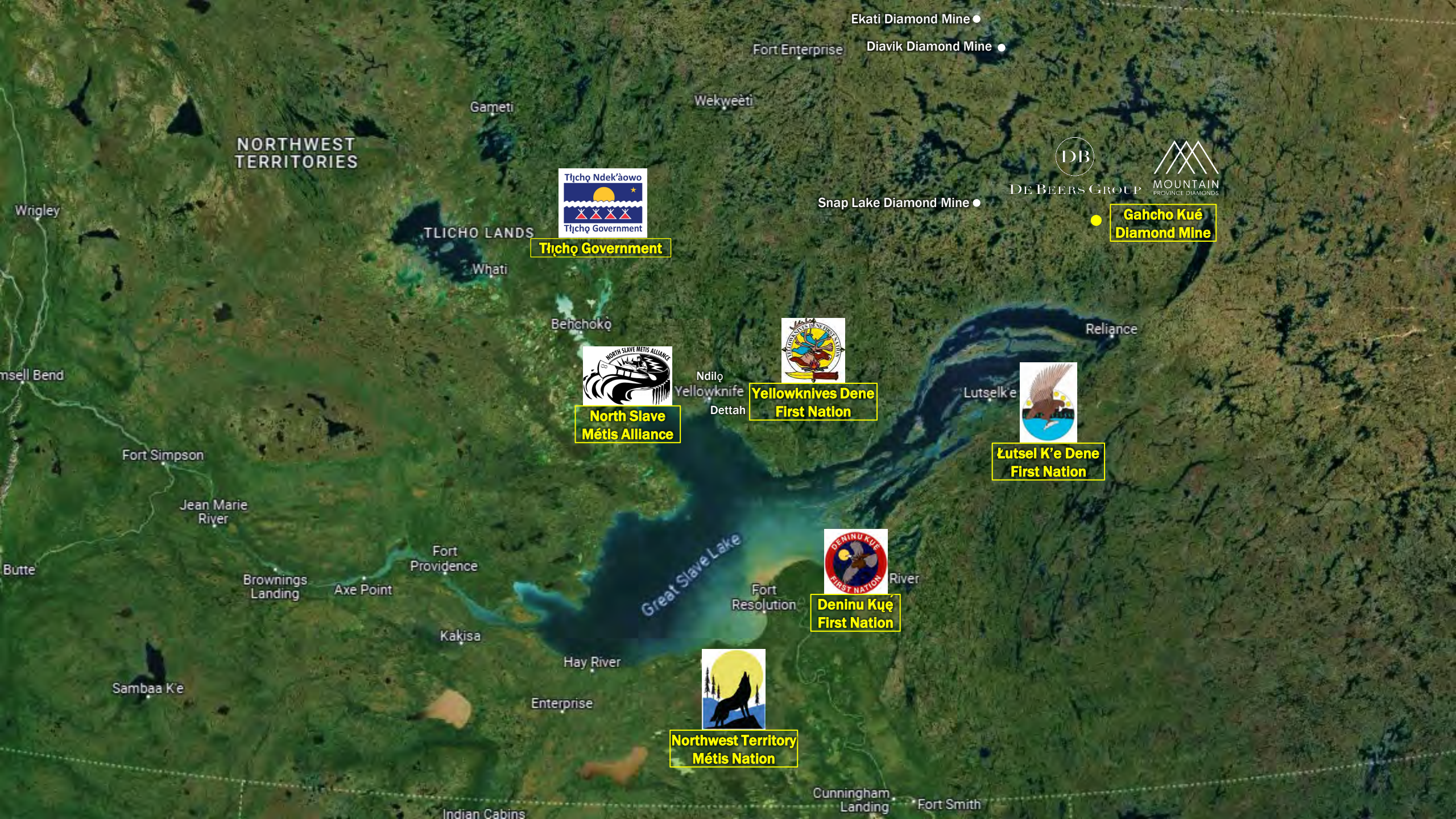
Rosy Bjornson – Environmental Manager
March 26-27, 2023

Success story from other regions DAY TWO

Content

- Who We are
 - Governance Committee
 - Staff Members
- What We Do
 - Environmental Scientific Monitoring
 - Traditional Knowledge Monitoring
 - On-the-Land Travel Program
- What We Achieved





NORTHWEST TERRITORIES

Ekati Diamond Mine ●
Fort Enterprise ●
Diavik Diamond Mine ●



Tłı̨chǫ Government

TLİCHO LANDS



Snap Lake Diamond Mine ●

Gahcho Kué Diamond Mine



North Slave Métis Alliance



Yellowknives Dene First Nation



Lutsel K'e Dene First Nation



Deninu K'ue First Nation



Northwest Territory Métis Nation

Great Slave Lake

Wrigley

Gameti

Wekweèti

DB

DE BEERS GROUP

MOUNTAIN PROVINCE DIAMONDS

Whati

Behchokò

Ndilo
Yellowknife

Dettah

Reliance

Lutselke

Fort Simpson

Jean Marie River

Brownings Landing

Axe Point

Fort Providence

Kakisa

Hay River

Enterprise

Fort Resolution

River

Sambaa K'e

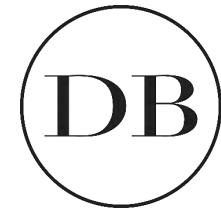
Cunningham Landing

Fort Smith

Indian Cabins

Who We Are

- Dënesų́ně: Ní Hadi Xa means “People Watching the Land Together”
- A legally binding agreement between De Beers Canada & six Indigenous organizations:
 - Deninu Kų́é First Nation
 - Łutsěl K'ě Dene First Nation
 - North Slave Métis Alliance
 - Northwest Territory Métis Nation
 - Tłıchų Government
 - Yellowknives Dene First Nation
- Independent Environmental and Traditional Knowledge monitoring of Gahcho Kué Mine

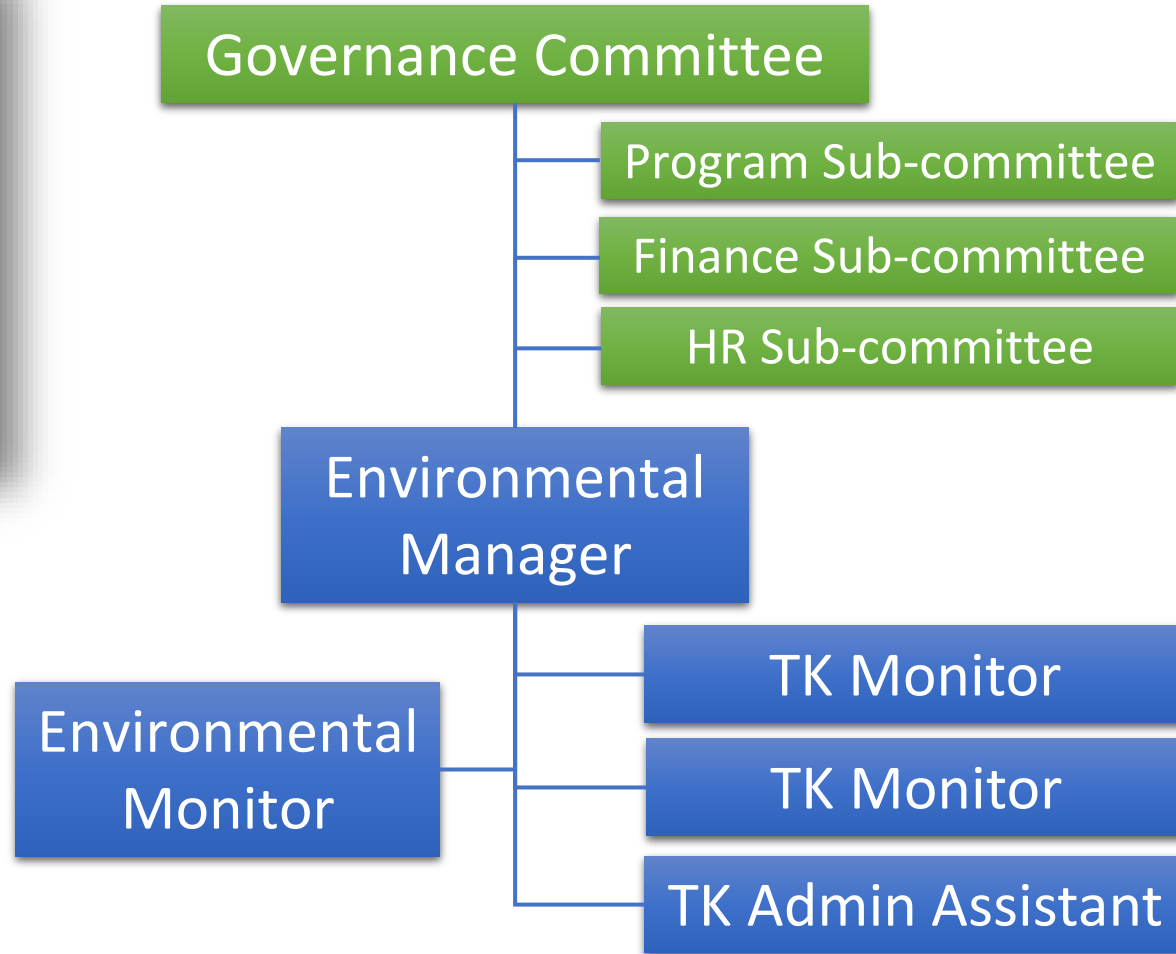


Who We Are – Governance Committee

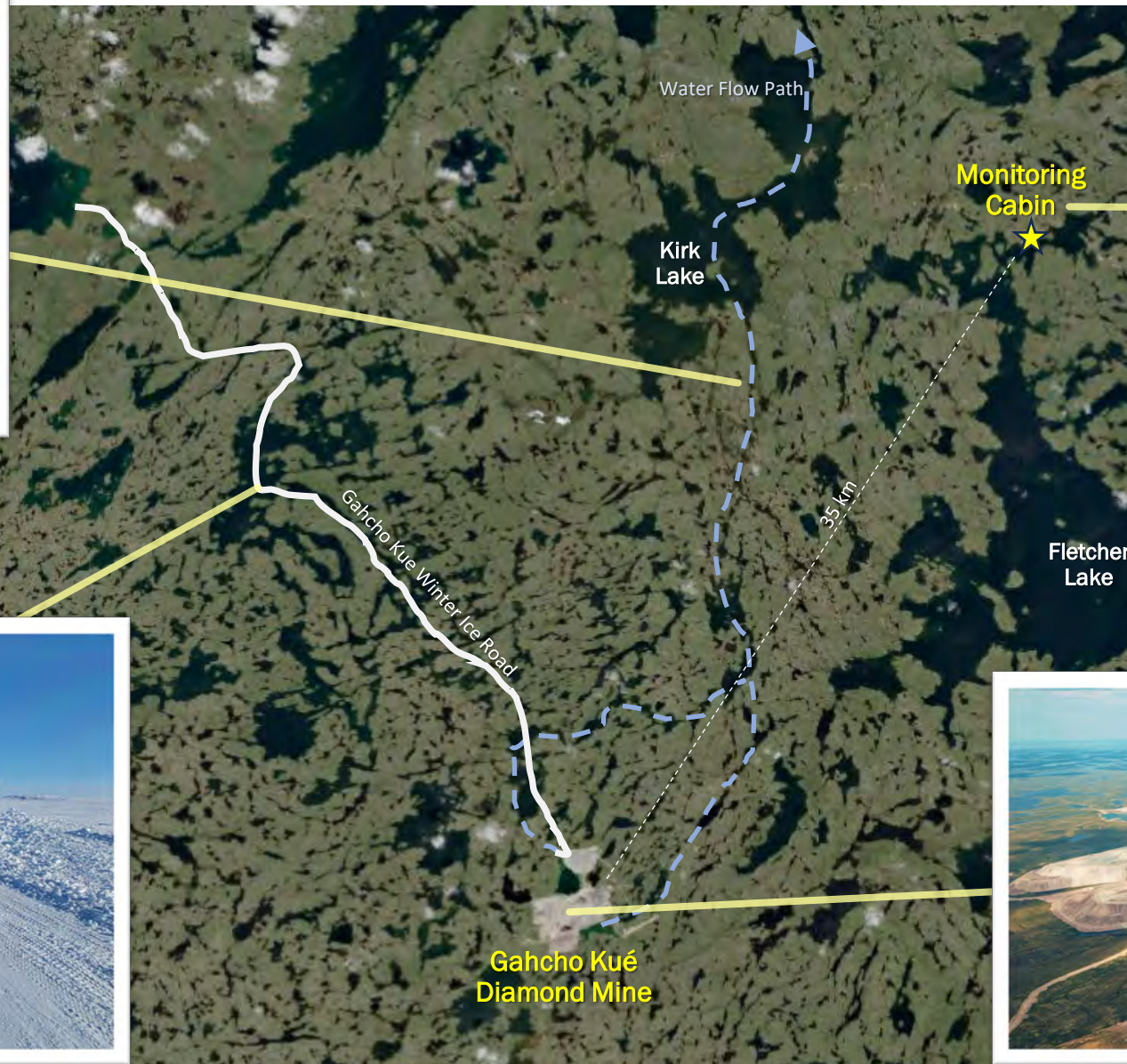
- NHX governed by Seven-member Governance Committee
 - Management through multiple sub-committees
 - Quarterly meetings & Community updates in signatory communities
 - Annual Gahcho Kué Mine Visit & On-the-Land meeting at NHX Monitoring Cabin
 - Technical review on Gahcho Kué regulatory submissions



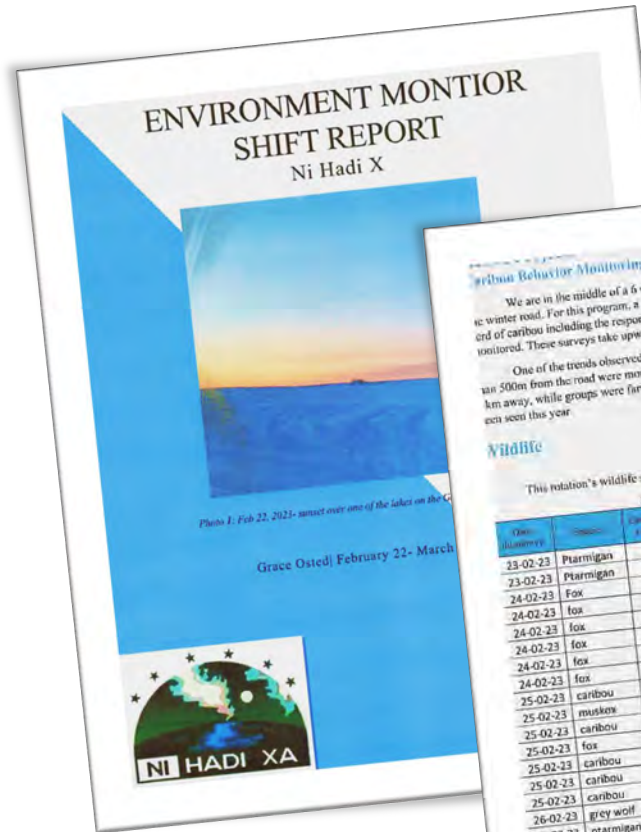
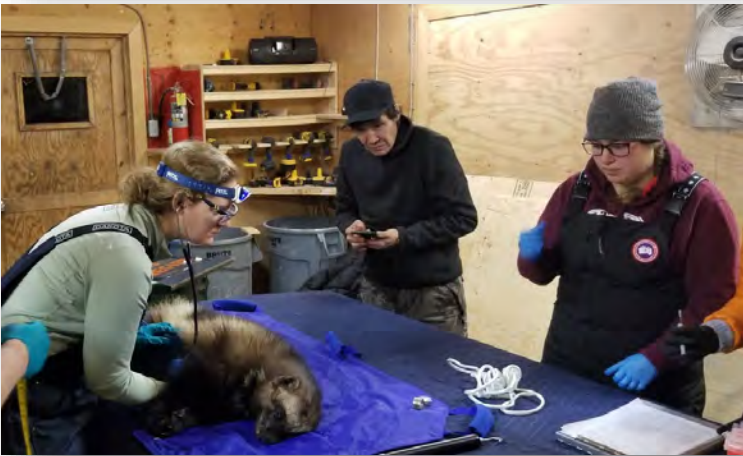
Who We Are – Staff Members



What We Do - Monitoring Area



What We Do – Environmental Scientific Monitoring



Caribou Behavior Monitoring Program

We are in the middle of a 6 week program on the winter road to monitor caribou behavior around the winter road. For this program, a team of two performs surveys around monitoring the activity of a herd of caribou including the responses to stressors (most commonly traffic). An individual was also monitored. These surveys take upwards of 20 minutes per survey.

One of the trends observed was that smaller groups were more reactive. Groups that were closer than 500m from the road were more reactive often walking away from traffic and not stopping until over 1km away, while groups were further 800m did not react to traffic at all. Less caribou in general have been seen this year.

Wildlife

This rotation's wildlife sightings come from the winter road most

Table 1- Environment Monitor Wildlife sightings

Date	Species	Count	Type	Location	Status
23-02-23	Ptarmigan	17	live	P15	flying
23-02-23	Ptarmigan	12	live	P20	flying
24-02-23	Fox	1	live	Out 25	feeding
24-02-23	fox	1	live	Margaret lake	walking
24-02-23	fox	1	live	Reid	walking
24-02-23	fox	1	live	p25	walking
24-02-23	fox	1	live	p27	walking
24-02-23	fox	1	live	p20	walking
25-02-23	caribou	10	dead	p23	
25-02-23	caribou	5	dead	p22	
25-02-23	muskrat	15	dead	out 35	
25-02-23	caribou	1	live	out 21	walking
25-02-23	fox	5	live	Reid lake	
25-02-23	caribou	3	live	Reid lake south	
25-02-23	caribou	6	live	Reid lake south	
25-02-23	caribou	2	live	in 23	feeding
26-02-23	grey wolf	1	live	p19	flying
26-02-23	ptarmigan	18	live	p19	flying
26-02-23	Ptarmigan	20	live	p20	feeding
26-02-23	fox	1	live	in p19	feeding
26-02-23	fox	1	live	P19	feeding
26-02-23	caribou	120	live	p16	flying
27-02-23	Ptarmigan	7	live	p4	walking
27-02-23	fox	1	live	p4	walking
27-02-23	fox	2	live	15 in	walking



What We Do – Traditional Knowledge Monitoring



Feb 19 - 21, 2023

Feb 23/2023
My Report

Hello one again am writing my report I came in yellowknife around 7:00 pm I left from Lutsel Ke I came for work with Kyle to pick up the skidoo to go to Fletcher Lake and my partner said we have to say another night because this grocery order was not ready so I stayed in Yellowknife another night. The weather is sunny and cold. Wind blowing from the northwest it's around minus 40 degrees so I stayed at explorer hotel. We had another meeting before I left back to Lutsel Ke. The weather is sunny and cold when I went home. -36.

NI HADI XA Fort R

Winter Ice Road Monitoring
NHX Traditional Knowledge

Date: _____

Time: _____

What did the sunrise look like? _____

GPS Coordinates of start of _____

GPS Coordinates of any caribou _____

Number of Caribou Seen: _____

Number of Bulls: _____

Number of Cows: _____

Number of Calves: _____

GPS Coordinates of Caribou seen: _____

Number of Hunters seen: _____

GPS Coordinates of Hunters on Ice Road, describe what you see? _____

Conditions of Ice Crossings? Describe what you see? _____

Any dead animals? Describe what you see? _____

Weather conditions of the day, describe what you see? _____

What did the sunset look like, describe what you see? _____

GPS Coordinates of Camp sites spotted: _____

What We Do – On-the-Land Travel Program

- Sponsored local families to travel and live on the land each year
- TK monitors documenting families' observations and experiences
- Program started in Summer 2017



What We Achieved

- Established Monitoring Cabin Site – Became gathering place for TK Events
- Ongoing environmental scientific monitoring based at Gahcho Kué Mine
- Ongoing TK monitoring based at Monitoring Cabin
- Sponsored six families to travel back to the land
- Provided community updates in all signatory party communities
- Widely recognized through NWT MAX Award & Mining Association of Canada's Towards Sustainable Mining Award





Marsi Cho!



parkscanada.gc.ca

Nahanni National Park Reserve State of the Park Assessment (2018)



Prepared by: *Jonah Mitchell, Southwest Northwest Territories*






Approved:

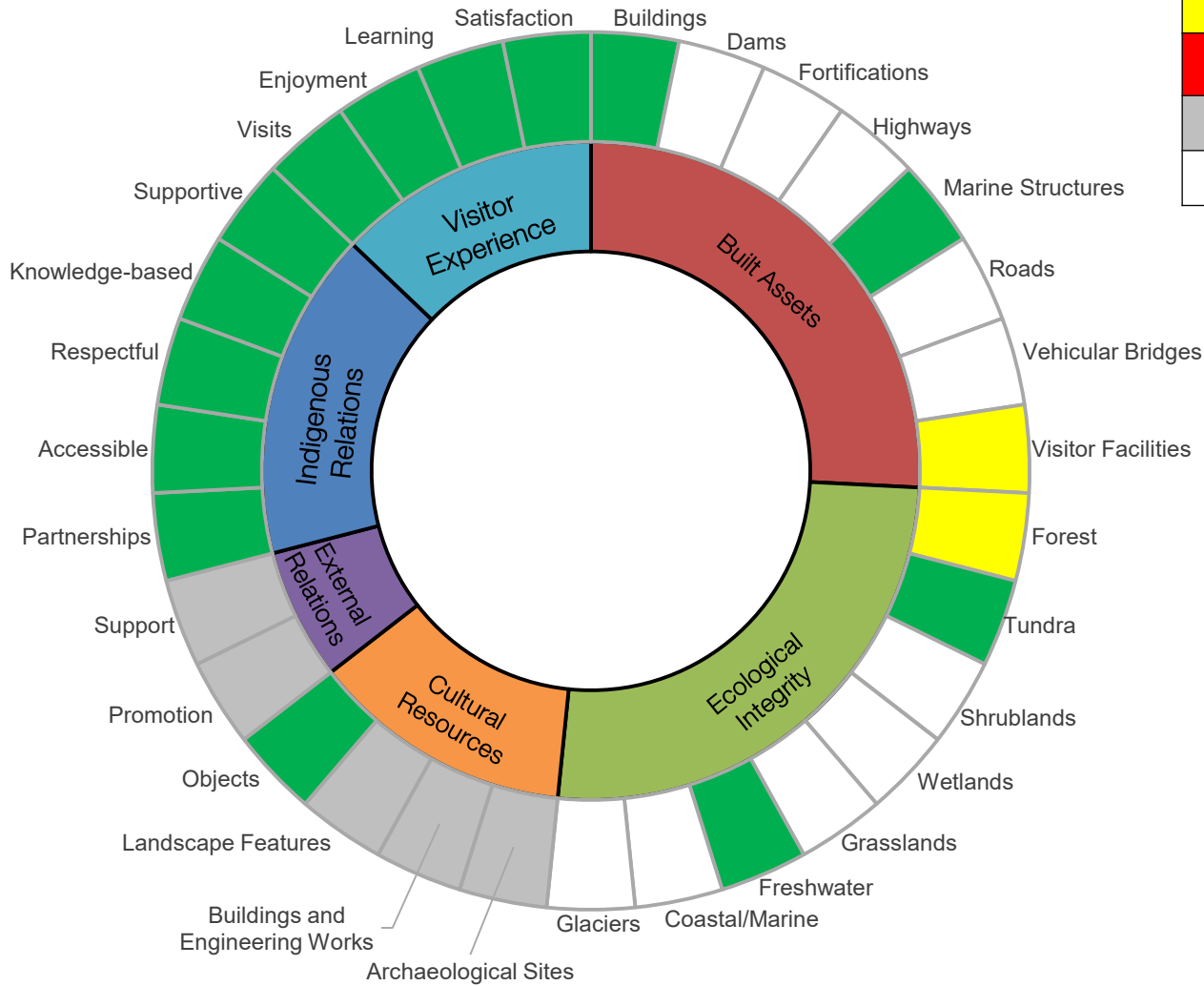
Michaela Kent
Executive Director - Prairies, Yukon and Northwest Territories

17/12/2018

Date

Overview of Indicators- Nahanni National Park

Indicator Ratings	
	Good
	Fair
	Poor
	Not Rated
	Not Applicable



Ecological Integrity Indicators

Indicators <i>(include only the indicators applicable)</i>	Measures	
Forest	Landcover Area Change	
	Forest Insects	
	Forest Bird Community	
	Forest Vegetation	
	Area Burned	
Tundra	Subtle Vegetation Change (Treeline)	
	Growing Season Index (NDVI)	
	South Nahanni Herd Caribou Composition	
	Collared Pika	
	Alpine Vegetation	
Freshwater	Glacier Extent and Mass Balance	
	Water Quality Index	
	Benthic Invertebrates Community Index	
	Fish Occupancy	
	Ice Phenology	

Overview

Forest indicator – Forests are the most extensive land cover type in Nahanni National Park Reserve (NNPR), and are generally in a good and stable condition. The Forest Vegetation measure had only a single year of data per site, so a status could not be determined. The Forest Bird Community composition changed, and relative abundance declined between 2014-2017. The potential reasons for these changes are being investigated, but likely represent population fluctuations at a regional or national scale. There is currently no active fire management (prescribed burning or suppression), so the fire cycle is assumed to be within the natural range of frequency and variation. The Area Burned measure is thus preliminary, as the available fire history is short, and there has been no research into reference fire cycles for the region.


Tundra indicator – Most Tundra measures are in development and do not have sufficient sites or a long enough time series to report. Data collection for these measures is ongoing. Aerial surveys between 2010-2014 found higher calf-cow ratios compared to previous surveys in the South Nahanni caribou herd (Northern Mountain population), indicating a trend towards a more stable population. Green-up and brown-down dates, as well as vegetation productivity have remained stable, as shown through remote sensing of the Normalized Difference Vegetation Index (NDVI).

Freshwater indicator – Most freshwater monitoring is conducted along the South Nahanni River corridor, and major tributaries. Glacier Extent and Mass Balance continue to decline, likely indicating a warming climate trend. The Water Quality Index (WQI) is lower than in the 2009 State of the Park Report; however 3 of 7 stations have good WQI values, with the remainder in the upper end of the fair range. Further analyses are being conducted to identify the specific drivers of these index values. Despite changes to water quality there were no changes to benthic invertebrates or fish populations.

Note: See Appendix 1 for Species at Risk Indicators

Sources: Sources: Information Centre on Ecosystems, 2018; R. Pankratz (pers. comm.)

Cultural Resource Indicators

Indicators	Measures	
Archaeological Sites	<i>Archaeological Sites</i>	N/R
Buildings and Engineering Works	<i>Buildings and Engineering Works</i>	N/R
Landscapes and Landscape Features	<i>Landscapes and Landscape Features</i>	N/R
Objects	<i>Objects (Historical)</i>	N/A
	<i>Objects (Archaeological)</i>	

Sources:
State of the Park Report – Nahanni National Park Reserve (2009)
Archaeology and History Branch – Parks Canada Agency
Collections, Curatorial and Conservation Branch – Parks Canada Agency

Archaeological Sites: There are 104 archaeological sites within the NNPR. Condition ratings for the majority of sites is outdated and considered unreliable. No formal survey has been conducted in the Expansion Area, although, research conducted at Gahnjthah and in the Expansion Area at Howard’s Pass and the Cirque of the Unclimbables and Glacier Lake has increased the Field Unit’s knowledge of the archaeological record and pre-contact use of the Nahanni area beyond the river corridor. Due to the naturally degraded condition of the Albert Faille, Fred Sibbeston cabins and Kraus outhouse #2, they will be managed as archaeological sites. All three have been researched, photographed, and mapped.

Buildings and Engineering Works: The Deadman Valley Forestry Cabin and the Kraus Generator Shed require a Cultural Resource Evaluation to determine their Heritage Value. The Moore’s cabin requires site mapping and photo documentation. The heritage value of the Moore’s cabin has not been formally assessed.

Landscapes and Landscape features: have not been formally identified, therefore, no condition rating can be assigned at this time. The proposed road construction in the park could negatively impact the existing landscape and the potential archeological sites.

Objects - Historical and archaeological objects: There are no historical objects recorded in the Parks Canada collections. The archaeological collection was reviewed, inventoried, and upgraded to collections management packaging standards in 2000. Archaeological objects are stored at Parks Canada’s collection facilities in Winnipeg and are considered to be in Good condition.

External Relations Indicators

Indicators	Measures	
Promotions	<i>Events</i>	N/R
Support	<i>Volunteers</i>	N/R

Media	2015	2016	2017	% Change
Website Visits	159,461	107,021	99,541	-38%

Website Visits

- The reason for the decline in website visits between 2015 and 2017 is unknown, trends will continue to be tracked.

Sources: NNPR Authorizations Records, Promotions Ad Forecasts, Event Records, Meeting Minutes, Web Data and VES Promotions – Product Development Matrices

Overview - External Relations support to NNPR is provided by the field unit's functional team working with site level staff where possible. Metrics for measuring promotions in Nahanni do not exist. As a result, the Promotions indicator is based on anecdotal information and is not rated.

Promotion – NNPR, a UNESCO World Heritage site, is a signature tourism destination of the Northwest Territories and a well known national and international wilderness adventure destination. The field unit supports local promotional initiatives such as advertisements in regional vacation planners and tourism guides. A field unit wide promotion plan is under development.

Support – As a result of frequent staff turnover and high training requirements for working in a remote wilderness setting, training for park staff has been a key priority. The result is that NNPR has not actively pursued the Parks Canada Volunteer Program therefore this indicator is not rated.










Public Awareness and Engagement – The field unit External Relations team continues to raise awareness and engage Canadians through Parks Canada approved social media platforms and developing proactive media articles. The field unit continues to support urban youth engagement through the national urban outreach program targeting Vancouver audiences.

NNPR has a long established history of engagement with partners and stakeholders at community, regional and territorial levels such as the Northwest Territories Tourism Association, Alpine Club of Canada, Dehcho First Nations, Dehcho regional tourism and training committees, and municipal and territorial governments. NNPR actively partners with local communities in tourism enhancement projects and has had great success toward tourism product development, training and promotions. There are 20 long standing business licence partners at NNPR actively engaged in stewardship of the park. NNPR hosts pre and post visitor season meetings with all business licence holders.

NNPR collaborates with local organizations and participates/facilitates community events annually. In 2014, NNPR developed and implemented a 3 day Indigenous focussed tourism workshop in collaboration with First Nations, municipalities and the Government of the Northwest Territories which has been delivered in a number of communities with increasing demand. A plaque unveiling ceremony and mount was designed and installed at the Edhaa National Historic Site in Liidlii Kue (Fort Simpson).

Google Street View imagery was launched in 2018 which showcased 4 iconic locations in NNPR: Náǰǰicho (Virginia Falls), Gahnjthah (Rabbitkettle), Glacier Lake and Cirque of the Unclimbables, and Hole in the Wall Lake. Visits to the Google Street View website for Nahanni have not been measured.

Indigenous Relations Indicators

Indicators	Measures	
Indigenous Partnerships	<i>Indigenous Collaboration in Heritage Place Planning and Management</i>	
	Indigenous Collaboration in Heritage Place Operations	
Indigenous Accessibility	Indigenous Partner Access to Heritage Place Traditional Lands & Activities	
Mutual Respect	<i>Team Member Commitment to Building Mutual Respect, Trust and Understanding with Indigenous Partners</i>	
	<i>Extent of Reconciliation with Local Indigenous Communities</i>	
Incorporation of Traditional Knowledge	<i>Incorporation of Traditional Knowledge</i>	
	<i>Use of Indigenous Languages</i>	
Support for Indigenous Communities	<i>Economic Opportunities for Indigenous Peoples</i>	
	<i>Capacity Building for Indigenous Peoples</i>	

Overview

This assessment was conducted by representatives of the Nahʔa Dehé Consensus Team, which are appointed by the Dehcho First Nations and Nahanni Butte. The ongoing cooperative management has been in place since 2001. This continues to be a positive and strong partnership.

Indigenous Partnerships – The Consensus Team meets 8 to 9 times a year on average, to discuss matters of significance to park management. Consensus Team members participate on all hiring boards and often participate in projects and park operations.











Indigenous Accessibility - Local Indigenous harvesters continue to use traditional land routes and waterways in and adjacent to the park reserve for subsistence harvesting of wildlife, fish and plants; cultural revitalization and ceremonial purposes.

Mutual Respect - The Consensus Team advises Parks Canada on the integration of Dene values and principles in management and operations. Dene knowledge and values are incorporated into the visitor service offer, interpretive experiences, promotions, product development, hiring, assets, research programs, impact assessments and key policies.

Incorporation of Traditional Knowledge – Indigenous traditional and contemporary cultural perspectives are integrated into park operations and projects. Traditional place names and Dene greetings are used. Cultural Awareness facilitated by Indigenous community members is an essential component of staff training.

Support for Indigenous Communities – Employment and economic opportunities are available to Dehcho members and businesses. Economic benefits include utilizing services of Dehcho owned and operated companies; the development of new offices in Fort Simpson and Nahanni Butte; maintenance of existing assets in the communities and ongoing maintenance of assets in the park. The Consensus Team and Parks Canada have implemented effective strategies for the recruitment, retention and development of Dehcho Dene.

Visitor Experience Indicators

Indicators	Measures	
Visits	<i>Attendance (person-visit)</i>	
Enjoyment	<i>Enjoyed Visit</i>	
	<i>Satisfaction with Availability of Services</i>	
	<i>Satisfaction with Availability of Activities</i>	
	<i>Satisfaction with Staff Demonstrating Passion</i>	
	<i>Satisfaction with Condition of Facilities</i>	
Learning	<i>Learned Something</i>	
Satisfaction	<i>Overall Visit Satisfaction</i>	
	<i>Satisfaction with Information Prior to Arrival</i>	
	<i>Satisfaction with Value for Entry Fee</i>	

Sources: *Parks Canada Attendance 2012-2013 and 2016-2017 Visitor Information Program Lite 2017 Ipsos Reid 2008-2009 NNPR Visitor Survey*

Overview

The measures that were rated fair were marginally below a good rating. It is anticipated that the development of new website content will better address visitor expectations with regards to services, facilities and planning.









Visits – Over the past 33 years, visitation has fluctuated from 700 visitors to 1400 visitors. Long term visitation trends remain relatively steady. There has been a trend of increased visitation since 2013. A similar five year trend occurred from 1992 -1996. The past 5 year average length of stay for overnight visitors is 14 days, equating to 7200 visitor days.

Enjoyment – Ongoing significant investments in infrastructure, visitor services and interpretive experiences are aimed at visitor enjoyment, safety and learning. Overall visitor enjoyment is high in Nahanni. However, the provision of effective facilities/options to manage human waste is a significant issue. The park is currently reviewing options for sustainable human waste management solutions.

Learning – The interpretive team in cooperation with the Nah?a Dehé Consensus Team developed and implemented a new vision for visitor experiences that is visitor centred and braids traditional knowledge, contemporary Dene knowledge and science-based knowledge into hands on experiential activity and dialogic conversation. Results from 222 completed surveys (2014-2017) indicate that 95% agreed they learned something about natural heritage, and 95% were satisfied with the learning activities facilitated by staff.

Satisfaction – Visitor feedback surveys indicate a high degree of overall satisfaction. Parks Canada staff and programming has been adaptive to the changing needs of our visitors. Commercial guides, outfitters and air charter companies also make significant investments for the delivery of high quality services that contribute to overall visitor satisfaction.

Built Assets Indicators

Indicators	Measures	
Buildings	<i>All types</i>	
Dams	<i>High Hazard Dams, Significant Hazard Dams</i>	
Fortifications	<i>All types</i>	
Highways	<i>Highways</i>	
Marine Structures	<i>Locks, marine rails, walls, wharves and docks.</i>	
Roads	<i>Special attraction roads and access roads to visitor facilities</i>	
Vehicular Bridges	<i>Highway and Roadway Bridges, Canal Bridges, Crossing Structures</i>	
Visitor Facilities	<i>Campgrounds, Day-use Areas, Trails, Parking Lots, Pedestrian & Trail Bridges</i>	

Buildings – Parks Canada has cabins, caches and sheds in the park, as well as park offices in Fort Simpson and Nahanni Butte. Buildings continue to be maintained to an operational standard, some of these structures are aging and strategic capital planning is required to maintain their functionality. Capital funds for new offices in Fort Simpson and Nahanni Butte have been allocated.

Marine Structures

Most visitors access the park at designated landing sites by float plane and docks are essential to safe mooring and visitor access. Floating docks are in place at Gahnjthah Mie and seasonally on the South Nahanni River at Náìlìcho. The floating docks at Náìlìcho have undergone a redesign and will be installed in fall 2018.

Visitor Facilities– Visitor facilities in the park will remain primitive and are developed to mitigate visitor impacts to the environment and to improve visitor safety. Such facilities were designed to maintain wilderness character and minimize the infrastructure foot print. Information panels and signs are becoming outdated and require modernization. Significant investments have been made to the campground, boardwalk, and floating docks at Náìlìcho. This infrastructure has steadily drawn significant resources to maintain, due to the destructive forces of permafrost. Nahanni was approved for Central Asset Investment funding to address these long standing issues. Plans are underway for the redevelopment of the Náìlìcho facility.

Key issues

Asset Sustainability

The remote nature of the park and permafrost heaving are inherent logistical, financial, and engineering challenges related to the management of infrastructure. Information panels and signs are becoming outdated and require modernization.

Ecological Issues

Climate change is believed to be the underlying driver of recent fluctuations in fire intensity and frequency, forest bird community composition, glacier extent and mass balance. Ongoing monitoring and new partnerships for research may help us better understand these fluctuations.

Upstream industrial activities, as well as existing and proposed industrial roads passing through the park reserve, have the potential to impact the ecological integrity of NNPR. Greater research and monitoring is needed to better understand ecological concerns related to these proposed developments; for example, understanding impacts to water quality and to range use patterns of Woodland caribou (northern mountain population).

Visitor Expectations

NNPR experiences an aging luxury traveller demographic that expects a high level of services and facilities as well as a high quality wilderness experience. Visitor feedback indicates there is room for improvement on web content and sustainable facility development (e.g. signage, outhouses, and food caches) and services.

Appendix 1: Species at Risk Indicators

Species

Species listed on Schedule 1 of the *Species at Risk Act*

Endangered

Little Brown Myotis (*Myotis lucifugus*)

Northern Myotis (*Myotis septentrionalis*)

Threatened

Caribou – Boreal population (*Rangifer tarandus*)

Common Nighthawk (*Chordeiles minor*)

Olive-sided Flycatcher (*Contopus cooperi*)

Wood Bison (*Bos bison athabasca*)

Barn Swallow (*Hirundo rustica*)

Bank Swallow (*Riparia riparia*)

Special Concern

Nahanni Aster (*Symphyotrichum nahanniense*)

Collared Pika (*Ochotona collaris*)

Grizzly Bear – Western population (*Ursus arctos*)

Wolverine (*Gulo gulo*)

Short-eared Owl (*Asio flammeus*)

Horned Grebe – Western population (*Podiceps auritus*)

Rusty Blackbird (*Euphagus carolinus*)

Yellow Rail (*Coturnicops noveboracensis*)

Peregrine Falcon (*Falco peregrinus*)

Columbian Carpet Moss (*Bryoerythrophyllum columbianum*)

Other species of interest (assessed by COSEWIC)

Special Concern

Caribou – Northern Mountain population (*Rangifer tarandus*)

Bull Trout – Western Arctic populations (*Salvelinus confluentus*)

Overview

Changes in species conservation status or trends

- NNPR has 18 species that are listed on Schedule 1 of SARA.
- Nahanni Aster was listed on Schedule 1 of SARA in February 2018, as a species of Special Concern.
- Grizzly Bear, Western population, and Wolverine were listed on Schedule 1 of SARA in June 2018, as species of Special Concern.

Key information and threats

- Nahanni Aster is found only in NNPR. Key threats include habitat alteration from geological events or climate change, invasive species, and recreational user impacts.
- Proposed mining access roads through NNPR may impact species at risk. Research is continuing to investigate potential impacts on caribou habitat use, rare plant species, and birds.
- Climate change remains a key threat for all species at risk in NNPR.

Results of management actions

- Ongoing research and monitoring efforts are focused on Collared Pika, Little Brown Myotis, Bull Trout, and Northern Mountain Caribou.
- In 2017, research confirmed Grotte Valerie as Canada's northernmost bat hibernaculum.

Completion of recovery documents or other legal requirements

- A Management Plan for Nahanni Aster has been drafted and will be posted by February 2021.
- Grotte Valerie is currently being identified as Critical Habitat for the Little Brown Myotis and is a Zone I Special Preservation Area under the *Canada National Parks Act*.
- In March 2014 a protection statement was posted on the Species at Risk Public Registry explaining how critical habitat for Caribou – Boreal Population in NNPR is protected under the *Canada National Parks Act* (CNPA) and its regulations.
- NNPR participates in the development/review of recovery strategies and management plans for species at risk in our heritage area.



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ILI is dedicated to strengthening Indigenous Nationhood and Indigenous leadership on the land.



INDIGENOUS LEADERSHIP INITIATIVE

ILI Senior Leadership



INDIGENOUS LEADERSHIP INITIATIVE

How We Work



INDIGENOUS LEADERSHIP INITIATIVE



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What We Work On

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Indigenous Land Relationship Planning



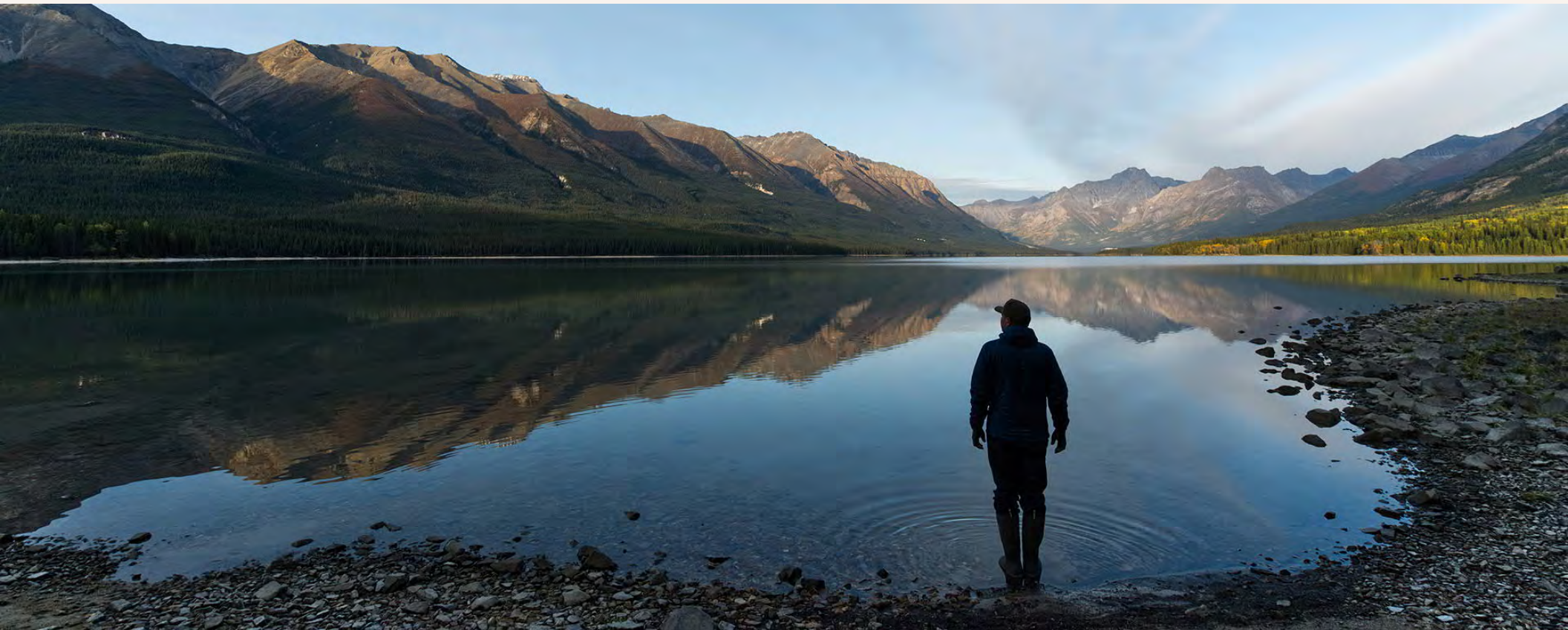
INDIGENOUS LEADERSHIP INITIATIVE

Helped support
dozens of
Indigenous
Nations' plans



INDIGENOUS LEADERSHIP INITIATIVE

Indigenous Protected & Conserved Areas



Helping secure investment in scores of Indigenous Protected and Conserved Areas proposed across the country



INDIGENOUS LEADERSHIP INITIATIVE

Helping place Indigenous-led conservation
at the heart of Canada's strategy for
protecting 30% of land and water by 2030



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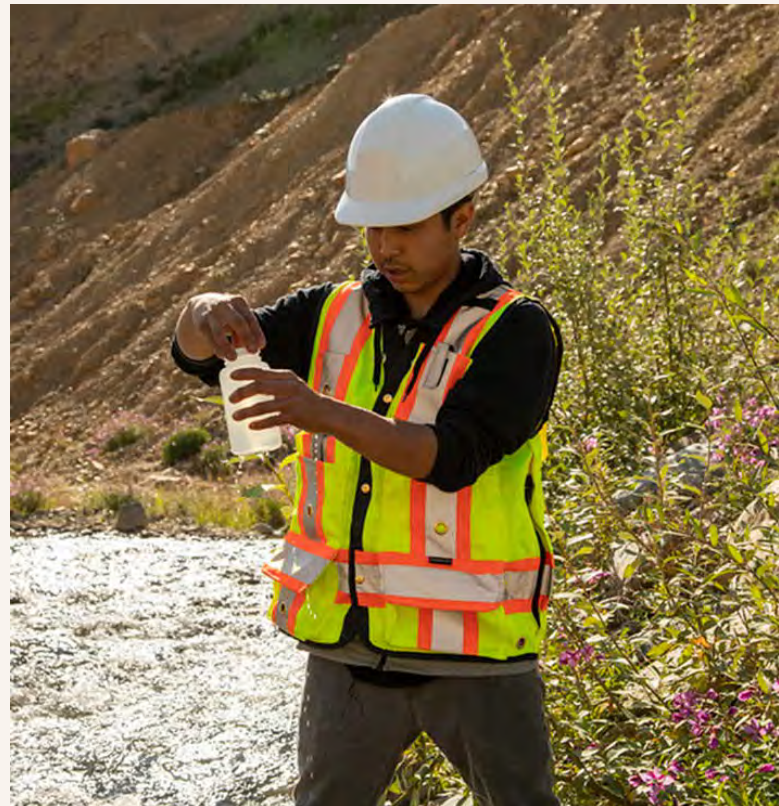
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Guardians



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Helped expand the number of First Nations Guardians programs from 30 in 2016 to close to 200 programs by mid-2024



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Helped multiple new federal funds for Guardians by sevenfold within five years



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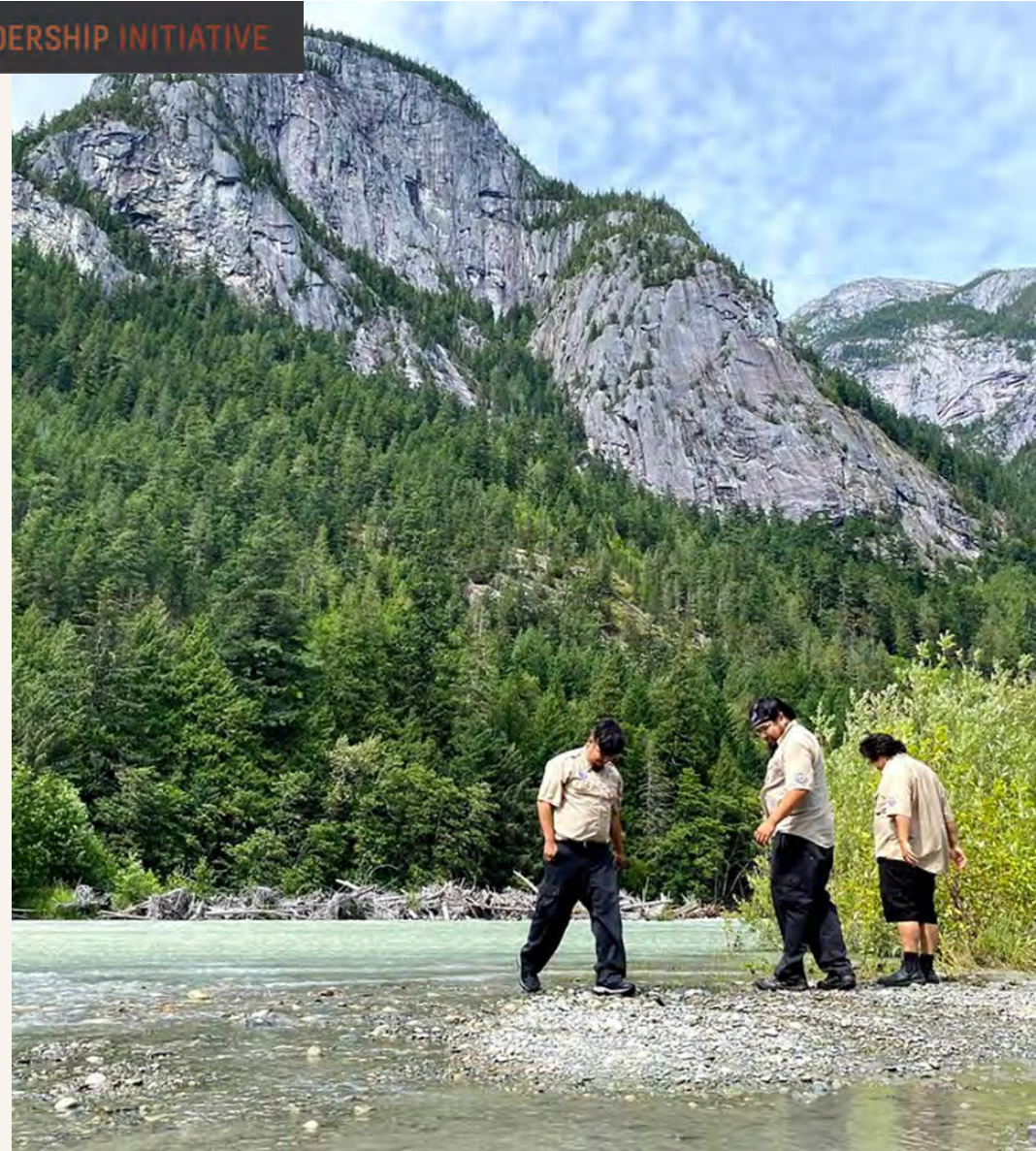
Helping launch the First Nations National Guardians Network



Path Forward

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Every Indigenous Nation that wants to create an IPCA has the support to do so



INDIGENOUS LEADERSHIP INITIATIVE

Every Indigenous Nation that wants a Guardians program has the support to do so





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Build A Better Canada

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How to Be an Ally of Indigenous-led Conservation

THIS IS A PIVOTAL TIME FOR INDIGENOUS COMMUNITIES IN CANADA.

Indigenous Peoples are calling attention to solutions to growing crises on the land. Climate change, disappearing wildlife, and the ever-growing demand for resources, in addition to the legacy of colonialism in Canada, have combined to threaten our homelands and way of life. We are answering these challenges by supporting the creation of Indigenous Guardian programs and Indigenous Protected and Conserved Areas to continue taking responsibility for the health of the land, its wildlife, our Peoples and the Earth.

But we can't do it alone. Indigenous Peoples need allies to help secure long-term support for Indigenous-led conservation. We value and deeply appreciate your support.

Here is some perspective on how Indigenous and non-Indigenous people can work together in a new approach to conservation—one rooted in Indigenous laws, science and relationships with the land. One that demonstrates reconciliation in action.

We are not trying to be prescriptive of others' actions. But we do have hopes and expectations for how we collaborate. This guidance is offered in that spirit.

landneedsguardians.ca

TRUST INDIGENOUS LEADERSHIP

This campaign is guided by Indigenous Peoples' vision for the land and waters. They are the true experts of their land and way of life and are best positioned to identify solutions that work for communities. Respectful partners will trust this vision and expertise.

CREATE SPACE FOR INDIGENOUS VOICES

Make space for Indigenous voices and uplift them. Partners can play a role in amplifying these voices, but Indigenous Peoples' stories should be told by Indigenous Peoples. Foster more opportunities for Indigenous leaders to speak from centre stage.

UNDERSTAND THE CONNECTION BETWEEN LAND AND NATIONHOOD

Indigenous Peoples' relationship with the land is the core of Indigenous Nationhood. Indigenous Nations are increasingly reclaiming stewardship responsibilities over traditional territories. Supporting nationhood also means respecting this authority at the decision-making table.

RECOGNIZE INDIGENOUS SCIENCE

Indigenous Peoples have developed highly specialized knowledge over thousands of years of caring for this continent. We encourage allies to learn about this body of Indigenous knowledge and science. And to value respectful dialogue across different knowledge systems.



PARTICIPATE WITH INTEREST

Bring a good heart and a desire to learn. The history of colonialism weighs heavily on this country, but supporting Indigenous leadership, stewardship, and self-determination is a step towards reconciliation. Be an active participant in creating this story of strength and leadership together.

FOCUS ON SOLUTIONS

This campaign is dedicated to expanding the positive work Indigenous Nations are doing to honour the responsibility to the land. Guardians and Indigenous Protected and Conserved Areas are proven models that keep lands healthy and strengthen communities. Support these Indigenous-led solutions and share news about their success.

SHARE STORIES WITH RESPECT

This campaign is enlivened by the voices of Indigenous Guardians across the country. Please respect their ownership of their words. Watch our campaign videos, read our stories and share our posts. Please include proper attribution if you quote material. And contact us if you want to repurpose it.

CONTINUE TO LEARN

Study the history of Indigenous Nations with traditional territories where you live and work. This education is a collective responsibility and Indigenous Peoples should not bear the burden for teaching others when many learning resources exist. Investing your time in understanding the context, history, culture, and vision of the Nations you partner with will help build strong, trusting and collaborative relationships.

INFLUENCE YOUR PEERS

Talk with non-Indigenous friends and colleagues about Indigenous leadership on the land. And challenge positions that perpetuate stereotypes about Indigenous Peoples and miss the chance to highlight positive work and outcomes. This is one of the most important things allies can do: educate your peers.



“If we take care of the land,
the land takes care of us.”

INDIGENOUS LEADERSHIP INITIATIVE

APPENDIX D

D WORKSHOP PLANNING COMMITTEE AND WORKING GROUP



Workshop Planning Committee

Lorraine Seale (GNWT)
 Alison Heslep (GNWT)
 Ash Varghese (GNWT) (Chair)
 Shakita Jensen (GNWT)
 Diane Marin (GNWT)
 Tracey Bekale (GNWT)
 Mark Cliffe-Phillips (MVEIRB)
 Malorey Nirlungayuk (MVEIRB)
 Donna Schear (MVEIRB)
 Ryan Fequet (WLWB)
 Sarah Elsasser (WLWB)
 Tanya Lantz (MVLWB)
 Nadine Lennie-Misgeld (CIRNAC)

Facilitators

Mark Cliffe-Phillips (MVEIRB)
 Tanya Lantz (MVLWB)

Interpreters

Mary Jane Cazon
 Elizabeth Hardisty

Graphics and Report Writing

Jessica Plummer (Graphic Note Taker, Bridge Building Group)
 Amanda-Brea Watson (Report Writer, Dillion Consulting Limited)

Community Support Group

Ashley Okrainec (Community Liaison)
 Liza McPherson (Łíídlı́ Kúé First Nation)
 Tanya Hardisty (host for cultural activity)
 Ginette Martineau and team (catering)
 Dehcho Drummers
 K'iyelı́ Tourism Services
 Village of Fort Simpson

Tech Support

Layne Robchinski, Pido Production Limited

Presenters

John Donihee (Willms & Shier Environmental Lawyers LLP)
 Mark Cliffe-Phillips (MVEIRB)
 Tyla Ahluwalia (CIRNAC)
 Larry Innes (Olthuis, Kleer, Townshend LLP)
 Claudine Lee (NorZinc Ltd.)
 Kelly Bourassa (GNWT-INF)
 Pauline de Jong (OROGO)
 Sam Kennedy (CIRNAC)
 Sharleen Hamm (Consultant to NATC)
 Heidi Wiebe (Dehcho Land Use Planning Committee)
 Justin Stoyko (SLUPB)
 Mark Poskitt (Tłı̄chǫ Government)
 Phoebe Rabesca (Tłı̄chǫ Government)
 Sue Mackenzie (GLUPB)
 Mike Lowe, Dehcho First Nations
 Twyla Edgi Masuzumi (Kasho Got'ine Foundation)
 John Tobac (Kasho Got'ine Foundation)
 Rosy Bjornson (Ni Hadi Xa)
 Jonathan Tsetso (Parks Canada)
 Dahti Tsetso (Indigenous Leadership Initiative)

Panel Discussion Groups

Indigenous Perspectives on the Yahey Decision

John Donihee (Willms & Shier)
 Larry Innes (OKT Law)
 Dene National Chief Gerald Antoine

Monitoring Programs Successes and Challenges – Guardians Dialogue

Jonathan Tsetso (Parks Canada)
 Twyla Edgi-Masuzumi/John Tobac (KGF)
 Rosy Bjornson (Ni Hadi Xa)
 Shannon Cazon (moderator)

Panel discussion with Emerging Leaders

Tanya MacIntosh (Chair, MVLWB; moderator)
 JoAnne Deneron (Chair, MVEIRB; moderator)
 Tonya Moreau-Betsaka (Manager and Student)
 Cassandra Blondin-Burt (Fire Resources and Medicine Maker and Journalist)
 Sheyenne Jumbo (Executive Assistant Samba K'e First Nation, NWT)