



NWT Board Forum Final Summary Report

**11th NWT Board Forum Meeting
Royal Canadian Legion
Norman Wells, NWT**

November 24 - 25, 2009

**Prepared by Terriplan Consultants
December 2009**

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**Royal Canadian Legion
Norman Wells. NT**

1.0 Introduction

The 11th meeting of the NWT Board Forum was held in Norman Wells, NT on November 24th to 25th, 2009. The co-hosts and chairs of this Board Forum were Larry Wallace, Chair of the Sahtu Land and Water Board, and Judith Wright-Bird, Chair of the Sahtu Land Use Planning Board. The meeting was facilitated by Ricki Hurst of Terriplan Consultants. The agenda for the meeting and a list of participants can be found in *Appendix A* and *Appendix B*, respectively.

The meeting was organized by the Board Forum Working Group made up of the Executive Directors of the Mackenzie Valley Environmental Impact Review Board (MVEIRB), the Mackenzie Valley Land and Water Board (MVLWB), the Joint Secretariat, the Deputy Minister of the GNWT Department of Environment and Natural Resources GNWT (ENR), and the Manager of the Board Relations Secretariat (BRS).

1.1 Purpose and Objectives of the Board Forum Meeting

The purpose of the NWT Board Forum's 11th meeting was to provide an opportunity for the Forum members to discuss their emerging priorities, challenges, and initiatives as a group. The Forum also heard reports from the Working Groups on the results of activities underway since the last forum meeting in Hay River in June 2009. This included reviewing progress on the current NWT Board Forum work plan, recommending actions to implement the work plan, and determining priorities for the next Forum meeting. This meeting also included technical briefings and updates on issue(s) identified by the members, as well as presentations from external speakers including representatives from the Protected Areas Strategy and the Canadian Northern Economic Development Agency (CanNor). Updates included presentations about matters of interest to the Boards such as the NWT Board Forum Website, NWT Caribou Update, NWT Minerals Forecast, NWT Water Strategy, Marian Lake Watershed Program, and the Northern Regulatory Improvement Initiative.

The following report, prepared by Terriplan Consultants, summarizes the discussions that took place during the two-day Board Forum.

1.2 Report Contents

This summary report is organized as follows:

Section 1	-	Introduction
Section 2	-	Opening Statement
Section 3	-	Member Updates
Section 4	-	Comments from Guest Speaker
Section 5	-	Strategic Overview from Previous Forum and Task Updates
Section 6	-	Presentations
Section 7	-	Terms of Reference
Section 8	-	Next Board Forum Meeting

Appendix A	-	NWT Board Forum Agenda
Appendix B	-	Participants List
Appendix C	-	Board Forum Terms of Reference (Nov 17, 2008)
Appendix D	-	Presentations

2.0 Opening Statement

To open the 11th NWT Board Forum the co-chairs, Larry Wallace of the Sahtu Land and Water Board and Judith Wright-Bird, of the Sahtu Land Use Planning Board, welcomed participants to Norman Wells and provided a brief description of planned activities. An opening prayer was given by Violet Camsell-Blondin.

3.0 Member Updates

The NWT Board Forum began, for the first time, with a members' roundtable. Chairs and Executive Directors reported on their activities based on the goal oriented approach set out in the previous Forum:

Goal 1:

"A coordinated/sustainable publicly supported natural resource management system exists in the NWT."

Goal 2:

"Member boards are knowledgeable and effective contributors to the system."

Goal 3:

"Communities, constituents and clients are consulted and informed in the pursuit of our goals."

3.1 Mackenzie Valley Environmental Impact Review Board – Richard Edjericon

Mr. Edjericon began by greeting all participants and thanking the co-chairs, and then proceeded with his update on MVEIRB activities, starting with a number of current projects. In terms of routine workload, the Review Board has five major environmental assessments underway at the moment.

Earlier in the year the Board completed an environmental assessment of the proposed Selwyn Resources mineral exploration development near the Yukon border at the north end of the expanded Nahanni National Park Reserve.

There are two on-going environmental impact reviews, the most well-known being the Mackenzie Gas Project currently undergoing review by the Joint Review Panel (JRP). The JRP Report is still expected by the end of December 2009.

The proposed DeBeers Gahcho Kue diamond mine on Kennedy Lake is also undergoing an environmental impact review; it has been in a holding pattern for some months now. MVEIRB expects an update later this month when the developer's environmental impact statement will be finalized and the review can proceed.

The MVEIRB has also received 50 preliminary screenings so far this year which is consistent with the numbers in the last fiscal year; and one environmental assessment was completed earlier in the year.

The Review Board is also making progress on a number of other initiatives that relate to the three goals the Board Forum set out for itself at its last meeting in June of this year (these goals are listed at the beginning of section 3.0).

Goal 1:

- The MVEIRB is continuing to establish cooperative working relationships with neighbouring jurisdictions in the event of transboundary projects that need assessment. MVEIRB has been making good progress in negotiations with Alberta Environment and hope to eventually engage Saskatchewan and British Columbia in similar discussions. So far MVEIRB has transboundary cooperation arrangements in place with the Yukon, Nunavut, the ISR and the National Energy Board (in respect to CEAA screenings in Alberta).
- The MVEIRB is also continuing work on draft Guidelines regarding the consideration of “Wildlife at Risk in EIA”. The advice and comments to date from the Board Forum have been much appreciated. The stakeholder working group will be completing its second draft shortly, which will hopefully be ready for a final round of public comment early in the new year.

Goal 2:

- The MVEIRB places a high priority on building good working relations with its Board Forum partners, with INAC and other responsible Ministries, and with Land Claimant Organizations.
- The MVEIRB is particularly focused on developing a collaborative approach toward a transparent system of monitoring, reporting and evaluation of measures, and terms and conditions issued by resource management Boards. It is the understanding of the MVEIRB that work on a tracking system has been undertaken by INAC in the past 10 months. The MVEIRB is still uncertain about whether all of its measures are being implemented and what the impact mitigation results have been.
- The MVEIRB continues to be keenly interested in the action the Federal Government will take in response to Neil McCrank's recommendations in his “Road to Resources Report”. Hopefully more will be made known about the government's approach to moving forward when Stephen Traynor from INAC speaks at the forum tomorrow.

MVEIRB has become somewhat concerned that so little is known about what will be announced in the government's Northern Regulatory Improvement Action Plan. While MVEIRB remains enthusiastic about pending improvements to the regulatory system, it is concerned that the GNWT, land claimant

organizations and Boards are not more actively engaged in the design of the Northern Regulatory Improvement Initiative, potentially resulting in more timely and successful implementation. If these concerns are shared generally by Board Forum Chairs – the Chairs Caucus may want to communicate this concern to Minister Strahl as a group.

To assure such success, it may be helpful for INAC to collaborate with these key northern stakeholders before formally announcing what the specific components of the Northern Regulatory Improvement Initiative will be.

Goal 3:

- The MVEIRB has recently released a discussion paper aimed at further defining what the concept of “public concern” means, especially as it applies to environmental assessments and reviews. The determination of what constitutes “likely” and “significant public concern” is central to MVEIRB’s process. MVEIRB is currently seeking the advice of stakeholders in developing the most appropriate criteria for making these determinations.
- The MVEIRB is continuing its development of Cultural Impact Assessment Guidelines and. The past year or so has focused primarily on gathering all relevant information and undertaking consultation on cultural impacts and indicators that would be helpful for cultural impact assessment. A draft guideline document will be distributed for public comment in March 2010.
- Last, but not least, the MVEIRB is undertaking a major review of its EIA Guidelines focusing first on the preliminary screening process. This is something which has been discussed a lot over the past year with the Land and Water Boards and other regulatory authorities and reviewing organizations. Again, a working group has been set up including representatives from the MVLWB, DFO and Environment Canada. The draft is due for completion in March 2010 followed by a public comment period. Mid 2010/11 is the target date for completion of the revised EIA Guidelines.

3.2 Gwich’in Land & Water Board – Paul Sullivan

The GLWB is now running at full staff capacity, with personnel continuing to participate in working groups within the Board Forum. GLWB is also currently in the process of hiring an office manager and hopes to have that position staffed in the New Year.

The GLWB recently had representation at the GeoSciences Forum in Yellowknife in November. The GLWB will be conducting a technical training workshop in the GSR in February – March, similar to the one the Sahtu held earlier this month, and anyone interested in participating can contact the GLWB for more details

3.3 Northwest Territories Water Board – Eddie Dillon

Mr. Dillon began with a comment on the report from the previous forum, stating that credit needs to be given to the MVLWB for their ongoing help to the NWTWB.

Some staffing changes have occurred at the NWTWB, primarily the departure of board member André Corriveau, who has been replaced by Mark Cleveland, and the appointment of Peter Bannon as a new board member. Sarah McKenzie has also joined the NWTWB as the Regulatory Coordinator and a new Regulatory Officer, Veronique D'Amours Gauthier, joins the team in January.

The NWTWB is currently fine tuning its MoU with the NEB regarding Downhole Injection, and has received an application from MGM. The NWTWB has approved the MGM application and received sign off from the minister. The NWTWB also issued three municipal water licences, to Aklavik, Sachs Harbour, and Paulatuk.

A workshop was held in Inuvik for all people in the communities to give them an idea of how downhole injection works. The NWTWB also attended the 2009 Inuvik Petroleum Show, and the 50th Anniversary of the NEB in Calgary. There was a great deal of interest in the Inuvik area about fuel storage in ice-bound barges so a workshop was held and was well attended. Participants had many questions and concerns so NWTWB has decided to keep this issue in the foreground and to provide information and further investigation into how this topic may be addressed so people feel more comfortable about potential issues. There have not, to date, been any spills, but the NWTWB wants to address the 'what if' concern and be prepared in case an incident does occur.

The NWTWB is currently undergoing a strategic planning exercise to get its house in order and determine how to address forthcoming applications, as the current system contains outdated rules and procedures and is in need of review. Mike Harlow et al are working on an online application system which appears to be progressing well and should be operational soon.

3.4 Environmental Impact Screening Committee – Fred McFarland

Mr. McFarland thanked the chairs for hosting the Forum and gave his regrets for being unable to attend the Board Forum in Hay River. He also passed on the regrets of Elisabeth Snider, Frank Pokiak, Norm Snow and others representing the ISR for being unable to attend this Forum.

The EISC saw little activity this past summer due to an absence of oil and gas exploration and not much has changed into the winter season, though there is some preparation occurring for a drilling program in 2011 in the Delta. In March, the EISC will be engaged with the Inuvik-Tuktoyaktuk highway proposal, which is a collaborative effort between the GNWT and the municipalities. The project is planned to commence in the Fall of 2010, so the timeline is tight.

In regards to the first goal set out at the previous Board Forum, EISC, in cooperation with the EIRB, drafted operating guidelines and procedures last spring and has had excellent comments from all

regulatory agencies in the ISR. EISC is now revising those comments into a second draft and would like to acknowledge the support the committee has received from INAC. A joint meeting was held between the EISC and EIRB, to ensure language and format of the guidelines are consistent.

Falling under goal two, the meeting also provided an opportunity to discuss training required for upcoming offshore drilling programs. There is, however, no standing budget for this at this time.

A two-day workshop was held in August with the Joint Secretariat with the goal of completing a strategic plan by Christmas 2009.

In regard to goal three, the EISC website and public registry is now operational and the EIRB is hoping to follow suit in the near future. A goal for the committee and the review board is to have all paperwork digitized; EISC meetings have been held electronically for almost two years now where everyone at the table has a laptop and virtual binders, saving the EIRC staff time and printing costs.

3.5 Wek'èezhii Land and Water Board – Violet Camsell-Blondin

After thanking the hosts, Ms. Camsell-Blondin began the WLWB update with a note on the Marian Lake monitoring project. Details will follow in the presentation to be made by Mark Cliffe-Philips.

The WLWB attended a hearing on abandonment and reclamation for BHP as fish habitat was identified as an issue and brought to judicial review. The timeline on this review is not known, but it is an issue that the WLWB will continue to deal with.

The WLWB is continuing training with staff and board members. The Tlicho Government has replaced Joe Rabesca with a new member and there will also be a new board member appointed by the GNWT who will require training.

A Wek'èezhii Forum was held recently, including staff from the Tlicho Lands Department, the WLWB and the WRRB. The WLWB hopes to include technical staff in future Forums.

The WLWB made presentations at the Northern Governance Conference, the GeoSciences forum, and other public venues. It also held meetings in Gameti and Wekweti to inform the public of the WLWB mandate. Last year the WLWB was invited to speak at the AGM and the presentation on WLWB activities was well received by participants.

3.6 Gwich'In Land Use Planning Board – Charlie Snowshoe

Mr. Snowshoe is the Vice Chair of the GLUPB and he began by relaying the apologies of the other members who could not attend this Forum.

Regarding goal one, the GLUPB is currently developing a regional plan of action document that is an evolution of the implementation strategy from the Land Use Plan's first approval. The GLUPB envisions that this document will:

- Identify the groups that have mandates for
 - Conducting primary research
 - Setting resource management policy
 - Regulatory or enforcement responsibilities
- Identify gaps in information needed for ongoing land use planning (GLUPB research agenda for the next review in five years).
- Be consistent with the Environmental Stewardship Framework described by INAC
- Extend the processes and partnerships built through the development and implementation of the *Plan* into a more formalized cooperative process for integrated resource management.

The Board is currently consulting with government and industry stakeholders for input into the Land Use Plan and Regional Plan of Action. Letters to regulators who have a role in Plan implementation will be distributed shortly. Initial consultations with the communities are already complete.

The strategies identified for goal two are primarily addressed in the Board's efforts to develop the Regional Plan of Action, an ongoing planning process, and Plan implementation activities. Detailed information about these activities can be obtained from the GLUPB office.

One area that is just commencing is the development of formal training programs and resource materials specific to land use planning for new Board Members. Sue Mackenzie is planning to focus on this in March 2010.

Regarding goal three, the nature of the Board's approach to land use planning is highly consultative, especially at the community level. There is a communication plan as part of the plan review process which is summarized in the stakeholder list and review timeline documents developed by the Board.

The Board is continuing work on the Gwich'in Atlas, which will be printed before the end of the 2010-2011 fiscal year.

The GLUPB has not issued an annual report for a couple of years, but has published a few community newsletters and contributed to the Gwich'in Implementation Committee's annual report. An annual report that includes the last two years will be produced as soon as staff are no longer engaged in the Plan Review.

3.7 GNWT Environment & Natural Resources – Doris Eggers

Ms. Eggers began by stating her pleasure at being at her second NWT Board Forum meeting, and by offering regrets from the GNWT's member, Mark Warren, who had another commitment this week and was unable to attend.

Ms. Eggers acknowledged other GNWT people in attendance, including Keith Hickling, Regional Superintendent and Jan Adamczewski, who will present information about trends in caribou populations on day two of the forum. Ms. Eggers noted that all three of the Board Forum goals apply to most of the major initiatives ENR undertakes.

The first goal, for a coordinated or sustainable publicly supported natural resource management system in the NWT, relates closely to ENR's mandate to promote and support the sustainable use and development of natural resources, and to protect, conserve and enhance the Northwest Territories environment for the social and economic benefit of all Northwest Territories residents.

GNWT also supports Goal 2, that boards are knowledgeable and effective contributors to the system, as illustrated in the GNWT's stated approach to regulatory system improvement.

ENR works closely with Aboriginal governments and boards as well as other stakeholders and consults routinely on its major initiatives. This is consistent with Goal 3.

At the last Board Forum meeting in Hay River, Ms. Eggers provided an update on the GNWT's approach to regulatory system improvement. GNWT understands that INAC will be providing an update later in the agenda. Copies have been provided of the GNWT's Approach to Regulatory Improvement as well as a Summary document, which can also be found on the GNWT website. The GNWT is committed to completing and providing adequate capacity to the integrated system of land and water regulation envisioned in lands, resources and self-government agreements.

Since the last Board forum meeting new barren-ground caribou population surveys have been completed for a number of herds. These surveys indicate a significant decline in the Bathurst herd and a stable trend in the Cape Bathurst and Bluenose West herds. The GNWT is in the process of creating and implementing significant management actions for the Bathurst Herd.

On November 4, 2009 the GNWT released a draft *Northern Voices: Northern Waters NWT Water Stewardship Strategy*. The current vision is that "the waters of the NWT will remain clean, abundant and productive for all time." On behalf of the GNWT ENR Land and Water Unit, Ms. Eggers thanked all the boards who have. The Strategy will be mailed out in hardcopy and some copies are available at this Board Forum – extra copies are available from 2nd floor Scotia Centre in Yellowknife. You can also see the Strategy on the GNWT web-site under "What's New", "Water", or "Publications". During the winter months, a public engagement process will take place and GNWT ENR looks forward to your participation. Any questions or comments can be submitted to NWTWaterStrategy@gov.nt.ca.

The GNWT contributes to regional land use planning through the development, approval and review processes. The GNWT continues to work on a land use framework that will help provide clear and consistent GNWT policy direction. The GNWT believes that all planning and policy must be knowledge-based; informed through science, local, and traditional knowledge. In 2009 ENR released a State of the Environment Report and a GNWT science agenda, *Building a Path for Northern Science*.

The NWT Species at Risk Act (SARA) passed its third reading and will come into force on February 1, 2010. ENR would be happy to discuss the implications and implementation of this legislation.

Work continues on the new Wildlife Act, using the same collaborative working group approach used to develop SARA. Aboriginal organizations representing areas without settled land claims have been invited to participate alongside organizations from settled claim areas. Three more working group meetings are scheduled to identify main elements of the bill. Release of a public document is expected by the Spring on the main elements of the bill and will follow consultation.

ENR continues to advance its efforts to address the challenges of climate change by implementing the *Greenhouse Gas Strategy*, delivering energy efficiency programs, investigating renewable energy options, and developing a climate change adaptation plan.

The GNWT is also working on a Biomass Strategy. ENR has many initiatives (including wood pellet boilers, district heating, forest assessment and business planning for pellet production) being implemented. The *Biomass Energy Strategy* will guide increased use of biomass energy in the NWT while ensuring that local harvest of wood remains sustainable. ENR is also promoting the use of solar and wind alternative energy sources for development.

ENR is developing Regulations for the incidental use of timber under the Forest Management Act. An Incidental Timber Permit will be required by all companies that clear trees incidental to the primary land use activity (i.e. clearing trees for seismic lines). This will give ENR the ability to better monitor forest resource use in the NWT.

ENR is proceeding with a major review of forest management legislation and policy. Research, consultation, and drafting will take place over the next few years, with a plan to introduce the new legislation during the term of the next government (the 17th Assembly). The information gained from this process will also help to develop a Forest Resources Policy, which will complement the Forest Fire Management Policy, and will help guide future decision-making.

ENR, INAC and EC are nearing the completion of Best Management Practices for seismic operations. The guidance is not legislated, but will ensure that ENR, EC and INAC offer consistent expert advice to regulatory authorities when reviewing seismic applications. The process to develop these guidelines has involved consultation with regulatory agencies, industry and communities. The seismic guidelines should be released in 2010.

ENR has prepared a five-year plan and a number of regulations to reduce or divert paper products, milk containers, single use retail bags and e-waste (electronic hardware) from the NWT waste stream.

The GNWT has been engaged with the Federal Government since October 2008 in organizing the federal and territorial departments to prepare a single Government Response to the JRP Report due in December 2010. The GNWT has also continued dialogue with the Proponents on sub-arrangements under the Socio-Economic Agreement, most notably on Transportation.

3.8 Mackenzie Valley Land & Water Board – Willard Hagen

Mr. Hagen began by reviewing goal one of the Board Forum in striving to be a knowledgeable and effective participant in a resource management system that informs and consults with all interested and effected parties. With that vision in mind, the MVLWB would like to review some of the recent activities and challenges.

Despite the world-wide recession, the staff and Board were very active. Since April of this year, it has handled 160 files including new applications, licences and permits, amendments, closures, and other matters.

Mr. Hagen explained that to remain transparent in handling its files, the Board maintains a Public Registry (both in hard copy and digitally on our website), publishes newsletters and an annual report, places ads in various media, and does interviews with local reporters. Further to this, the Board attends various conferences at which it gives presentations and/or has a display booth to keep the name in the public mind and to answer questions. The MVLWB also presides at public hearings which opens the regulatory process to the scrutiny of all members of the public. Hearings held this year include:

- Tundra Mine , November 4, Yellowknife
- NWT Power Corporation, Bluefish – postponed, Yellowknife
- City of Yellowknife, January 19–20
- City of Hay River, January 26-27



**Tundra Mine Public Hearing,
November 2009. Yellowknife**

The Board is currently in a phase in which its project files present complex challenges and have put it in the public spotlight. It has been dealing with issues concerning:

- section 98
- the Bluefish Dam (NTPC)
- Tundra Mines
- Paramount Limited.

- court challenges (Paramount and North Arrow)

Mr. Hagen reported on how the MVLWB is continuing to pursue refinement of its processes through the ongoing research of its six working groups. They are writing papers on how to increase the efficiency and consistency of the MVLWB's review processes. The Board is also analyzing the timelines and obstacles that it faces when handling applications. For instance, it sees that the most common element that deems an application incomplete is lack of consultation. This information will help prepare guidelines so Proponents will have a better idea of how to reduce the number of applications that are returned to them. Further consultation activity includes regular, face-to-face meetings between MVLWB and INAC staff, resulting in a better understanding of the needs of each organization concerning an applicant's public engagement obligations.

The MVLWB has a strong relationship with the National Energy Board and are jointly drafting terms of a broad-based memorandum of understanding which will cover training and other topics of mutual interest.

3.9 Sahtu Renewable Resources Board – Chris Hopkins

Mr. Hopkins presented the update on behalf of the SSRB. He noted that he has recently replaced Jody Snortland as Executive Director of the SRRB and offered regrets from the Board Chair, who is attending Wildlife Act meetings in Yellowknife this week.

Mr. Hopkins informed the group that the SRRB is working with ENR and other wildlife and renewable resource boards to develop a new management plan for caribou, as all herds appear to be in decline, and there is a great deal of pressure on the Board to deal with this issue.

Nominations for the SRRB have been held up since February and some explanation on why the process is taking so long would be well received by the Board.

There are currently two training programs being run out of the Sahtu that began as a project to find missing whitefish near Norman Wells, and have developed into a full credit course at Mackenzie Mountain School. Under this program, students are making numerous scientific discoveries, including a new species of insect.

3.10 National Energy Board – Sheila Leggett

Ms. Leggett began by noting that the NEB is celebrating its 50th anniversary this year and thanked those who participated in recent celebrations in Calgary. The NEB appreciates the ongoing opportunity to participate in the Board Forum.

Regarding goal one, the NEB has separated the two roles (operations and regulatory decisions) which were previously combined in the role of Chief Conservation Officer. Bharat Dixit remains responsible for

the operational aspects of the NEB/COGOA mandates in northern Canada while, effective the end of November, John McCarthy becomes the Chief Conservation Officer (CCO). The CCO will now be involved only in the regulatory decisions associated with this role. Increased public interest in oil and gas activities in northern Canada has resulted in the Board taking responsibility for two recent decisions, rather than having them made by the CCO. The two examples are an application for a 3-D seismic program in the Beaufort this past summer and an ongoing review of same season relief well capability.

Alison Farrand has been assigned the role of Northern Coordinator within the NEB.

Regarding goal two, this year's strategic plan is just about complete. To make their process more effective and efficient, the NEB tried a different approach where the Board focused on the "what" by defining desired outcomes, with staff taking the responsibility for the "how" – which will be described in the NEB's Internal Action Plan. It was a collaborative approach which involved broad staff engagement and improved accountability.

One of the outcomes of the strategic planning process was an interest of the Board to begin using terms such as sustainability and sustainable energy further as they discuss their mandate for the consideration of facilities and their ongoing operations. The NEB expects to release its Governance Manual on its website next month. It has been a complicated process but worth the time and effort as the Board has achieved more clarity on responsibilities and accountabilities. Anyone who wants to will be able to link to it online.

The NEB announced that Final Argument for the MGP application will take place in April 2010, pending receipt of the JRP Report in December 2009.

Regarding goal three, the NEB has been refining its consultation approaches, including the Energy Information Program (EIP). The Board is attempting to broaden its consultation program in terms of the breadth of groups invited to participate.

As part of its EIP, the NEB released its Reference Case update this summer in addition to a report on oil and gas infrastructure and a briefing note on shale gas.

There followed a series of questions to Ms. Leggett on the separation of the two positions (conservation and operations) and the NEB's experience of developing a governance manual.

3.11 Sahtu Land Use Planning Board – Judith Wright-Bird

Ms. Wright-Bird reported that the SLUPB is currently sitting with a full board, but one appointment (SSI) expires in Spring 2010; a name has been put forward and the Board is waiting for an approval.

The Board has just hired a GIS person and will now be able to release the third draft of the Great Bear Lake (GBL) Water Management Plan much earlier than expected, as the Board is no longer relying on the overloaded GNWT GIS office. The Board is planning a December/January meeting on the GBL Plan as there are some problems with legislation and the Board wants to be able to include comments on the

legislation in draft three which is timetabled for release in March 2010. There will be more consultation once draft three is released as well as a three month period for stakeholder comment. The Board is hoping there will be some form of regional forum in the Fall which will provide the basis for the development of the map and the next draft. The Board is hoping to have the final draft out in March 2011.

The biggest challenge the SLUPB faces is funding, and the Board will continue to express this concern to the minister and other bodies.

3.12 Sahtu Land & Water Board – George Govier

Chair Larry Wallace introduced the Executive Director George Govier who reported that during the first four months of the fiscal year, the SLWB has entertained one water licence applications, evaluated three final plans and issued four letters of clearance. Most of the Board's time is occupied with annual reports: nine industrial, six municipal, and three miscellaneous water licences and several summer site inspections.

Highlights of recent significant Board activities include:

- A decision on an access road for a quarry at Little Bear River just outside the boundary of Tulita; there was a review of the decision and the Board became involved in the application outside the municipal boundary – the Board took on the responsibility when the hamlet would not.
- Extending/reviewing permits and water licencing in the wake of the delay of the release of the JRP Report; companies are holding onto their permits just in case the project is approved.
- INAC-CARD clean-up at some mine sites; the Board met twice on applications for a permit and licence for remediation and declared that further study and investigation is required.
- An Application for a permit at Howard's Pass was approved on condition of Environmental Assessment.

Participation of Board staff on various working groups developing standard procedures is ongoing and has been productive. Regarding the tenth annual technical training session, the SLWB looks forward to having a final Land Use Plan in the Sahtu and is in full support of the final product. The Board also wants to recognize the work of the BRS and the work they do. The training and materials BRS provides are excellent, and thank you to the BRS for supporting SLWB training and assisting with funding to participate in the various board working groups.

The SLWB has a display set up at this forum which showcases a map of the Board's permits and licences as well as an assortment of categories of land use permits and process maps on the application process.

There was then a discussion on BLTs and jurisdictional authority and liability (i.e. tank farms in YK versus Behchoko).

3.13 Indian & Northern Affairs Canada – Trish Merrithew-Mercredi

For INAC this year has been a year of waiting, particularly the anticipation of the release of the JRP Report, which is still scheduled for release at the end of December 2010. INAC appreciates the patience that everyone at this forum has shown, especially regarding Board training funding. Ms. Merrithew-Mercredi stated that INAC is hoping for some financial relief in the next fiscal year, and appreciates how the Boards have been able to accommodate the financial pressure.

INAC's Northern Region Strategic Plan is in its sixth draft and the final draft should be out in a week or two. INAC hopes to have some time to discuss with the Boards what is being done in the region and will be sending copies of the draft to each Board. This will be a public document and INAC will be looking for feedback from chairs and staff.

3.14 Welcome and Comments from Guest Speaker – Larry Tourangeau

Larry Tourangeau, who is a past Chair of the Sahtu Secretariat Inc, spoke to the Forum in lieu of Ethel Blondin-Andrew, who was unable to attend. Mr. Tourangeau welcomed everyone to the Board Forum and to Norman Wells. Over the past few years Mr. Tourangeau has held a number of posts and is currently the Chief Self-Government Negotiator for Norman Wells.

Negotiation requires acute sensitivity to the needs of the community and the people within. When Norman Wells was engaged in the Sahtu Claim negotiations, the community looked to the Gwich'in as an example, as they had taken a lead and begun the process themselves. People want a say in how things are done and in the Sahtu and so the regional boards, such as the SLWB, the RRBs and other boards, were negotiated into the claim settlement.

The Boards seem to be working because the people have a say in what happens on their lands especially in areas that directly affect us in environmental issues and protecting the animals, so that was really positive and should continue for a long time. When everything was based in Yellowknife it was alright, but it wasn't practical to have decisions made by people somewhere else, so the region welcomed the opportunity to negotiate more control for the Sahtu boards and to develop good relationships with boards in other regions.

When dealing with negotiations for self-government, Norman Wells is dealing with lands that are outside municipal boundaries and wants to be sure the land and water are protected. It's important to have a say in anything that affects land and water and the animals that use it. The boards all support each other and continue to do good work. Norman Wells wants to ensure that whatever land we have jurisdiction over has environmental protection. Opening a dialogue between aboriginal governments and other board and agencies is always good and should be encouraged.

4.0 Strategic Overview of Previous Forum – Richard Edjericon

Richard Edjericon introduced this item by recalling the previous Board Forum in Hay River, where a very productive session on Strategic Planning occurred. Gaeten Caron, Richard Edjericon, Ricki Hurst and George Govier helped facilitate the sessions, both collectively and as breakout groups

Feedback from members about the Hay River Forum included:

- This was a productive session and the timing was good for such strategic thinking about the Board Forum
- The Forum was in need of some change and a more direct focus
- It was helpful for participants to ask “what is the purpose of the Board Forum now and what should it be in the future?”

Members approved the Goals and Strategies and agreed that these compliment the NWT Board Forum Terms of Reference. There was also a suggestion that Round Table introductory presentations (as well as other Board Forum projects and activities) consider these broad goals.

The following are a few key points taken from the Hay River Board Forum Report which summarize the meeting’s findings and should help remind participants of their progress.

- An agreement in principle on Vision, Purpose and Values of the Board Forum
- A summary of concepts (Note: members did not dwell on the word smithing or fine tuning)
- Capturing some of the main concepts about where participants want to go in terms of quality and timely EA and regulatory reviews; the effective management of natural resources; the purpose of the Board Forum itself; and some of the values that are brought to this table that should be maintained and encouraged

The three goals agreed upon at the 10th board Forum are listed at the beginning of section 3.0.

There were also a number of strategies under each goal which all participants supported. This was reflected in the effort made by each Board to try to organize their opening remarks in the roundtable of this Forum. It is an interesting idea to present opening remarks in a way that puts the information categories according to the three goals of the draft NWT Board Forum Strategic Plan. This should help focus the meetings in a way that gets the most out of the available time – which is especially important when time is a scarce resource. This is also a method of checking in on progress and judging how the Board Forum is doing compared to its Vision and Goals.

In closing, Mr. Edjericon introduced the various working groups whose reports are summarized in section 5.0 below.

5.0 Board Forum Task Updates

5.1 Positive Messaging – Manik Duggar, MVLWB

Positive Messaging involving how the Boards can best work together in the future falls under Goal 1, as identified at the previous Forum. Values identified under this goal include:

- Objectivity
- Teamwork, accountability and collaboration
- Accountability
- Culturally respectful approach
- Balance (between development and environmental protection)

A key issue the Boards face is that a high number of community members continue to be unaware of what the Boards or the NWT Board Forum does. Efforts also need to be made to understand communities and other organizations that may be participating at the Forum. Communities need to know what's happening at this Forum (and with the regulatory system in general).

The Forum needs to explore avenues the can Forum tap into in order to “get the word out” (e.g. Quarterly Press Release, Radio, etc.) and experiences need to be shared amongst members. One example of good communication is the restructuring and relocation of the NWTWB in the past year. Knowledge Transferring remains a component of the Forum but the practice is rarely mentioned by members. The interdependence of parties at this Forum should not be underestimated. Each member offers something to the group, and the membership as a whole is stronger thanks to the collective it has formed.

The working group proposes that an early prototype document of key messages that be drafted for those outside the forum. Messages would include evolving improvements that are taking place within the system, and garnering feedback with the aim of continual improvement. Examples of system improvements and Knowledge Sharing currently being pursued by various boards include:

- L&W Board Staff Working Groups to bring about consistency in process and procedures throughout the Mackenzie Valley. The Working Groups are involving other agencies such as INAC, DFO, EC and the NEB to get feedback and improve our own processes;
- MGP-IMS Pilot project, initiated for the MGP and supported by NGPS/INAC/MGPO. The versatility and the flexibility of the product is such that it is now being refined and used by the MVLWB and the NWTWB, and soon may be used by other land and water boards;
- MOU between NWTWB and the NEB
- Potential MOU between the MVLWB and the NEB
- Cooperation among Boards in developing an NWT-wide Board training strategy

- Sharing of the NEB's expertise in various areas including developing technical capacity of Board staff (MVLWB has already done this);
- Wek'èzhii Forum: Marion Lake Watershed Monitoring & Management Program

Examples of possible messages to be shared widely include:

- **Cultural Impact Assessment (CIA) Guidelines (The Review Board)**
The two-year project is currently in the information gathering phase, and a CIA Guidelines 'brochure' will be distributed shortly to the Boards and public, which describes progress to date.
- **Wildlife at Risk in EIA (Draft Guidelines)**
MVEIRB is continuing to work on draft guidelines regarding the consideration of "Wildlife at Risk in EIA"
- **WLWB's Semi-annual Wek'èzhii Forum**
A number of board members and the Tâichô Assembly recently took part in a technical training course. The WLWB asked that a Masters student develop an introductory course to geology, mineral exploration and mineral process.
- **GNWT's Response to the McCrank Report**
In March 2009, the GNWT publicly released a document online in response to the McCrank report. The GNWT response to the McCrank report can be found here:
<http://www.executive.gov.nt.ca/regulatoryimprovement/>
- **Goal-oriented, Risk-based Approach (NEB)**
The NEB plans to continue to implement a goal-oriented, risk-based philosophy of the full regulatory life-cycle
- **Caribou Management Plan in the NWT (Sahtu Renewable Resources Board and other Boards and Agencies)**
- **The Sahtu Land Use Plan (2nd Draft)**
SLUB released its 2nd draft on May 6th, and can be found online at: www.sahtulanduseplan.org
- **Electronic Public Registry (SLWB)**
With BRS support in the form of software, hardware and staff training, SLWB is developing their electronic public registry.
- **Disposal of Drilling Waste (NWTWB)**
In June the NWTWB hosted a workshop and information session with the ILA and other Board Forum members to discuss the proper disposal of drilling waste.
- **Gwich'in Atlas (GLUPB)**
Funding from the International Polar Year (IPY) allowed the GLUPB to begin drafting a Gwich'in atlas. The map will provide a historical base of the region and an overview of the regions topography, settlement areas, and land use projection/planning.

- **CanNor: Northern Economic Development Agency**

Government of Canada committed \$50 million over five years to support economic development in the North through the creation of a new regional economic development agency for the North and \$90 million over five years for a renewed Strategic Initiative for Northern Economic Development;

The following are brainstorming points on how to approach the dissemination of positive information and messaging:

- Quarterly News/Media Releases
- Radio/TV Interviews by Board Forum Caucus
- BF Website
- Individual Boards websites
- Individual Boards Newsletter, where applicable
- Conveying the message through workshops, conferences and relevant public forum and meetings

It is important for the Forum to reach agreement as soon as possible on the following next steps:

- Consensus on the key messages/information
 - To be shared within the Forum
 - To be shared widely
- Incorporation of key messages/information into June 2009 action Items
 - 1(b): create Powerpoint presentation on NWT BF Communication
 - 1(C): Develop a conceptual Communication Strategy
- Identify target dates for delivery

Discussion:

Comment – Sheila Leggett: Identifying key messages is important developing a “shopping list” would help in coming up with these deliverables.

Comment – Trish Merrithew-Mercredi: There is not only an issue of the public knowing what the Boards do, but also making sure governments know what the role of the Board Forum is, especially federal departments.

Comment – Eric Yaxley: we have a communications working group and, if there are enough tasks, maybe they can take this on and develop some of these concepts into a presentation for the next Board Forum.

Comment – John McCarthy: I’ve seen press releases issued after forums indicating key points, which is a simple way to give momentum and provide transparency to the process and “make it real”.

Response – Eric Yaxley: that is also something the communication working group could look at doing.

Comment – Zabey Nevitt: I think if we could describe our roles using the Board Forum, this could translate into producing something that would provide a basic understanding of what we do.

Question – Fred McFarland: Doesn't the website identify each of the boards and their processes and purpose? If it's already out there, do we have an idea of how well the website is used, and by whom? Before we develop a new tool, I think we should start with what exists (website).

Response – Eric Yaxley: I think it needs expansion beyond the website, but the website needs to be promoted. The communication working group may be approached to advance the website and provide an update on usage; it's an ongoing project.

Comment – Manik Duggar: I think the website is one tool. We still need of another vehicle for communicating our messages, for example – workshops, presentations, etc.

Comment – Sheila Leggett: I believe there was, in June 2009, agreement that a presentation would be created for this Forum. Today, we can get an understanding from the Board Forum members on what the messages are, and then we can prepare a communications strategy based on those comments.

Response – Eric Yaxley: I think there is enough high level messaging that our working group could put something together for the next Board Forum that members can approve or edit.

The Board Forum members decided that the Communications Working Group would continue work on a communications strategy presentation for the next Board Forum. Members agreed it was important to identify targets and messaging and maintain communication between Forums.

5.2 Reference Material – Eric Yaxley, INAC/BRS

At the previous Board Forum in Hay River, a working group led by the Board Relations Secretariat was tasked with developing an inventory of existing policies, procedures and guidelines. These documents would assist in identifying what currently exists and subsequently identify where gaps may occur. The BRS was also tasked with identifying Boards that have documents pertaining to Traditional Knowledge. The Board Relations Secretariat subsequently polled the Boards in September requesting this information. Of the 14 boards, 7 boards responded with reference materials:

- Environmental Impact Review Board
- Environmental Impact Screening Committee
- Gwich'in Land and Water Board
- Gwich'in Renewable Resources Board
- Mackenzie Valley Environmental Impact Review Board
- Sahtu Land and Water Board
- Sahtu Renewable Resources Board

The GNWT provided information pertaining to ENR's Traditional Knowledge Plan and Traditional Knowledge Implementation Plan. The reference material was divided into three categories:

Policies

- Broad overarching policy or framework

- Policies are put in place by the Board and/or Government
- Can be internal policies that the Board creates or legislated policies

Rules of Procedure

- Administrative procedures

Guidelines

- Guiding principles

For the current Board Forum inventory of reference material currently in existence, see Appendix D. MVEIRB has several policies that may be of assistance to other Boards, such as Finance Policy, Overtime, Leave & Attendance, Travel, and others. SRRB also has a lot of reference material (such as Dene Ways of Respecting the Land and Animals, SRRB Harvest Study Data Reports, etc).

This information could be collected and posted on the NWT Board Forum website if Boards think it would be useful. Executive Directors and others should review the research at their convenience to determine the value of further work on this activity. Should there be value in posting this reference material, the Board Forum Communications Group would be tasked with this activity.

Discussion:

Comment – Paul Sullivan: posting this information is fine, but housekeeping needs to be addressed. Maybe a providing a link to the individual boards is necessary, so the information stays current.

Response – Eric Yaxley: The registry could list information available on each Board's website.

Q – Fred McFarland: Is this information available on the Boards' websites? Some of it is internal and not shared.

Comment – Martin Haeefe: Some of this information is more of an internal resource for Board Forum.

Response – Eric Yaxley: Agreed, we want people to access the individual Boards for up to date information, rather than duplicating it on the Board Forum site.

Comment – Yolande Chapman: Consideration is being given to be a 'members only' section of the website, where boards could share this info internally as appropriate to compare policy etc. This part of the Board Forum web site is still under consideration and pending availability of resources.

Comment – Fred McFarland: I think what has been done is really good. It would save staff hours and resources to be able to use existing examples of policies as templates. I think this provides some incentive to get the rest of the information from the remaining boards and once it has been compiled, make it available on the members-only site.

The Board Forum members then agreed that completing the list of available information is worth pursuing. When it can be determined what level of effort is required to create different areas of the website, it will be brought back to the Board Forum as an information item.

5.3 Commitment to Work Together – Paul Sullivan, GLWB & John McCarthy, NEB

This presentation covered methods the Board Forum can use to transform a commitment to work together into a plan for action. This can be achieved in part by recognizing that specialized knowledge and skills are required to deliver on our mandate and that such skills and strengths may exist with Board Forum Members. Forum members must also support each other to be successful.

Some guiding principles for commitment would include respecting existing decision-making responsibilities and confidentiality, as appropriate; defining a scope of work and time frames; and equitable recovery for cost beyond the service provider's responsibilities.

Vehicles for cooperation identified by the working group responsible for this presentation included a Memorandum of Understanding between the NEB and NWTWB pertaining in particular to assessment of down-hole injection, and a number of Service Agreements such as those between the NEB and Inuvialuit Regional Corporation and between the NEB and Yukon Oil and Gas, which includes a review of drilling applications, inspection of facilities and operations and technical analysis of significant discoveries (Production Acreage Block on IFA 7 (10)(a) lands).

Service Agreement features could include:

- Service requested by IRC as required;
- NEB provision of services within its priorities
- Recovery of costs for people time, expenses, and overhead;
- Respect for time lines;
- Having the Agreements available on NEB website (e.g. Agreement between NEB and IRC signed 17 Sep 09)
- Five (5) year life time;
- Option for early termination or extension;
- Language that does not fetter decision maker;
- Dispute resolution mechanism;
- Would be tested in Dec 09 through a PAB application

5.4 Board Forum Arrangements – Mike Harlow, NWTWB

Board Forum members face many challenges, such as a complicated permitting and review processes for natural resource management, a wide variety of proposed projects, local and regional responsibilities, high costs associated with operations (i.e. travel etc.), and the difficulty to attract, maintain and train qualified staff. By using all available resources, members can increase productivity and reduce frustration. Sometimes it is hard to know where to look to get resources but BRS is doing a great job helping Boards get together (i.e. training programs etc). Collectively, there is a lot of knowledge between boards and great resource at everyone's disposal to meet the challenges faced.

At the Hay River Board Forum meeting in June, members wanted to know if Boards are currently tapping into these resources, how member Boards are working together, and what the successes and challenges are. The NWTWB, NEB and WLWB were tasked with reviewing existing 'arrangements' and came up with the following conclusions:

- Arrangement = *"to come to an agreement or understanding regarding X.* In general terms the word 'arrangement' refers to the idea that two or more Forum member organisations agree to complete actions for a desired outcome. The term 'arrangement' could also be interpreted as 'working relationship', 'agreement', 'information sharing' etc. The goal of an arrangement should be to improve the current situation of one Board Forum member agency, whether it is to improve that agency's administration, resources or policy development"
- Entering into this task could be considered an arrangement

An Excel questionnaire was sent to all executive directors. The results showed that members played different roles within an arrangement, that types of arrangements reported vary from formal to relaxed, and that most arrangements reported were felt to be successful. There were also some consistencies about areas where arrangements can be improved.

Six organizations responded to the survey (including all 3 Sahtu) and 50 arrangements were noted with an average of 8.3 per organization. Most reported more formal arrangements but there were also a lot of informal arrangements. The frequency of arrangements varied, and they were mainly on an 'as needed' basis. The number of people typically involved was six, but some were as low as two and some as high as fifteen.

Some arrangements need to be formal in order to ensure required work is completed, though not all need to be formal as members often get better results when there is less pressure, and more open discussion. All arrangements noted were successful and issues of funding, IT, terms and conditions, policy, planning and other areas were improved for at least one Board as a result of an arrangement.

The most common reason for an arrangement is to share information – i.e. why start from scratch when somebody else has already done what you're trying to do? Getting assistance from these people makes sense and if a Board needs to start somewhere, a similar organization makes the most sense.

Lack of staff, travel budget, or equipment can affect effectiveness of an arrangement as can a lack of commitment to meet the terms of an arrangement. Board members have to assess resources before committing to a task – does it really need to be done? Are the resources there to get it done?

Arrangements appear to be working for the most part. Some observations were made that there is room for existing arrangements to be fine tuned and for new arrangements to be made. Good working arrangements create good working relationships and mean more can get done with fewer resources. Working well together helps solidify the Board Forum to other organizations.

There was also cautionary advice to enter into an arrangement only if you need assistance/information and you can also reciprocate. Also, ensure the arrangement is well thought out and understood before it is entered into; this does not have to mean days and days of planning, but some dedicated thought is required. Most importantly keep your end of the arrangement and if your organization is not getting what you need out of an arrangement, consider removing yourself from it.

5.5 Training Update – Zabey Nevitt, WLWB

The Training Steering Committee (TSC) submitted a proposal to INAC and received \$200,000 for training for the 2009/2010 fiscal year. This is \$100,000 less than last year, and far below what GLL estimated for Board Forum needs. Two priorities for courses were identified:

The first is a Decision Making Course which would be an enhanced and interactive version of the Administrative Law course of previous years that would cater to participants who have taken the course in the past as well as those who have not. The course would be offered in Inuvik and Yellowknife, 2.5 days each, and up to 20 people in each session.

The second is an Orientation course that would build on the existing Orientation Binder. The TSC produced a Teaching Guide so executive directors and staff can orient new members if a course is not upcoming, and a statement of work (SOW) has been prepared by the Committee for a contractor. Selection of a date for these courses is required, preferably the end of January or the beginning of February, at the latest.

Additionally, an INAC employee may be available to provide an ATIPP training course before March, but Board Forum may not have enough funds for travel to the course. It could be possible, however, to attach it to one or both of the John Donihee courses.

6.0 Presentations and Updates

During the two-day Board Forum, there were a number of presentations and updates on matters of interest to the Boards. The following presentations were provided:

PRESENTATION	PRESENTER
Marion Lake Watershed Monitoring Program: a Wek'èezhii Forum Initiative	Mark Cliffe-Philips, WLWB
Minerals and Oil & Gas Sector Outlook	Malcolm Robb, INAC
Caribou Update	Jan Adamczewski, GNWT ENR
NWT Audit Update and Discussion	Gerd Wiatzka, Senes Consultants
"Kamiks on the Tundra" and Discussion	Nicole Jauvin, Deputy Minister of CanNor
Regulatory Improvement Initiative Update	Alison Lobsinger, INAC
Protected Areas Strategy	Karen Hamre, PAS

Each presentation is summarized below, along with a summary of key discussion points. Copies of all available Power Point presentations are found in Appendix D.

6.1 Wekeezhii Forum and Marian Lake Watershed Monitoring & Management Program – Mark Cliffe-Philips, WLWB

The Wek'èezhii Forum formed in 2008 to help develop integrated management strategies between the land, water, and wildlife management agencies within the Wek'èezhii Management area, including the Tlicho Lands Protection Department, Wek'èezhii Renewable Resources Board, and the Wek'èezhii Land and Water Board.

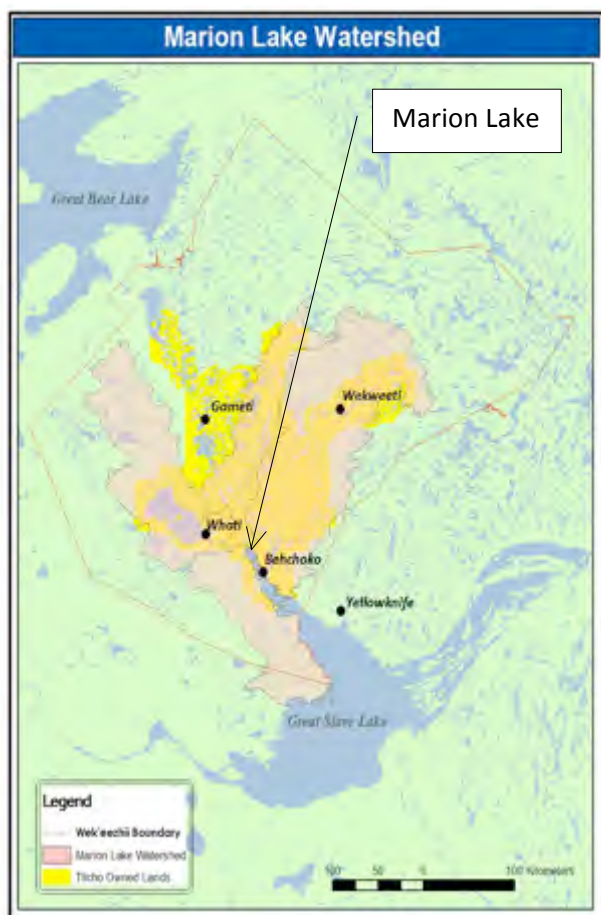
The Tlicho Agreement created the Wek'èezhii Management Area, which is over 100,000 km squared. Within this area is the contiguous Tlicho 39,000 km squared of owned lands. The Tlicho Government is the governing authority on Tlicho lands and the Tlicho Lands Protection Department (TLPD) is responsible for managing the Tlicho Land Use Planning Process, Tlicho Land Administration, monitoring and enforcement, and reviewing land use permits, water licences, crown land applications, research permits, etc. The TLPD also has a mandate to manage fish wildlife harvesting on Tlicho Lands.

The Wek'èezhii Renewable Resources Board (WRRB) is a wildlife co-management authority established by the Tlicho Agreement and whose powers include wildlife and wildlife habitat management, commercial activities related to wildlife, forest and plant management, and protected areas. Co-

management is an approach where government agencies and local groups (aboriginal) share authority and decision-making in the management of resources. The Renewable Resources Board is a wildlife Manager and not a regulator. The WRRB is an institution of public government and must act in the public interest.

The purpose of the Wek'èezhìi Land and Water Board (WLWB) is to regulate the use of land and water and the deposit of waste throughout the Wek'èezhìi Management Area, providing for the conservation, development and utilization of land and water resources to provide the optimum benefit for all Canadians and, in particular, for residents of Wek'èezhìi.

Wek'èezhìi Forum initiatives include regular Planning and Information Sharing Workshops and community Tours as well as the formation of Working Groups that focus on Traditional Environmental Knowledge (TEK), Data and Resource Sharing – GIS, and Regional Scale Watershed Monitoring Program.



One such monitoring program covers the Marion Lake Watershed which includes the Marion River, Snare River, and Lac La Martre River. There are also three Tlicho communities within the Watershed: Behchoko, Whati, and Wekweèti.

Among the reasons that the Marion Lake Watershed was chosen, are that it is an intensive Traditional Use Area for Tlicho Residents, its rivers and lakes are the roadways of the Tlicho, and it supports the spirit of the Tlicho Agreement for a cooperative and coordinated management of land and water within the Wek'èezhìi Management Area. There is also considerable community concern over the protection of water for residents and wildlife (VEC's).

There is historical data available (Scientific and TK), monitoring and research already occurring, though uncoordinated at present, and a Land Use Plan is nearing completion (end of land use moratorium). In addition, there is a current lack of knowledge for Land, Water and Wildlife decision makers and future development likely.

The short term objectives of the Marion Lake Watershed Monitoring Program include an audit of current monitoring activities, developing a monitoring database, community engagement (Identify monitoring priorities – VEC's) and development of a pilot community based fisheries monitoring program in Behchoko. A Draft monitoring framework is also planned which would also focus on education, capacity building and communication protocols

Long-term objectives include a community based monitoring programs within each Tlicho community, development of standard protocols for monitoring within the Watershed, an education and communication framework, a portal for monitoring data and the provision of sufficient data to assess cumulative impact assessment at a regional scale. It is also important that the program be community driven and promotes community capacity building, providing an integrated approach to monitoring programs (Multi Agency), pairing Traditional Knowledge with Western Science.

The next steps for the program are to make people aware of the program, to continue to engage communities and to contact interested parties within the NWT as well as Universities/Colleges. Other steps are the formation of a working group (steering committee) and obtaining funding.

Discussion:

Q - George Govier: this strikes me as being right at the forefront of why the WLWB is on a different page from Sahtu – Tlicho has a self-government agreement, and this makes all the difference. One of your goals is about obtaining funding from sources outside your land claim agreement? How much time and money is this taking from your LWB?

A: The WLWB doesn't budget money to this, only our time. We try to focus solely on areas that our board is mandated to do. We're looking at SMP monitoring for municipal water licences and working with INAC and MACA and developing increased monitoring and capacity building. We're trying to act as a coordinator for activities affecting all our agencies. In terms of funding, we're looking for cumulative effects funding.

Q – Mike Harlow: you mention three groups with three mandates, is there confusion within your membership, with everything presented at one time? Have external agencies been receptive?

A: This is quite a new program. It's really come out of the NWT Water strategy meetings and we've been looking at the recommendations coming out of it and looking at how we can use them. We find presenting all the boards in one room helps us answer everyone's questions – the people do not disassociate land water and wildlife, even though we do, so people only want to have to go to one place for their answers. In terms of outside agencies (federal and GNWT) they are currently very receptive to working with us and how we're doing it (resource pooling is good!).

Q – Willard Hagen: This is what the land claim system should be doing, good example. What about the Snare Hydro dam? How does this fit in?

A: there is a lot of information being collected around Snare Hydro and this helps provide us with examples to be proactive on future development.

Comment - Charlie Snowshoe: Best presentation I've seen today – good to see what local people are doing in their area. It looks to me that the work was done with the communities. The GTC area all put in their concerns and we worked on that – I lived on that land, I know that land, and when we are included in the process, it makes the work worth it, so I congratulate you on a job well done.

Q – Doris Eggers: This project looks very interesting. I think your three components are very strong. You mentioned some of the other groups you are working with, what's your involvement with GNWT ENR?

A: Karen Clark with WRRB will be engaging with ENR. Our first focus was on fisheries and water because of deadline constraints. We want to have all our frameworks in place before we jump into activities.

6.2 Minerals, Oil and Gas Sector Outlook – Malcolm Robb, INAC

Mr. Robb described the purpose of this presentation as providing a snapshot of current mineral and oil and gas exploration and development activities in the NWT and an overview of anticipated non-renewable production and exploration trends to help regulatory boards with work planning and process efficiencies.

Equity markets have rebounded significantly since 2008 but financing for mineral exploration is still very tough as the financial industry is still very risk averse. Most metal prices have recovered and gold is at record highs. Oil prices have also recovered but natural gas remains at very low prices. Rough diamonds have also recovered in the last few months and interest in some of the more specialized metals has increased.

Capital and operating expenditures by the minerals and oil and gas sector has been the main driver of the NWT economy in the last 10 years averaging \$800+ million per year. With the completion of the Snap Lake mine, Diavik A418 dyke, Ekati Koala/Panda underground development and the Diavik underground mine there are currently no significant capital projects. There is virtually no significant oil and gas exploration activity forecast for 2009.

The NWT has seen a drastic deterioration in its position regarding mineral exploration expenditures when compared to other Canadian Provinces and Territories, and exploration expenditure for commodities (other than diamonds) did not see the same level of increase as in other Canadian jurisdictions. Reasons for the slower growth in exploration activity are likely related to:

- Lack of infrastructure
- Lack of clarity regarding conservation zones in areas with high base metal potential (e.g. Mackenzie Mountains)
- Unsettled land claims and community concerns (particularly for Uranium exploration)
- Potential for referral to EA for early stage work (first pass drilling) in some areas of NWT

In regard to the financial impact of exploration in the NWT. Since 2003 the Sahtu region has seen mineral exploration expenditures of over \$100 million dollars for diamonds, uranium and base metals. Despite the issues around exploration in the Akaitcho area south of Great Slave Lake and in the Thelon, expenditures have exceeded \$20 million in the last three years. An average of \$200 million a year was spent by oil and gas companies over last seven years.

Some regulatory implications of the economic slowdown include lower number of new applications, more extension requests, assignments etc. and more amendment requests to reflect changing mine plans. There will be more interest in government collection and dissemination of existing regional environmental, geological and TK baseline data. There is potential for 2010 to see four mining EAs (including Giant Mine) and one mining EIR project to enter the technical review/hearing phase. This will

be at the same time as the MGP panel report review. The advances of initiatives at diamond mines (non traditional mining techniques) will have regulatory implications as well.

Discussion:

Q – Mike Harlow: What’s the potential with rare earth metals?

A: Nothing really in the next three years, but maybe within 5 years if the money is out there. This is a very unique geological structure in the NWT.

Comment – John McCarthy: I’m going to plug “Primer on understanding Canadian Shale Gas” which is available on our website.

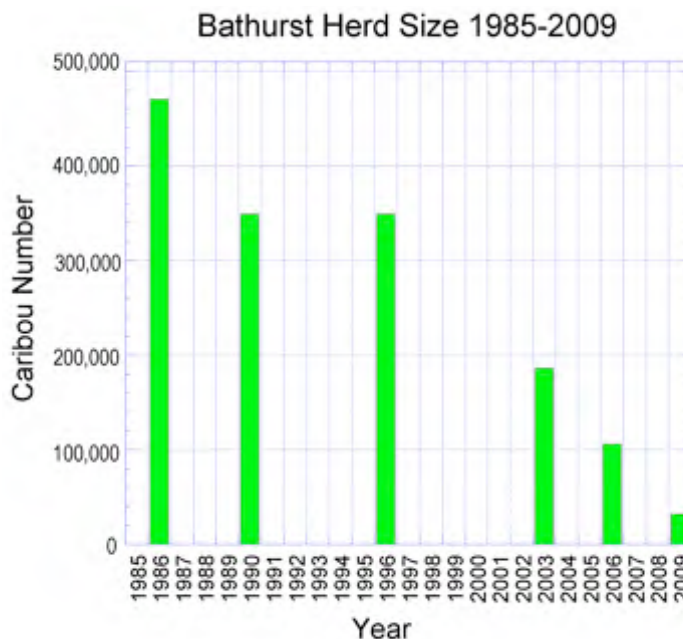
Q – Charlie Snowshoe: Why is there no exploration in BC? I’m asking because a lot of people are talking against development in the Yukon close to our area and there’s an old hunter who doesn’t ever want to see uranium mining in our watershed and Mackenzie valley said no around Lutsel’ke as well.

A: in BC the government looks at the potential for the entire province and have not seen the benefits so far, unlike Saskatchewan where there was a big question about whether the resource was significant enough to explore. There are a lot of concerns around uranium – if the community consultation is going to cost us a lot and they decide they don’t want it, where’s the benefit.

6.3 Caribou Update – Jan Adamczewski, GNWT ENR

This update was on all caribou herds in the NWT, but with a particular focus on the Bathurst Herd, which has shown the most serious decline in recent years and is currently the most threatened.

The herds are monitored in part through radio collar signals that are mapped by a computer program and by aerial photography surveys using data collected over a number of years. Caribou herds are defined by their calving grounds. The Porcupine Caribou herd has been difficult to count recently, because the weather has been uncooperative for the photo surveys though they seem to be experiencing a slower decline than other herds.



The Cape Bathurst and Bluenose herds have declined but have stabilized in recent years. The Bathurst herd is in serious decline as it’s the most hunted in the NWT, and the Beverly herd has all but disappeared since 1994 though it is possible that they may have joined another herd.

It is generally accepted that caribou populations do fluctuate, and we have seen how numbers have increased and decreased over the decades based on a combination of scientific and traditional knowledge. Currently, science and traditional knowledge are giving us the same story of a general pattern of decline, despite a history of peaks and lows.

Drilling and development as well as climate change may have a significant impact on herds. For example, the Porcupine herd moved from its preferred calving grounds due to a late spring and lack of vegetation. So far, declining herds that have undergone reduced or closed harvest have stabilized and are maintaining its population. The Bathurst herd is continuing its decline without a reduction of harvesting which means harvest is now a significant contributor to population decline. At the current rate of harvest, the herd is unsustainable and is forecasted to disappear by 2014 if no new management actions are implemented and enforced.

Consultation needs to occur between the GNWT and aboriginal organizations to develop a plan for the sustainability of caribou herds.

Discussion:

Q – Paul Sullivan: The Richardson muskox are increasing in number and they are known to carry disease. Does this have an affect on the herds?

A: from a biologist's point of view, the muskox don't have a huge impact on caribou herds – their food and habitat choices are quite different so there's no competition. Some of the parasites and diseases that don't normally exist north might be more of an issue as the climate warms up.

Q – Zabey Nevitt: It seems to be consensus that the herd is declining, but not everyone agrees on why. Is there work being done to look at all potential impacts such as developments, as well as harvest? Is there, for example, a harvest study being planned in the near future?

A: there is some work being done and some remote sensing but nothing yet that really points to one big thing that's changed. We're also looking at year-by-year patterns on the calving ranges to see if greenery is a factor in decline. In terms of harvest, it's a problem, and we've agreed with Tlicho that we need to have mandatory reporting by everyone, otherwise we won't get the numbers. A lot of harvest reporting has ceased for Aboriginal harvest. Wekeezhii is going to be bringing in reporting. Sahtu, Gwich'in and Inuvialuit have shut down harvest to non-residents and outfitters. It's tough on the outfitters because they only ever take bulls, and that doesn't have a huge impact. We really need to engage Aboriginal groups – we're running out of time on the Bathurst Herd.

Comment – Willard Hagen: Other than natural cycles and climate change, there's also the downside of successful land claims resulting in higher disposable income – faster, better snowmobiles mean people are going further to get caribou – they're accessible for hunting in more places, where there used to be safe places for them to hide. Technology and money are meaning people harvest more animals.

Response: I think the winter roads to the Diamond mines are also providing more access to more people to go out harvesting – the safe areas are no longer safe – the herd doesn't have the chance anymore to withdraw to isolated places to rebuild. This is a problem. I'm not suggesting harvesting is the main cause of decline, but harvest is the one element we can control.

Comment – Willard Hagen: The tradition used to be not to harvest cows, but that knowledge is not being passed on in the past 15 years. This is a big change.

Response: While we are not in full agreement with Tlicho on harvest restriction, the Metis Nation wants a total shutdown on the harvest, Yellowknives Dene are in favour of restriction, and some of the smaller outfitters have voluntarily shut down.

Comment/Q – Violet Camsell-Blondin: There is an ENR cabin on the road to Gameti and Wekweti which is high traffic in the winter and you see people from as far away as Simpson, Smith and Hay River. This cabin could be a point of control – a base for management regime at the point of entry to the Tlicho area. There are weekend hunters out there all the time and more predators as well. Is there to be more control on predators?

A: there is a check station which provides some numbers, but it doesn't catch all the numbers. Hunter education is very important and there is good agreement there with aboriginal hunters to reduce wastage and poor hunting practices. Predator control always comes up – controversial issue: wolf control especially is something to approach very carefully, and it's something we would have to work on with hunters and trappers.

Q – Paul Sullivan: with all the closures going on, do you have any numbers regarding activities on the Dempster Highway?

A: No numbers at this point, but there is speculation that hunters are going further afield to hunt caribou that aren't restricted. My understanding is that Aboriginal governments are upset with how the Yukon is managing caribou, and getting everyone to agree on management is a challenge.

Q – Charlie Snowshoe: Everyone's concerned and puzzled about the caribou declines – why is it happening? What are they doing to really find out why this is happening? I know it has a lot to do with climate change and hunting. We set up a management plan for the Porcupine herd, and it still declined – what's going on? Why is it declining? How seriously are ENR and the scientists trying to find out why? What can we do about this around this table?

A: when you ask what we can do about it, this usually comes back to things we directly control – focus on protecting hunting grounds and managing the harvest. You're right about climate change, there's an unknown about what it means and what it will do. Some things we control and predict, which is where we are focusing, and others we can't – we don't know how the spring will be this year. There are no simple answers.

6.4 NWT Audit Update and Discussion – Gerd Wiatzka, Senes Consultants

The purpose of the second NWT Environmental Audit is to provide an independent review of the state and effectiveness of regulatory regimes, the state-of and trends in the environment including human health and community wellness, and to report on the status of recommendations for improvements from first NWT Audit.

As with the first Audit (also undertaken by Senes Consultants), this is a unique and challenging assignment with a breadth of scope that encompasses a review of the adequacy of regulatory regimes

to protect key environment components from significant adverse impacts, as well as assess responses to previous audit recommendations and other initiatives. The Audit also aims to update and evaluate information on, and trends in, environmental quality and assess the effectiveness of cumulative impact monitoring.

The auditor faces a range of challenges including:

- Hybrid assignment - Performance Audit & State-of- Environment Review.
- Extensive land area to be covered.
- Multiple stakeholders with various agreements.
- Multiple regulatory regimes and guidance frameworks.
- Evolving roles and responsibilities.
- Incorporation of traditional knowledge.
- Inter-relationship to social well being.
- Constraints on audit budget.

Having done it once before, Senes has a sound understanding of these challenges and how to proceed. The approach is a two-part program. Phase one focuses on planning and preparation which involves the development of a detailed Audit Plan (protocols, criteria, expected to be similar to first audit) for implementation phase, introductory meetings, and initial information and data collection. During this period, ASC and INAC must make potential participants aware of the audit, though participants should not wait for formal contact to start developing materials for auditor review.

Phase two, Audit Implementation, includes information and data collection from Departments, Boards, Communities, Industry, NGOs and other Stakeholders; information review and assessment of programs (Collection and Management), quality (nature, extent, relevance) and SOE Trends; and Audit reporting and presentations of the Draft Audit Report and the Final Audit Report.

The ASC and INAC will inform the public and stakeholders of audit though the auditor will not “market” the audit. Audit participants should provide key information to the auditor prior to audit meetings which, from a regulatory regime perspective, should include, but not be limited to, responses to first Audit recommendations, existing or planned changes since first audit, and any new material issues or concerns since first audit. For the SOE, the auditor intends to use the same approach as in first Audit to update the document.

Information that will be requested from the Boards will include the nature and extent of applications already processed or still active by each board (how many, what type, duration, issues), details on the status of the first audit recommendation, direction to any specific areas of concern and the contact information for each board. Current thinking is to plan meetings in April and May to allow boards to prepare and provide information in advance.

Discussion:

Comment – George Govier: I appreciate the information you’ve presented. We had communication the last time and we provided information, but regarding follow up and my hope for improvement this time

around, there was little or nothing in terms of feedback on the Sahtu and we were looking for more. We kept being hounded by INAC even though we had responded to the consultant directly. We also want to note that changes took place as a result of the audit so that something positive came out of it. Marketing is key.

Comment – Richard Edjericon: yesterday we were talking about building on the Board Forum communication and I think somehow we need to use this audit and ramp up communication to draw out the success stories, and we need to make sure we tell our good stories as well as our complaints.

Response: the intent is to find things to improve on, but I would encourage you to let us know what kind of things you want out there. Speak up about successes as well as issues. It always goes back to us reporting how you are meeting your obligations under the act.

Q – Charlie Snowshoe: Can you define this environmental audit?

A: In this audit we are looking to determine: what pieces are in place under the Act, are they working, how could they improve, what needs to be done, what have they achieved, and are they doing what they're supposed to be doing? We compare this to what is happening on the ground.

Q – Charlie Snowshoe: is it needed? We are doing a good job.

A: there is a legal requirement in the Act to do it every 5 years.

Comment – Trish Merrithew-Mercredi: We have this as part of our communication plan

Response: we are really hoping to utilize INAC's communications mechanism.

6.5 “Kamiks on the Tundra” – Nicole Jauvin, CanNor

The Deputy Minister and President, Nicole Jauvin, began by explaining how the Canadian Northern Economic Development Agency (CanNor) was created this year and is hoping for a smooth transition with existing agencies and partners. The agency hopes to draw on the experience and expertise of the Board Forum as it finds its feet. CanNor was established as a stand-alone government agency – it's different because it's created for the north, in the north and will have decisions made here in the North. It hopes to deliver a suite of programs, some of which are new, and some pre-existing from other northern agencies.

CanNor is a small agency with only about 100 people across the three territories – but small is good because it can better build networks and trust that way. One of the first things CanNor did was agree on organizational values as an agency: service, trust, integrity and respect were the four key points to describe how CanNor will do its work.

Three things make CanNor different:

1. Program delivery – existing and new programs. CanNor looked at what programs would be most beneficial to the North and aimed at ensuring that almost all the decisions are made in the north rather than imposing priorities from the south.

2. This is the first time where a government agency has a deputy minister whose exclusive focus is the North. Based in Iqaluit, CanNor is trying to downsize the Ottawa office because the work should be done in the North. There is a public desire for CanNor to help people out when they're applying for programming – crating linkages is one of the agency's goals.
3. The Northern Project Management Office (NPMO) is in response to a recommendation from the McCrank Report. Its role is to cut federal red tape, provide guidance to proponents and articulate the roles in the aboriginal consultation process. Though a separate business unit, the NPMO is part of CanNor and is based in Yellowknife. CanNor hopes to have the NMPO up and running very soon under the leadership of Kate Hearn.

Discussion:

Q – Eddie Dillon: in the \$50 million allocated over five years, how much is overhead and how much is program delivery?

A: The \$10 mill per year is to operate and the rest of the money is for programming. SINAD money was transferred and there is some new money as well.

Q – George Govier: I have a suggestion – I would like to believe that the funding we receive from Canada to assist with regulatory financial arrangements for technical training and travel in working groups and forums could be normalized. I understand that funding authority may be with CanNor, and I'm hoping it will be available to us in future years. My question – if you have an NPMO, does that mean you will take the authority for issuing permits from us?

A: no to the permit question. Regarding funding, if it doesn't move over to CanNor, I think it's important that you obtain continued support from Canada. CanNor would become an advocate for continued funding from Ottawa should it be taken away.

Comment – Willard Hagen: regarding your approach to facilitating aboriginal consultation, this is interesting because we have a lot of cases in front of us stemming from consultation or lack thereof.

Response: We could have the role of being a repository of consultation information either simply as a registry, or we could go further and become responsible for making sure the consultations are done well. There are some saying we should be doing this, but that is something Ministers will decide. At this point, it would be useful to know your position and, if there is more, how it would be useful.

Q – Zabey Nevitt: My understanding of NPMO is to coordinate consistency with the Federal approach to projects – lately we receive different things from each agency, and this is a big headache for us. We had the same response to the Boards, so we have coordinated and created working groups. We have had difficulty getting funding. When resources are being put into NPMO, we can barely get a couple hundred thousand to operate. If we work with your organization, will we be able to develop stronger relationships there to get these projects moving forward?

A: We are advocating for a system that is balanced and I think we are on the same page to making the system function better, but the intention is not to have some parts working and other parts not, and we welcome any comments in our set up phase.

Q – Manik Duggar: how does the MGPO work within NPMO?

A: I have not heard of any plans for NPMO to take that on at this point.

Q – Chris Hopkins: Your office will be up and running in the spring, when are you open to receiving applications and proposals?

A: parts of the office are functioning now – for example, applications for research dollars – but the NPMO is not yet ready.

Q – Mike Harlow: You said you wanted Board Forum opinions, so is there a formal plan to sit down with the Forum and gain this opinion?

A: We are hoping to engage, for sure, and hope to do so within the next few months. We would like to be invited back to the Board Forum to check in and see where things are at.

6.6 Regulatory Improvement Initiative Update – Alison Lobsinger, INAC

Ms. Lobsinger of INAC began by noting that there is often talk in Ottawa about the work of the Board Forum and all the good things it does. This presentation has two purposes; provide an update on the Northern Regulatory Improvement Initiative (NRII), and give an overview of NUPPAA (but not go in-depth). INAC has presented on this topic a number of times, including at the Geosciences Forum last week, wherein Ms. Lobsinger's colleague Stephen Traynor was a presenter.

The NRII started as a response to the 2005 audit to Auditor General. The objectives of the NRII are, “to consider Canada’s role in northern development, reduce complexity by increasing the predictability and efficiency of the regimes, to consider regulatory improvement as part of land claim and devolution negotiations in the NWT while at the same time respecting settled land claim agreements, and to build a climate where periodic review, evaluation and improvement is seen as an integral element of the system.” Its purpose is also to continue the dialogue started by Neil McCrank.

Unfortunately, today’s presentation is not about INAC’s response to the McCrank Report. INAC does not want to give the same spiel that everyone has heard over and over. Presented today are a few points on what the agency thinks the response should include:

- Complete the regulatory system in the North by enacting outstanding legislation and support increased environmental management
- Respond to stakeholder concerns (Aboriginal Organizations, Northern Resource Management Boards, Territorial Governments, Industry)
- Improve transparency and certainty of the process
- Help address barriers to economic development and employment and encourage environmental stewardship
- Improve timeliness of environmental assessments and regulatory decisions
- Increase predictability of outcomes

- Increase capacity and accountability of responsibility holders
- Strengthen partnerships with Aboriginal and Land Claim Organizations

INAC wants this response to result in strong working relationships with people and build trust.

There is a lot going on at INAC, and the response to the McCrank Report is just one of many activities underway, for example, some NWT specific activities include an amendment of the Exemption List Regulations and Preliminary Screening Requirement Regulations and amendments to the Northwest Territories Waters Act. INAC is also carrying out activities that support McCrank Report recommendations, such as support for land use planning in the NWT, support for board training, and initiating the second environmental audit.

Ms. Lobsinger concluded her presentation by emphasizing that INAC continues to improve the Northern Regulatory System with focused efforts guided by the McCrank Report and, within available resources, continues to develop a broader action plan that will maintain engagement with Boards, Aboriginal Organizations, Territorial Governments and Northerners.

Discussion:

Q - Martin Haefele: you talk about timelines. We find with EA, we create a workplan and send it to the ministers, and then it's anyone's guess when they'll get back to us with a response and decision. Is there any drive to put predictable timelines on this?

A: The legislation being developed for Nunavut, NUPPAA, is looking at setting ministerial timelines, but I can't comment on NWT.

Comment - Martin Haefele: If you are doing an audit, and there's another audit going on, why don't you save money and combine resources? There is a lot of review going on, but no evidence of action of follow up taking place.

Response: with respect to the Environmental Audit, it's in legislation, and the Auditor General is a separate body that we have no control over. Our efforts right now are focusing on the McCrank responses.

Comment – Trish Merrithew-Mercredi: we are a big department with a lot of people so we are looking at a number of pieces at once. We have McCrank, we have the Environmental Audit, and we also have the Northern Regulatory Improvement Initiative.

Q – Mike Harlow: I'm new to this dialogue and I'm curious how much work on regulatory improvement initiative is actually being done by people in the North?

A: a lot.

Comment – Willard Hagen: timelines are important, and McCrank should have covered that – I am also concerned about flexibility with trans-boundary projects.

Response: a report was developed with Tlich, GTC, Sahtu, INAC, I can look for copies and get you a copy.

Comment – Zabey Nevitt: this report was intended to fix conflicts and consistency among agreements, it was not a review.

Comment – Jan Adamczewski: I’m a little nervous about increased predictability of outcomes and an amendment to list regulations. When projects are sent to boards for review, one of the outcomes is that it’s modified, or turned down – predictability of outcomes sounds like telling the proponent what the outcome will be when a proposal is submitted.

Response: No. Predictability means the proponents know there will be a certain timeline during which things will happen so they know what they’re getting into.

Q – Dorris Eggers: Exemption list regulations?

A: went through in July.

Q – Dorris Eggers: Is there any timeline on a response to McCrank? What are your plans for engagement?

A: it covered a lot of ground, and caught a lot of attention – it’s a large response, but I can’t give you a definite timeline on the response release. Regarding plans for engagement, we need to look at our approach and I don’t have an answer at his point.

Q – Zabey Nevitt: we have a report with some recommendations and some things that need fixing. A holistic approach to fixing all the factors contributing to the problems needs to be taken. Instead of INAC saying, “ok, here’s the problem and we will fix it”, we need consultation with the boards. We have made changes ourselves and we need INAC to work WITH us rather than telling us what they’re going to do to fix us. INAC can’t fix it themselves. I would like to know how they are going to engage us to help fix the system.

A (Trish): we recognize the willingness of the Boards to work with us. There will be a strong engagement plan but I haven’t seen it yet. We know it has to be a collective effort.

Q – Fred McFarland: we raised a number of issues with Mr. McCrank but the report didn’t make any references to ISR. What can we anticipate in regard to consultation with ISR?

A: we don’t want to ignore one region of the north over another region. We’ve been looking at tackling issues that are front and centre at the moment and the ISR has been pretty quiet recently.

6.7 Protected Areas Strategy – Karen Hamre, PAS

Ms. Hamre described the purpose of this presentation to update the Boards on the status of the Protected Areas Strategy (PAS) and candidate areas. Mostly this is to be a discussion of the interaction between the Boards and the PAS; what could be done in the next couple of years, and what is the long-term vision for complementary work?

The goals of the PAS are inter-related as the land and culture are inseparable. There are no ‘cultural areas’ that do not also have ecological values. All pieces have some cultural values – some perhaps year-round or very long term; others more seasonal or varied – and all pieces have ecological values (some ‘biologically diverse hot spots’, some unique or rare features, and some migration areas). So the PAS does not have a separate network of cultural areas and ecological areas, but instead tries to integrate scientific and traditional knowledge throughout the process, from identifying areas to assessing them and, finally, in their management.

The PAS does state that management of some types of protected areas may allow some types of industry activity, as long as those activities don’t harm the very values for which the area is being protected.

The PAS was signed between the territorial and federal government in 1999 and since then, one area has been protected: Saoyú-?ehdacho on Great Bear Lake. Currently, Five National Wildlife Area proposals are being evaluated: some have interim withdrawal, some do not. Buffalo Lake and PKN are under GNWT review right now. The PAS co-ordinates its work with other agencies that deal with land conservation and affect land access, for instance, Gwich’in Land Use Plan and draft Sahtu and Dehcho Conservation Zones; the PAS also co-ordinates with Parks Canada.

The steps for establishing a protected area is as follows:

1. identification of an area
2. regional aboriginal approval
3. ‘sponsoring agency’
4. applying interim protection
5. assess and recommend
6. formal request
7. approval and designation
8. implementation

The PAS tries to coordinate its work with other organizations. Different areas are protected through various land claim agreements. In steps one through five, all information gathered is public, with the exception of sensitive cultural information. Steps six through eight have a lot to do with the work of the boards and agencies involved in regulation and legislation. Regarding sponsoring agencies, take note that land use plans are not applicable in national parks. The MVRA is silent on overlapping jurisdiction of sponsoring agencies and land use plans. Some discussion needs to take place to reach a decision on how to address these overlaps.

Ecological Representation Analysis is another thing the PAS does, and it uses this information to help inform Land Use planning boards, for example. The PAS is not just looking for “nature nuggets” but is also there to protect common things as well. A good case study is the Edézhíe area, which was a collaboration amongst the Tlicho, Dehcho, INAC, GNWT, WWF and Chamber of Mines. A number of assessments were taken into consideration.

With Edézhíe, there was ecological mapping of geology, soil and topography, cultural documentation, a renewable resource assessment, and a mineral and hydrocarbon potential (geological survey of Canada). Some of this info can be used straight up, but some of it is weighted. All this information was brought together to the working group and their recommendations were incorporated into the final report which was then approved by the working group. It is important to note that the boundaries were reduced due to a request by the Dehcho brought to the working group, so there was cooperation between the group and the land use planning board. This was all only Step 5 of the process outlined in the overview of this presentation.

The PAS has a five year plan that is coming to an end, so a new one is underway. This is an action plan for the Mackenzie Valley. The new plan builds on this but there are other links that need to be made or strengthened with other boards. The Canadian Wildlife Services have committed to establishing six new wildlife management areas and though the GNWT have not yet sponsored any, it is reviewing proposals for six areas. There are also some “orphan sites” where the PAS needs to determine who is responsible for sponsoring those sites – this is where the boards are being looked to.



Sahtu Land Use Plan: Draft 1 – February 16, 2007

Information on locations and identified areas has been sent out to boards. There is an issue of overlapping jurisdictions and a need to clarify overlaps. The map (left) on slide 23 shows the areas that need to be figured out as there is no precedent or legislation in existence right now.

In regard to long-term management, the PAS does not set up management plans for areas, as that is the responsibility of the sponsoring agency. The question is, how can everyone work together as a network? The PAS is trying to work with many groups to support healthy land and healthy cultures and is looking forward to further interaction with boards.

Discussion:

Q – Paul Sullivan: You’re taking back land from a claim?

A: Land is not being ‘taken back’ but it is no longer under the authority of the Land Use Planning board, but the Land Corporation and Resource Board are still in charge.

Q – Eric Yaxley: What types of activities are/are not permitted in National Wildlife Areas?

A: protection of species and culture is the mandate. National wildlife areas, unlike National parks, do not focus on tourism, but do allow it.

Q – Mike Harlow: What is the basis for the timelines on slide 20?

A: the basis is EC and INAC saying they want to finish all assessments on those areas by 2013 and establish those areas. Some areas are bigger or smaller or further ahead in the process. GNWT has not committed yet, but has committed to evaluating areas.

Q – Trish Merrithew-Mercredi: I have a question about your handout – can you speak to the bit about the first paragraph?

A: this was taken from the understanding that the MVRA was to be a coordinated approach. When Regional land claim agreements were signed, there was overlap, so it takes the vision of linking to neighbours. Consensus style government speaks to that spirit of collaboration that the PAS hopes to achieve. This is an area where terminology becomes important and needs to be clarified. What does a 'network' actually mean, we need to determine that.

Q – George Govier: Regarding preliminary screening reports, with all the hope and all the communication, etc. how do you expect to get this information onto my desk so I can include it in a staff report to my board so they decide based on a comfort level with the material?

A: We send out our information to renewable resource boards and land use planning boards. We can also send to land and water boards if you would like us to do this. All public information is available on the PAS website as well. We try to update and keep boards informed when we feel there is information that is relevant. If you see a use for it, we can include the land and water boards in distributing information.

George: We are very alert and sensitive to the written comments we get that contribute to a good screening report to our board. We will ask for your comments directly if we require additional information.

7.0 Terms of Reference – Eric Yaxley, INAC/BRS

See Appendix C for a copy of the Board Forum Terms of Reference.

It was noted that inclusion of Land Claim Organizations and Aboriginal Governments in future Board Forums could affect the Terms of Reference and this would need to be addressed.

It was also noted that communication remains a priority for Board members and a potential piece of work for the communications working group could be a Board Forum “booth” that could be displayed at trade shows and other forums that explains the coordinated approach by Board members.

8.0 Moving Forward

8.1 Next Meeting Date and Location

It was tentatively decided that the next Board Forum be held in Behchoko in the first week of June, 2010. It was suggested that the host Boards could invite Aboriginal Groups, on a trial basis, to at least part of the meeting. The WLWB offered to share the hosting duties with the WRRB and will contact that board to discuss logistics.

8.2 Next Steps

The following action items which were identified through the course of the two-day meeting were acknowledged during the closing of the 11th Board Forum:

- Correct Hay River report to acknowledge MVLWB assistance to NWTWB
- Continue to prepare round table notes in advance according to the three strategic goals of the Forum
- NEB to help northern Boards to understand roles of the two positions (Barat and John) and share “Governance Manual” when finalized
- BRS to keep up the good work on finding funds for training
- Forward information on partnerships, working agreements, MOUs, etc. to Yolande Chapman at BRS to collate
- Discussion within the Board Forum and on a pro-active basis, on how we might organize ourselves to approach the next large/trans-boundary project application.
- Prepare for the second Environmental Audit - provide information to Senes Consultants and Audit Steering Committee
- Communications Messages:

The communications working group to review this forum’s discussion and suggest new communications messages, web site improvements and other potential initiatives. Suggestions include: develop draft PowerPoint presentation(s) with generic messages (maybe starting with the Web Site) on the vision for the regulatory system in NWT, Presentation could be used as part of positive messaging in other venues (Manik and BFWG – may include Communications WG). Working Group to bring back suggestions to future Board Forum meeting as part of further discussion of BF Communications Strategy



Appendix A

NWT Board Forum Agenda

Board Forum Agenda

November 26-28, 2008

Ingamo Hall Friendship Centre

20 Mackenzie Road

Inuvik, NT

Arrival November 25th, 2008

DAY 1 – November 26

- 8:30 Arrival - Coffee & Muffins
- 9:00 Welcome - Co-hosts Frank Pokiak, Inuvialuit Game Council & Robert Charlie, Gwich'in Renewable Resources Board
- Opening Prayer
- Introductions - Facilitator Ricki Hurst
- 9:30 Opening Remarks, Round Table - Chairs
- 10:30 Health Break
- 10:50 Round Table (continued) - Chairs
- 12:00 **Lunch (provided)**
- 1:00 Facilitated Open Discussion - Opportunities/issues
- 3:00 Health Break
- 3:20 Task Tracking update from last Forum - Board Forum Working Group
- 3:40 Board Forum - Terms of Reference
- 3:50 Culultural Impact Assessment Guidelines presentation – Vern Christensen, MVEIRB
- 4:30 NWT Northern Board Caucus (Board Chairs)
- 6:30 **Evening Event – Dinner & Jigging**

Tonimoes

Mackenzie Hotel

DAY 2 – November 27

- 8:30 Arrival - Coffee & Muffins
- 8:45 Highlights from previous day - Frank Pokiak and Robert Charlie, Co-hosts
- 9:15 NWT Board Forum Website - Jennifer Moores and Renita Jenkins
- 10:00 Health Break
- 10:15 Species at Risk presentation - Susan Fleck, GNWT
- 11:00 Next Steps for Regulatory Improvement & Discussion - Gilles Binda, INAC
- 11:30 Board Forum Strategic Planning Initiative - Vern Christensen, MVEIRB and Erin Huck, INAC
- 12:00 Lunch (provided)**
- 1:00 Nellie Cournoyea, Inuvialuit Regional Corporation & Richard Nerysoo, Gwich'in Tribal Council - Welcome & Comments on Regional Resource Management - TBC
- 2:00 NWT Water Strategy presentation - Trish Merrithew-Mercredi, INAC - TBC
- 2:30 Minerals Forecast update – Malcolm Robb, INAC
- 3:00 Health Break
- 3:15 Information Management System presentation (on-line regulatory coordination application process) - Ricki Hurst /Shena Shaw
- 3:45 Date of Next Meeting & Identification of Facilitator
- 4:00 Closing Remarks - Frank Pokiak and Robert Charlie, Co-hosts

DAY 3 - Friday November 28

- 9:00 Board Chair Caucus
Mackenzie Hotel Boardroom (TBC)
- 1:00 Departure of Delegates**



Appendix B

Participant List

(To be inserted)



Appendix C

**Revised Board Forum
Terms of Reference
(Approved Nov 27 2008)**

Terms of Reference

NWT Board Forum

As

Revised November 26, 2008

1) Purpose

To establish a forum of NWT resource co-management/public boards to facilitate discussion on matters of common interest.

2) Objectives

- To increase mutual awareness by NWT resource co-management/public boards regarding their respective activities;
- To identify and develop collaborative approaches to resolve issues of common concern;
- To collaborate on strategic and operational planning initiatives where beneficial;
- To identify opportunities to share resources and expertise (e.g., cost sharing certain initiatives, sharing human resources and/or information technology, sharing “lessons learned” and “best practices”);
- To provide a forum for the NWT resource co-management/public boards to hear from industry, government and other interest groups on issues of common interest not specific to a development under active consideration by a co-management/public board; and
- To pursue collaborative training and development initiatives where beneficial.

3) Membership

Membership of the Board Forum comprises the Chairs, or designated alternates, of all resource co-management/public boards created under the Mackenzie Valley Resource Management Act (MVRMA), the NWT Waters Act (NWTWA), the Inuvialuit Final Agreement (IFA), the Gwich'in Comprehensive Land Claim Agreement, the Sahtu Dene-Metis Comprehensive Land Claim Agreement, the Tlicho Land Claims and Self Government Agreement, the Regional Director General of INAC NT Region or designated alternate, a designate from the National Energy Board (NEB), and a senior designate (Deputy Minister or Assistant Deputy Minister) of the Government of the Northwest Territories.

As land claims are settled, new co-management boards/institutions of public government are deemed to be added.

4) Organizational Responsibilities

Business Planning Agenda

The business agenda for the meeting(s) of the Board Forum will be approved by the co-management/public board Chairs.

Meeting Host

The opportunity to host the meeting (s) of the Board Forum will rotate from Board to Board.

Administration and Co-ordination Support

The Board Relations Secretariat of the NT Regional Office, Department of Indian Affairs and Northern Development provides administrative and co-ordination support for the operations of the Board Forum.

Funding

Travel expenditures would be covered by board participants. The Board Relations Secretariat would support a share of common logistical costs.

5) Conduct Meetings

The Chair, or designated alternate, of the host Board shall Chair the meetings of the NWT Board Forum.

The Executive Director of the Board hosting the next full meeting of the Board Forum shall Chair any Executive Director's or other Special meetings that may be required by the Board Forum.

If necessary, Robert's Rules of Order shall apply to the conduct of Executive Directors' and Board Forum meetings.

6) Meeting Schedules and Locations

A minimum of two meetings will be held each year, as follows:

1. **Full Meeting (s) of the Board Forum:** To be held in the fall and spring of each year. The purpose of these meetings is for the NWT co-management/public board Chairs to pursue the objectives set out for the Board Forum with the support of the co-management/public board Executive Directors.

At each full meeting of the Board Forum, the host Board will be selected for the next full meeting of the Board Forum. The host Board will select the community in which the next meeting of the Board Forum will be located.

2. Executive Directors' Meeting and/or Other Special Meetings: To be approved and scheduled as required by the NWT Board Forum members.

7) Forum Secretariat – Working Group

Operational support for the NWT Board Forum will be provided by a Secretariat comprised of the following individuals:

1. Executive Director, Mackenzie Valley Environmental Impact Review Board
2. Executive Director, Mackenzie Valley Land and Water Board
3. Executive Director, the Joint Secretariat, Inuvialuit Renewable Resource Committees (JSIRRC)
4. Manager, Board Relations Secretariat – NT Regional Office, Department of Indian Affairs and Northern Development
5. Associate Deputy Minister, Department of Environment and Natural Resources, Government of Northwest Territories or designate.

The Forum Secretariat is responsible to:

- Plan and organize the business agenda for the meetings of NWT co-management/public board Executive Directors, in consultation with (to the extent possible) NWT Board Forum members;
- Transmit the draft business agenda recommended by the board Executive Directors for review and approval of the host Chair of the meeting of the Board Forum;
- Maintain the records of the Board Forum;
- Facilitate day-to-day communication within the Board Forum; and
- Facilitate communication between the Board Forum and other interested individuals and organizations.

8) Review of Terms of Reference

The Board Forum will review its Terms of Reference as a standard agenda item at its annual meeting and make modifications as deemed necessary by the member co-management/public boards.



Appendix D

Presentations

(To be inserted)

PDF to be inserted