



NWT Board Forum

Draft Summary Report

Seventh Board Forum Meeting
November 7 - 8, 2007
Yellowknife, NT

Prepared by Terriplan Consultants
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T e r r i p l a n
CONSULTANTS

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1.0 Introduction

The seventh annual meeting of the NWT Board Forum was held in Yellowknife on November 7th and 8th, 2007. The meeting was organized by the Board Forum Working Group made up of the Executive Director of the Mackenzie Valley Environmental Impact Review Board (MVEIRB), the Mackenzie Valley Land and Water Board (MVLWB), the Inuvialuit Joint Secretariat (IJS), the Associate Deputy Minister of the Department of Environmental and Natural Resources GNWT, and the Manager of the Board Relations Secretariat (BRS). The host of the Board Forum was Ms. Mackenzie-Scott, Chair, Mackenzie Valley Environmental Impact Review Board (MVEIRB). The agenda for the meeting and a list of participants can be found in *Appendix A* and *Appendix B*, respectively.

1.1 Purpose and Objectives of the Board Forum Meeting

The purpose of the NWT Board Forum's 7th annual meeting was to report on and discuss the results of Working Group activities since the last forum meeting and the emerging priorities, challenges, and new initiatives of member boards of the Forum. This included reviewing progress on the current NWT Board Forum work plan, and recommending actions to implement and priorities for the next Forum meeting. This meeting also included technical briefings and update presentations on issue(s) identified as of interest to the members. This particular meeting included presentations from exploration and mining industry representatives and also included a visit from the Minister of Indian and Northern Affairs Canada, Mr. Chuck Strahl, and his newly appointed special representative Mr. Neil McCrank.

This 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	-	Address by the Minister
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2.0 Address by the Minister

The Honourable Minister Chuck Strahl:

The Minister of Indian and Northern Affairs Canada provided the following opening comments:

The Minister recognized the importance of the work conducted by the Board Forum. “I share your interest in improving the regulatory system in the north.” He noted that Canadians in general have high expectations about their regulatory system, as the system is what carries regulatory and citizen’s priorities.

He acknowledged that there has been critiques of our collective efforts, namely from the Auditor General and from industry. “People think we can do better”. The Minister said that he strongly believes that “we can evolve and do better with the system we have for our constituents”. He identified reducing regulatory overlap and reducing paperwork as two viable avenues to achieve improvements. Changes in the regulatory system also need to reflect the new workload facing agencies today.

“INAC wants to work with and through you” to improve the regulatory system without causing undue risk.

The Minister identified the increasing workload as leading to a series of issues that are not necessarily unique to the north, but that are a focus here. He noted that it was time to discuss the lack of resources and capacity, and to work towards increasing efficiencies and reducing overlaps.

He recognized the importance of the recent Throne Speech wherein the Prime Minister gave a higher profile to the north, mentioning the environment, economic development, and sovereignty as reflected in part by the military presence. He sees this northern focus as a remarkable opportunity.

The Minister then introduced Mr. Neil McCrank who has just been appointed as the special ministerial representative on the issue of regulatory reform in the North.

Neil McCrank:

“My role will be to speak with all stakeholders in the regulatory system to see what can be done to improve the system”. Mr. McCrank indicated he will work around three main themes:

- Better define Canada’s role in the regulatory system
- Improve predictability and efficiency of the regulatory system
- Bring about a climate where regulatory review and improvement is seen as an integral part of the system.

The Minister and Mr. McCrank clearly indicated their intention to “work quickly on this”; Mr. Strahl noted that the Major Project Office (MPO) will not change any regulatory requirements in the South but rather has a purely coordinative role. The Minister indicated that another facet of Mr. McCrank’s responsibilities will be to investigate whether something similar to the MPO is needed and/or appropriate for north of 60.

Neil McCrank said it was a great privilege to be given this role and that his “open slate” approach was genuine. He brings with him a wealth of regulatory experience and he assured participants of the Board

Forum that all regulatory system stakeholders will have the opportunity to speak and that he will not spring something unexpected on the Boards without discussion and transparency.

Discussion

After welcoming the Minister on behalf of the Boards, Gabriel Mackenzie-Scott asked for clarification on the MPO, invoking the uniqueness of the regulatory system in the NWT, e.g. that Boards are products of Land Claims agreements.

The Minister acknowledged Ms. Mackenzie-Scott's concern and noted that any similar initiative in the north would have to be unique and catered to the north. He noted that British Columbia has a similar major project office that coordinates with the proponent and helps make sure no steps are skipped and all the regulatory requirements are met in the correct order. Mr. Strahl indicated that if a similar initiative was to take place in the north, it would have to fit the northern reality and take on responsibility of coordination role with the Boards. The MPO is not independent of the government but is an advocate of the regulatory system. In the south, the MPO will coordinate meetings with agencies, first nations, etc. and each participant in the process will still be responsible for doing the due diligence within its own roles and responsibilities.

Willard Hagen noted that the issue of Crown consultations is what "holds us up the most". Land Claims are the vehicle for consultations and it is in the absence of settled Land Claims that issues arise. Mr. Hagen indicated his support of this initiative for the north, recognizing the need for greater coordination with larger projects.

The Minister indicated that Crown consultation remains an issue because it is a relatively new process. Mr. Strahl noted agencies are presently working on interim guidelines, and on developing interdepartmental consultation guidelines and protocols. There is an important education component in these steps and all of government needs to be aware of their undeniable requirements to consult. Ms. Mackenzie-Scott indicated that like the MPO, a similar "one stop shop" initiative for the communities and the people, rather than just for the proponent, could be a good idea. She felt the MPO seems like a "lopsided initiative, leaning towards industry".

Minister Strahl indicated that there were no preconceived ideas and there is a misconception associated with the MPO for simply "making it easy for proponents". He assured the Board Forum that the MPO will provide no short cuts. The Minister recognized the need for communication requirements and for a clearing house so that no one gets bypassed.

Violet Camsell-Blondin referenced an October 26th letter from Diavik addressed to Mr. Strahl concerning the recent approval of a water licence. In the letter, Diavik indicated its concern of the absence of water quality and effluent standards in the relevant regulations and acts used in the water licence renewal process. The letter lists three issues to be addressed by INAC: establishing water quality standards and effluent standards; establishing guidelines for environmental effects monitoring; and respecting the term of water licenses for major projects (i.e. for the life of the project up to 25 years). The letter also outlines a number of recommendations and policy directions to address these issues; Ms. Camsell-Blondin noted that the Board agrees on the need for direction on these issues but took issue with parts of the Diavik letter. Ms. Camsell-Blondin underlined the importance of consultation and communication in the design process of the above mentioned improvements.

The Minister noted that he had not personally seen the letter but that he was aware of it. He highlighted that this is the type of input he needs from industry. But in terms of consultation, “we want to go through a process in terms of issues that need to be addressed, to reach a common understanding”.

Ms. Mackenzie-Scott thanked the Minister on behalf of the Board Forum for participating. She extended an open invitation to the Minister and Mc. McCrank to participate any Board Forum meetings in the future. She noted the importance of the relationship-building exercises between Boards and Agencies. “Mahsi cho from all of us”.

Minister Strahl thanked the Board Forum participants for being open with their concerns. “This is an exciting time and positive era for the north”.

3.0 Member Updates

Following an opening prayer given by Walter Bayha, the NWT Board Forum conducted a members’ roundtable. Chairs and Executive Directors reported as follows:

3.1 Mackenzie Valley Environmental Impact Review Board – Gabrielle Mackenzie-Scott

Over the last year, Ms. Mackenzie-Scott indicated that MVEIRB received seven referrals for Environmental Assessment (EA) and is presently conducting thirteen EAs, which is the most activity the Board has seen since its establishment in 1998. For this year alone, MVEIRB is in the process of, or has completed, seventy preliminary screenings of proposed developments, which adds up to 87 for the 06-07 fiscal year. Turning to INAC funding issues, Ms. Mackenzie-Scott made reference to the previous year, when MVEIRB was only able to secure funding within a week of having to close shop. She indicated that finding a rational for securing funding from INAC before the end of year is a key objective in order to avoid such a situation again. Although MVEIRB signed a funding agreement with INAC, Ms. Mackenzie-Scott noted the Board was still under-funded by about six hundred thousand dollars because of the Gahcho Kué project, for which the Board is asking for separate funding.

MVEIRB has published Socio-Economic guidelines and Ms. Mackenzie-Scott spoke of the intention of the Board to develop cultural assessment guidelines over the next two years. The Board is also working on a cooperation agreement with Alberta regarding transboundary projects. MVEIRB will be holding a second workshop for EA practitioners before the end of fiscal year, following the success of the first, held in February 2007. MVEIRB is also in the process of updating its reference CD, to be released at the Geoscience forum, November 20th, 2007.

Ms. Mackenzie-Scott indicated that regarding MVEIRB’s work on developing environmental assessment terminology and Aboriginal language translation, the Board recognizes the huge role translators play in improving communications. The Board has decided to take a step back and think about their role in this process, their contribution and how to go forward. Next February, MVEIRB will visit selected communities to discuss the new socio-economic guidelines and translation issues. Ms. Mackenzie-Scott pointed out that MVEIRB will continue to work on guideline development.

She mentioned the Board has been in contact with both Environment Canada (EC) and the Government of the Northwest Territories (GNWT) regarding the implementation of the Species at Risk Act within the Mackenzie Valley. Ms. Mackenzie-Scott underlined MVEIRB's continued efforts on building working relationships with other Boards and Agencies.

3.2 Indian and Northern Affairs Canada – Eric Yaxley

Mr. Yaxley began his update by noting there is a new RDG for INAC, Trish Merrithew-Mercredi. Mr. Yaxley apologized for her absence, as she was accompanying the Minister, and confirmed RDG attendance at that evening's event as well as the second day of the Board Forum meeting.

Since the last Board Forum, \$300 thousand was invested in Board training workshops, including October's MVLWB mitigation and relationship building workshop. Mr. Yaxley noted that for this year, INAC will be applying \$214 thousand in order to support on going Board training workshops.

Mr. Yaxley took some time to note his appreciation of Steve Van Dine, who had recently left the Department to work with Transport Canada.

Speaking about Board funding concerns, Mr. Yaxley indicated that the NWT "Region" has been working with Head Quarters to provide stable funding to Claims and other Boards. In one model, the 'A-Base funding' would be identified over a period of years (e.g.10 years) complimented by a separate fund that Boards could apply for based on substantiated workload pressures. Funding could be allocated based on priorities. Mr. Yaxley stated that criteria would need to be developed around how to secure these and extra funds as appropriate.

3.3 Environmental Impact Review Board – Elizabeth Snider

Ms. Snider extended her gratitude to Gabriel Mackenzie-Scott for hosting the seventh Board Forum.

She indicated that both the Environmental Impact Review Board (EIRB) and the Environmental Impacts Screening Committee (EISC) took advantage of a number of training programs. She noted that a training session on mining in Inuvik would prove quite useful for the local population. Both Mr. Fred McFarland and Ms. Snider found the MVLWB mitigation workshop in October to be very useful and would support any follow-up session or any similar workshops. She stated that the EISC's operating guidelines and procedures will be circulated in the next few weeks; as for the EIRB the document will be finalized later this year or in early 2008.

Because of the 2007 International Polar Year (IPY), Ms. Snider indicated that the EISC was expecting higher activity levels, but it wasn't the case - with only 2 IPY applications.

Ms. Snider mentioned that both the EIRB and the EISC have been preoccupied with staffing and capacity issues. She noted that the EIRB has been taking advantage of the relative lull by undertaking work on strategic planning.

3.4 Mackenzie Valley Land and Water Board – Willard Hagen

Mr. Hagen thanked both Ms. Mackenzie-Scott and Mr. Christensen for hosting the Board Forum. He indicated there had been little activity for the Board and no new applications since the last Board Forum. He noted the Board had a new Board member from Fort McPherson, and a new Executive Director, Wanda Anderson. Mr. Hagen also noted the loss of Steve Van Dine at INAC, as well as the gain of Sherri Young, senior analyst within the Board Relations Secretariat. He also mentioned Pat Laroche from Hay River, a new appointee to the MVLWB. Mr. Hagen pointed to the MVLWB's annual activity report for 06-07 for additional information and details.

3.5 Inuvialuit Game Council – Frank Pokiak

Mr. Pokiak began by saying that on October 5th he had been re-elected as chair of the Council for the next four years. Mr. Pokiak then stated he was disappointed to see how many communities are still isolated in spite of all of the \$millions in economic benefits. He was also concerned about declining caribou herds, which often leads to limited or restricted harvests for the local population. There are presently only 345 tags for 6 communities with no harvesting allowed near Tuktoyaktuk. He noted that although precautions have been taken, this is still a serious issue.

Mr. Hagen noted the oil and gas industry had demonstrated interest in offshore activities, including seismic lines. He spoke of the BSTREPA training initiative which is touring communities and mentioned that the Council provided assistance for other training work.

Norm Snow raised another concern regarding the Beaufort Sea: vessels which are allowed to be frozen in regardless of what they contain as long as the vessel appears to be able to take the ice pressure. There are no other legal requirements. He noted that this also applies to the Mackenzie River.

3.6 National Energy Board – Gaétan Caron

After thanking Ms. Mackenzie-Scott for hosting the Board Forum, Mr. Caron indicated that the first focus of the NEB was continuous learning "from each other". He extended an open invitation to the Boards to provide them with technical expertise and advice. He noted that the second focus of the NEB was on cooperation to improve efficiencies. "The whole is bigger than the sum of its parts".

Regarding the NEB's activities, Mr. Caron stated that the end of the Mackenzie Gas Project (MGP) seemed to be in sight, and that the NEB was also preparing for the filing of an Alaskan pipeline option. He noted that the NEB had received many oil sands applications from Alberta and was also involved in the construction and operation phases of a New Brunswick pipeline project. Mr. Caron mentioned that the NEB also regulates the abandonment of facilities.

He indicated that a goal of the NEB is to constantly improve the meaningful engagement of stakeholders. When questioned on the stand of the NEB on consultation, Mr. Caron reasserted that consultation was a major focus of the Board and reminded attendants that, as a quasi-judicial body, the NEB takes the time to specify to proponents their responsibility to consult and keep agencies informed on current activities.

Mr. Caron indicated the NEB and he personally have been involved in the creation stage of the Major Project Office (MPO) in the south. He offered to present to the Board Forum his experience of “what lead to creating it”.

In closing Mr. Caron noted issues in attracting and retaining staff with the NEB in Calgary.

3.7 Gwich'in Renewable Resource Board – Robert Charlie

Mr. Charlie thanked Ms. Mackenzie-Scott for hosting the Board Forum. He stated that the Gwich'in Renewable Resource Board (GRRB) has been in operation since 1995, and is in its second tenure phase at the moment.

The Board holds two meetings a year within the Gwich'in Settlement Area (GSA) to provide updates and share technical information (e.g. environmental or cultural studies). Ongoing issues discussed during these meetings include caribou and char declining populations. Mr. Charlie said that as part of its mandate the GRRB has been working on a number of management plans for wildlife and fish in parallel with neighbouring regions as these are often trans-boundary issues.

He noted that other issues facing the Board include lack of capacity and funding for community level consultations. Mr. Charlie indicated that even though a new Executive Director and Office Manager had been hired, Board appointments and staffing issues (i.e. competing with government) are still a concern for the GRRB.

Mr. Charlie noted that further details on Board updates will be provided in his presentation later in the agenda.

3.8 Gwich'in Land Use Planning Board – Bob Simpson

Mr. Simpson started by saying the Gwich'in Land Use Planning Board (GLUPB) was well into its five year review of the Gwich'in Land Use Plan. He noted the review created an opportunity for the GLUPB to conduct new research and review best practices on heritage sites and granular resource management for example.

Mr. Simpson noted that GLUPB activities included community level consultations, conducting regional workshops and providing school education on land use planning.

Mr. Simpson stated that over the last month the GLUPB undertook activities (such as community consultations and drafting of regulations) to address inconsistencies with Land Claim Agreements, specifically in the area of mining.

3.9 Sahtu Renewable Resource Board – Walter Bayha

Mr. Bayha started his update by stating “everyone can learn and benefit from the people and experience present at this meeting today”. Mr. Bayha noted the Sahtu Renewable Resource Board (SRRB) had a similar “setup” to the GRRB, and that the SRRB’s mandate could be found in their Land Claim Agreement.

Mr. Bayha indicated that one of the first public hearings on the renewable harvest of wildlife triggered in the Land Claim was to start in November 2007 in Fort Good Hope. He pointed to their website for further information (<http://www.srrb.nt.ca/index.html>).

Mr. Bayha announced that INAC had approved the SRRB's funding that morning and made the clarification that the above mentioned hearings "are not in our budgets".

On the issue of wildlife management and caribou, Mr. Bayha noted that there was sometimes a disconnect between the regulations and the people. He stated that a challenge facing the Boards will be to show the people and clarify how public policy is carried out in regulations, and to bring the people into discussions.

Mr. Bayha said the first draft of the SARA was to be finalized in January 2008 after two years of work.

Other initiatives noted by Mr. Bayha included caribou protection measures based on traditional knowledge, and caribou management studies. He also said the SRRB supported a number of research projects of the Environmental Studies Research Funds (ESRF), most of the funding being levied from oil and gas activities.

3.10 Sahtu Land and Water Board – Larry Wallace

Mr. Wallace started by presenting a written report from the Sahtu Land and Water Board (SLWB) entitled *Priorities - Challenges - Initiative - Issues*. Mr. Wallace proposed to Board Forum participants the use of written reports to "speed up the update process" for future Board Forum meetings.

Mr. Wallace noted that for industrial and mining activities in the Sahtu, MGM, Husky and PetroCanada were seen as major players, even though no new applications had been received.

He then discussed the issues of funding and appointments. For the SLWB, although good work had been done around funding under the implementation plan, Mr. Wallace noted that funding still sometimes represents a "brick wall" for the SLWB and other boards. He acknowledged the assistance received from Mr. Yaxley and Mr. Hagen, but noted that lack of funding still restricted the Boards from undertaking activity or initiative increases. Mr. Wallace spoke of staffing issues as a common concern across most Boards. He noted the issue stemmed from the fact that Boards cannot compete with government employment benefits and salary levels, which makes staff retention difficult. Mr. Wallace said that the SLWB often ends up serving as "training grounds for lots of young people", which creates additional strains on an already stretched budget.

Mr. Wallace identified the role of maintaining confidence levels of proponents, beneficiaries and the public as a challenging but essential initiative of the SLWB. He noted the Board held its annual technical training session in the spring of 2007, and met with the Environmental Impact Review Board (EIRB) on the topic of roles and responsibilities in EAs. Mr. Wallace indicated the desire of the SLWB to continue with such initiatives.

3.11 Wekèezhìi Renewable Resource Board – Alphonz Nitsiza

Mr. Nitsiza first noted that the Wekèezhìi Renewable Resource Board (WRRB) had recently hired new staff. Other highlights of the Boards' activities related to Caribou population issues. Ms. Nitsiza noted the first public hearing had taken place last April. On the Environment and Natural Resources (ENR) proposal, he noted the WRRB had published a management plan for the Bathurst caribou. The Board is also looking to develop a long term management plan in collaboration with all involved parties (e.g. elders groups) and other Boards. Another initiative noted by Mr. Nitsiza was the recently approved Caribou Management Committee.

Mr. Nitsiza indicated that as a young organization, the Tlicho government needed to be fair and ensure all interests are being considered. He noted that the WRRB was still growing and had a lot to learn from forums like this and other management groups.

Mr. Bayha of the SRRB noted that as of November 24th 2007, the terms of four board members were up and asked if the WRRB had new appointments for the positions. Mr. Nitsiza responded that a newspaper ad was in circulation and that the Board, as well as the Tlicho government, were "working on it". Mr. Bayha then inquired about two upcoming SLWB appointments in December 2007. Mr. Wallace of the SLWB indicated that "letters were coming in from Sahtu Secretariat Incorporated (SSI)". Mr. Govier also of the SLWB noted that he had "good hopes".

3.12 Wekèezhìi Land and Water Board – Violet Camsell-Blondin

Ms. Camsell-Blondin thanked the MVEIRB for hosting the Board Forum. Ms. Camsell-Blondin extended sincere thanks on behalf of the Wekèezhìi Land and Water Board (WLWB) to INAC for its assistance, technical and financial support with the Diavik water licence renewal process.

Ms. Camsell-Blondin noted that possible delays in the appointment process could be cause for concern. She stated that the WLWB could not let untimely appointments impact the timelines of the applications review process.

Ms. Camsell-Blondin said she had learned a great deal from the October 10th and 11th 2007 Mitigation Measures workshop and indicated she looked forward to follow up work around permit terms and conditions and "orphan" measures.

Regarding regulation and policy direction of the Board, Ms. Camsell-Blondin noted that if INAC is considering amendments to the exemption list, the WLWB should be consulted as required under the Act (section 82(2)). Regarding the Diavik mine, Ms. Camsell-Blondin referred to her previous question to the Minister about the October 26th letter from Diavik addressed to Mr. Strahl (see Section 2 above). She indicated the WLWB was looking for guidance from the Ministers office.

Ms. Camsell-Blondin indicated that the WLWB was expecting to hear from Ekati mine during the summer of 2008 regarding reclamation activities of the mine. She also noted the Board has been in the process of developing procedures on issuing approvals, as well as a land use plan. She extended an invitation to INAC and other organizations to work with the WLWB to provide advice on consultation expectations and

to implement the land use plan. Ms. Camsell-Blondin indicated that more and more time was being spent on issues arising from the lack of land claims, resulting in strained Board resources.

4.0 Progress Report on NWT Board Forum Workplan

4.1 Briefing on the Board Forum Work Plan Task Tracking Report

This discussion was led by the Board Forum Working Group and initiated by Vern Christensen, Executive Director of the MVEIRB. Support was provided by Wanda Anderson of the MVLWB, Eric Yaxley of the Board Relations Secretariat (BRS) and others. The Working Group provided the Board Forum with an update as to the progress of the outstanding issues and they walked through the Progress Report on the NWT Board Forum Workplan as follows. A number of priority issues and action items were identified during the November 2007 meeting. The following table summarizes the discussion of selected items from the report of the Working Group on the priority tasks from the last meeting.

Legend for Table 1: Work Plan task tracking report discussion:

- INAC – Indian and Northern Affairs Canada
- MVLWB – Mackenzie Valley Land and Water Board
- MVEIRB – Mackenzie Valley Environmental Impact Review Board
- Board Relations Secretariat - BRS
- EY – Eric Yaxley (BRS)
- WG – Forum Working Group
- WA – Wanda Anderson (MVLWB)
- VC – Vern Christensen (MVEIRB)
- NS – Norm Snow (IJS)
- TB – Tom Beaulieu (ENR, GNWT – now Bob Bailey)

No.	Issue	Task Description	Lead	Status	Forum Action
				<p>define cumulative effects resource management systems and responsibilities. A joint ESRF Proposal from MVEIRB, MVLWB, the Inuvialuit Game Council and Joint Secretariat to undertake a Valued Components Thresholds initiative was successful. The objective is to develop a standardized approach in the NWT. This may include the need for a workshop on Valued Component Thresholds next year.</p> <ul style="list-style-type: none"> • ESRF: reported before, the funds are levied from Industry and the process is underway. 	
2.	Federal Consultation	<p>2.1 INAC to provide updates on s.35 Consultation at Board Forums as appropriate</p> <p>2.2 The Regional Engagement Initiative (REI) was presented at the April Board Forum. The focus of the REI, as it concerns the MVRMA Boards, has been the s.35 Crown consultation work. INAC plans on creating and implementing an action plan by March/April 2007</p>	<p>INAC & Boards -</p> <p>EY</p>	<ul style="list-style-type: none"> • Eric Yaxley to contact INAC Policy and Planning in regards to an update for the November 2007 forum • Julie Jackson provided an update of INAC-NWT Region s. 35 related activities to the November 2007 Board Forum. 	<ul style="list-style-type: none"> •
3.	Inspection and	3.1 MVLWB to report on its work to date with respect to	MVLWB & INAC	<ul style="list-style-type: none"> • MVLWB & INAC to provide progress update at Fall 2006 Board Forum 	<ul style="list-style-type: none"> • Inspection workshop for all Land and Water

No.	Issue	Task Description	Lead	Status	Forum Action
	Enforcement	inspection and enforcement issues. (Reference: April 2004, January & October 2005, April 2006 Forums).	WA	I.Actions are being initiated and are being addressed in the MGP Regulatory Working Group. II.The coordination of permit conditions is ongoing. Land Use conditions are complete. III.Wanda will update task late summer/early fall 2007 as developments occur. • have met with INAC inspectors, will allow NGPS to finish off MGP consolidations - then inspectors will work on implementation. Hope to hold follow-up workshop early 2008 as a continuation of mitigation workshop.	Boards by end of 2005 promise not kept (Mr. Govier) - Mr. Caron from NEB suggested his organization could help, considering it has experience
		A number of Phases have been identified that include: • Phase 1 = Review and agreement on Terms and Conditions not requiring amendment - completed May 06 • Phase 2 = Review and amend Terms and Conditions which are effective, but unclear due to wording – (underway) • Phase 3 = Discuss Terms and Conditions which are viewed as unenforceable - next step (Jan/Feb 07) • Phase 4 = Develop TOR / Work Group to identify Terms and Conditions which could be considered effective with the	WA	• The Mackenzie Valley Land and Water Board and INAC staff have completed Phase 1 of their review of the Terms and Conditions, and have commenced Phase 2 of that project. Phase 2 should be complete by the end of November, 2006, and is moving towards Phases 3 and 4. • MVLWB hopes to have a follow-up meeting with INAC in 2008	

No.	Issue	Task Description	Lead	Status	Forum Action
		development of standards/codes of practice - final step (Spring 07) (Review existing guidelines used by INAC). 3.2 INAC to bring other regulators together with MVRMA Forum representatives to learn and discuss issues related to Measures, Terms and Conditions, enforcement, monitoring and follow up (Reference: May 2007 and October 2005 Board Forum).	VC	<ul style="list-style-type: none"> A "MVRMA EA and Regulatory Relationship Building Workshop" is being planned with Boards and other Regulators to be scheduled for the fall of 2007. (Vern and Eric to Update Chairs and Executive Directors as required) 	
4.	Board Information and Networking	4.1 General update whereby each Board shares the information it is receiving with other Boards (Reference: April 2004, January & May 2007 Forums follow up for the GNWT).	All Boards W/G TB	<ul style="list-style-type: none"> Agenda item: Board Round Table at November 2007 Forum GNWT Caribou Management Strategy will be presented & discussed during the November 2007 forum Seismic guidelines were discussed at the Board Forum in November 2006. A presentation and update will be provided during the November 2007 forum An update on the international Polar Year will be provided to the November 2007 Board Forum An update on the GNWT's Regulatory Effectiveness Review will be provided at the November 2007 Forum 	<ul style="list-style-type: none">

No.	Issue	Task Description	Lead	Status	Forum Action
		Improvement Initiative umbrella		been completed or considerably advanced	
		4.4 Water Quality Standards (November 2006)	EY	<ul style="list-style-type: none"> INAC Water Resources' has hired a consultant to review water standards and outline options. The consultant developed a report, which is being reviewed internally for accuracy and completeness. The draft report will be shared with appropriate boards in the Northwest Territories to seek their comments and suggestions. A presentation will be made by Kathleen Racher at the November 2007 Board Forum, including a discussion of next steps to identify a collective way forward. <p><u>INAC WR hired a consultant; Report is in your binder. Kathleen Racher presented at Board Forum meeting #7.</u></p>	<ul style="list-style-type: none"> <u>Kathleen Racher prepared a northern water standards discussion paper. The presentation focused on options for water quality criteria setting.</u>
5.	Addressing Industry Issues	5.1 Members to continue the dialogue with industry, NGO's and others on current non project specific issues from previous Forums (Reference: Previous Board Forums)	WG EY	<ul style="list-style-type: none"> Forum members to share update at the Board Forum at the fall 2006 meeting as appropriate. <p>Suggested industry representative discussion topics could include:</p> <ul style="list-style-type: none"> 1. an overview of what industry is doing to ensure consistent and meaningful consultation with communities 2. provide an overview and examples of effective permitting processes including terms and conditions, dealing with CE, social and economic mitigative measures and orphan measures. (INAC Minerals to discuss with Industry) MAC, PDAC and Chamber of Mines to be invited to November 2007 Forum 	

No.	Issue	Task Description	Lead	Status	Forum Action
				<ul style="list-style-type: none"> We were asked at last forum to invite 3 - last time it was oil and gas and tomorrow will be mining representatives Presentations were given by representatives from the Prospectors and Developers Association of Canada, the Chamber of Mines, and the Mining Association of Canada. A presentation was also given by the Mineral & Petroleum Resources Directorate. 	
6.	Forecasting Workload	6.1 Provide a forecast of future developments and workload for each Board in relation to the MGP, secondary oil and gas activities, and other non-oil and gas activities. Note: Costs effected by Forced Growth (e.g. IPY & mining) (Reference April 2004 & January 2005 Forums)	INAC/WG: VC	<ul style="list-style-type: none"> Ongoing – templates are being developed for strategic and business planning. A working group has also been created Vern Christensen will provide an update at the November 2007 Board Forum Vern Christensen presented at the November 2007 Board Forum the workbooks and templates for the strategic plan, the business plan and the annual report. The WLWB and the SRRB agreed to participate in a pilot of the strategic and business planning materials. 	
		6.2 INAC to develop a standard /defined and budget cycle that will assist in more timely funding approvals / confirmations for both Claims and Non-Claims boards (Reference January 2005 Forum).	INAC/WG: EY	<ul style="list-style-type: none"> MVEIRB and other Boards in discussion with INAC regarding longer-term funding solutions Ongoing funding issue related to all Boards. Need to create an opportunity to discuss issue with INAC and the NWT Board Forum To be coordinated with northern Regulatory Improvement Initiative and 	<ul style="list-style-type: none"> Announcement: 6.5 million over next 5 years

No.	Issue	Task Description	Lead	Status	Forum Action
				<p>OAG Action Plan work. INAC working group composed of Regions, NOA, HQ and Claims Implementation Boards</p> <ul style="list-style-type: none"> Stephen Van Dine will update Board Forum members regarding the status and findings of the contract Examining and Improving the Relationship with Resource Management, Advisory and Environmental Assessment Boards at the November 2007 Forum. Report looking into workload pressures and budgets for northern Canada has been handed in spring 2007. INAC will review the report. 	
7.	Community Capacity & Participant Funding	7.1 CIRL Report on Participant funding to be provided at the Fall Forum.	INAC & W/G:EY	<ul style="list-style-type: none"> The CIRL Report was provided at the Fall 2006 Board Forum, as requested. Janice Traynor presented an update at the Fall Board Forum and a potential intervenor funding policy/program for the NWT. Next steps to the potential policy would be consulting with Boards, building policy options and business case and seeking support from INAC senior management. Ongoing. Janice Traynor to be invited to provide an update on intervenor/participant funding will be provided at next Board Forum. 	<ul style="list-style-type: none"> See presentation
8.	Northern Board Training (was 7.2)	8.1 Training Initiative Working Group (previously Steering Committee) submitted a proposal/business plan to the Department in March 2006. Ongoing training	W/G	<ul style="list-style-type: none"> The Steering Committee submitted a proposal last year and the Department reviewed the proposal. It was determined that more training options should be developed and will be able to support some training courses identified 	<ul style="list-style-type: none">

No.	Issue	Task Description	Lead	Status	Forum Action
		program.	Wanda	by the Boards. Funding of \$200,000 was identified <ul style="list-style-type: none"> • The Northern Board Training Steering Committee will be evaluating past courses and proposing new training initiatives for 2007/08. Chairs and Executive Directors can contact Casey Adlem or Wanda Anderson to discuss and recommend training plans • Gartner Lee is finalizing the work on the Training Business Plan and the Steering Committee will be reviewing the revisions and provide recommendations to Chairs. 	
9.	Public Education	9.1 Communications sub-Working Group to conduct further analysis and develop a work plan outlining what a communications program might consist of (Reference: October 2005 Forum).	W/G:VC	<ul style="list-style-type: none"> • The Communication Sub Working Group was created with a draft Terms of Reference approved by the Board Forum members. The proposal to develop a “mock up” website portal was approved by the Board Forum members in November 2006 and May 2007 • Renita Jenkins, Rob Dobson and Jennifer Moores will work with the Working Group and Boards to give an expanded demonstration of the proposed internet site during the November 2007 Board Forum. • Work in progress: develop communications plan and Web Site for the Board Forum 	<ul style="list-style-type: none"> •
10.	Board Appointments	10.1 INAC to address current appointment vacancies; including work with nominating organizations	INAC VC	<ul style="list-style-type: none"> • Ongoing – Board member vacancies continue to be filled but need significant lead time 	

No.	Issue	Task Description	Lead	Status	Forum Action
		(Reference: January 2005 Forum).			
		10.2 INAC to improve the appointment process (Reference: October 2005 Forum). An Overview of proposed Accountability Act and implications for Board Appointments was addressed at the Fall Forum.	INAC VC	<ul style="list-style-type: none"> • Stephen Van Dine provided an update at the Fall 2006 Board Forum. The Accountability Act established a Public Appointments Commission to deal with Governor in Council appointments and the standards and guidelines for consistent approach for appointments. Draft principles were noted. • INAC is in the process of drafting a procedures manual for appointments • Working group is developing internal manual to streamline the process. Training binders and best practices have been distributed - MVEIRB is available to provide updated information 	<ul style="list-style-type: none"> •

5.0 Review of Board Forum Terms of Reference

Ms. Mackenzie-Scott requested clarification regarding the Board Forum Chairs' responsibilities between meetings. Mr. Yaxley indicated that the individual named as the Chair for a Board Forum meeting is the host and public spokesperson for that meeting.

In the spirit of inclusion, the question of whether or not to invite the Dehcho to attend the next Board Forum meeting was raised. Because the Dehcho is not yet an official body and has no involvement in regulatory matters, Mr. Yaxley noted that they could not be invited to the Board Forum on equivalent grounds as the present members which are legislated resource management Boards & other regulators. Mr. Nevitt supported the idea of the Board Forum being as inclusive as possible, but noted that inviting a claimant organization from the Dehcho and not from all other unsettled regions could also be cause for concern.

Ms. Mackenzie-Scott suggested the Dehcho should be invited as they share many common issues and could have them as observers to future meetings. "Inclusion of land claim groups could go a long way towards improving our and their understanding". Mr. Simpson suggested sending out an open invitation to all organizations in the negotiation process.

Mr. Yaxley indicated that the Board Forum might not be the right place to undertake such an all inclusive initiative. He noted that these many organizations have different types of input into regulatory processes compared to Boards, and that the Board Forum aims to address operational issues which are not yet shared by the above mentioned organizations. Mr. Nevitt suggested land claim organizations could be invited to provide presentations to future Board Forums at the same level as industry – for information and discussion.

Mr. Christensen underlined the need to improve the relationship and communication between resource boards, land claim organizations and other agencies involved in the legislation and requested clarification on the part of Board Forum and Federal government members.

Refer this issue to the working group to flesh out the idea, provide options and have it on the next Board Forum agenda.

6.0 Presentations and Updates

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

- Overview of Composition, Mandate and Activities – Robert Charlie
Gwich'in Renewable Resource Board
- NWT Cumulative Impact Monitoring Program (CIMP) and Audit – Teresa Joudrie
- Board Research Priorities Initiative Update – Alistair MacDonald
- Board Forum "Website Mock Up" Discussion – Jennifer Moores &

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| | Renita Jenkins |
| • Enhancing Board Planning and Reporting – | Vern Christensen |
| • Toward the Development of Northern Water Standards – | Kathleen Racher |
| • NWT Mineral & Oil and Gas Industry Update – | Malcolm Robb |
| • Diamond Mining and Sustainable Development in the NWT– | Pierre Gratton
& Rick Myers |
| • Prospectors and Developers Association of Canada – | Philip Bousquet |
| • Chambers of Mines Activities & Introduction of Industry Representatives- | Mike Vaydik |
| • Regional Regulatory Improvement Initiative Update – | Neil McCrank |
| • Boreal & Barren Ground Caribou Management Strategy – | Bob Bailey |
| • Seismic Guidelines Update – | Bob Bailey |
| • International Polar Year Update – | Bob Bailey |
| • Section 35 Consultation Update – | Julie Jackson |
| • Proposed Public Utilities Board Presentation – | Vern Christensen |

Each presentation is summarized below, along with a summary of key discussion points and action items determined by the Board Chairs. Copies of all available Power Point presentations are found in *Appendix C*.

6.1 Overview of Composition, Mandate and Activities – Gwich'in Renewable Resource Board – Robert Charlie

Robert Charlie started his presentation by stating that the Co-Management Board was established in 1995 as a product of the Gwich'in Comprehensive Land Claim Agreement signed in 1992. It is the "main instrument" of wildlife, fish and forest management in the Gwich'in Settlement Area (GSA).

After defining the Gwich'in Renewable Resource Boards (GRRB) mission and vision (see slide 3 of PowerPoint presentation), Mr. Charlie described the co-management structure in the GSA, where the GRRB has working arrangements with other agencies (e.g. DFO, ENR) and with the Renewable Resource Council.

He presented the roles and responsibility of the Board as being to establish policies and propose regulations on harvesting (e.g. barren ground caribou), to develop management plans and conduct relevant research. Mr. Charlie noted the Board was involved in a number of activities including: partnerships (i.e. international polar year funding, Eco-Action); communications (i.e. monthly newsletter,

website, and calendar); education (e.g. school visits - nature day, career day); and career or training opportunities.

In the last section of his presentation, Mr. Charlie spoke of three current issues the Board is actively working on. First, he identified the declining caribou population as a priority for the GRRB and as a common concern shared by a number of co-management boards and government agencies. Second, the Rat River char population decline from the north Yukon coast through to the Gwich'in region was mentioned by Mr. Charlie. The third issue was Dall sheep management. He noted the GRRB was involved in the development of a management plan for the species and also participated in research efforts on the topic.

Discussion

When asked how many staff the GRRB had, Mr. Charlie said they had a staff of seven to eight.

Ms. Mackenzie-Scott inquired about the level of cooperation and communication between renewable resource boards. Ms. Charlie noted that because of the transboundary nature of caribou, multiple parties that share this common issue cooperate and collaborate on many levels.

Ms. Camsell-Blondin asked how many traditional knowledge based projects does the GRRB have. Mr. Charlie said that although many community meetings took place, the inclusion of traditional knowledge proved to be an issue. He mentioned that a fairly large project was conducted and produced two books on traditional knowledge. He underlined that in all the work undertaken by the Board, traditional knowledge always plays an important part.

6.2 NWT Cumulative Impact Monitoring Program (CIMP) and Audit – Teresa Joudrie

For her presentation on the CIMP, Teresa Joudrie stated that it was a requirement under the *MVRMA* (section 146) as well as under the Gwich'in, the Sahtu and the Tlicho Agreements. It includes the Mackenzie Valley and the Inuvialuit settlement regions but excludes the Wood Buffalo Nation Park. She noted that INAC and the NWT CIMP and Audit Working Group designed and coordinated its implementation.

Ms. Joudrie identified key objectives under the CIMP (see slides 3-4 of PowerPoint presentation) which included the identification and monitoring of cumulative impacts of land and water uses in the NWT, and building community and regional capacity. She explained that the common underlying element to the list of CIMP monitoring priorities (slides 6-8) was human health.

She noted that INAC played a coordination function and that, although the CIMP had not yet been successful in obtaining multiyear funding, hundreds of projects had successfully been funded, with an emphasis on building capacity through community based monitoring. Ms. Joudrie also noted a five year work plan was developed, outlining a number of key tasks including: the development of a permanent Responsible Authority (now shared), conducting monitoring, research programs, workshops, and training.

Ms. Joudrie noted that the environmental audit is another requirement under the land claim agreements and *MVRMA*. The audit intended to determine the effectiveness of environmental management in the NWT. She indicated the CIMP working group is developing terms of reference for the audit. The funding of the last audit can be found in the Audit Report, released in June 2006 (see www.nwtcimp.ca). The report includes 50 recommendations and a supplementary report on the status of the environment. For every recommendation, the working group and Directly Affected Parties identified lead organizations (see slide 13 of PowerPoint presentation). INAC recently released its response to the audit; it took a year to prepare as efforts to reach consensus and present a multi-agency document were unsuccessful.

Concluding her presentation, Ms. Joudrie identified a number of next steps for the CIMP. They included: securing long-term funding based on the five year working plan; developing monitoring protocols; addressing audit recommendations and beginning planning for the next audit in 2010.

Discussion

A participant asked Ms. Joudrie to define “permanent responsible authority”. She indicated that through discussions, a shared responsibility was established.

Ms. Atkinson indicated her support for the cumulative impact information sharing system and inquired about the timeline associated with the initiative. Ms. Joudrie noted that such an initiative would require time and funding, because at present there is no uniformed way of reporting the information or harmonization plan, and the information management structure needed is also not in place. She indicated that this objective would fit into a long term workplan.

6.3 Board Research Priorities Initiative Update – Alistair MacDonald

Alistair MacDonald started his presentation by noting MVEIRB started developing a list of research priorities in the fall of 2006, and that was included in their 2007-08 business plan. He indicated that the list was a living document and that the Board is updating and increasing the level of detail in the list. Mr. MacDonald indicated that the Board is often approached to endorse research projects and that clearly establishing and sharing research priorities would help researchers to conduct relevant applied research. He noted that the list could become a simple, effective, minimal effort tool for researchers to provide key input into the Board’s co-management decision processes.

Mr. MacDonald noted two research categories. The first being bio-physical priorities: i.e. impact thresholds, large development impacts on caribou, best practices in seismic exploration and cumulative effects on aquatic resources. The second category is socio-economic and cultural and includes: thresholds of manageable change, cultural landscapes assessment, impacts of all-season roads on communities and long-distance commuting impacts on families and communities.

Mr. MacDonald put forth a proposition to the Board forum to become “a vehicle for a comprehensive advertised list of specific research priorities”. He noted that if the list were to become “co-management wide”, it could become an important reference for researchers and increase visibility and credibility of the identified topics.

Following the Board Forum's request in April 2007 to consolidate research priorities, the MVEIRB with the collaboration of 7 Boards, established research priorities which included (see slides 13-17 of PowerPoint presentation):

1. Caribou (both barren ground and woodland);
2. Fisheries;
3. Loss of effective wildlife habitat;
4. Bears (grizzly and polar);
5. Best practices for terms and conditions (enforceable and effective); and
6. Best practices for effective communication (between boards, communities, government)

Mr. MacDonald underlined that most Board Forum participants share concerns due to lack of key information (e.g. caribou, traditional knowledge, best practices, and cumulative impacts) and that this initiative could help fill in these information gaps. In conclusion, Mr. MacDonald suggested that if the initiative is supported by the Board Forum, the next step could be to establish a working group, tasked with establishing the research priority list.

Discussion

Ms. Camsell-Blondin noted that the WLWB had gone through a similar process recently, which underlined the importance of community involvement and traditional knowledge in this type of research initiative.

Mr. Caron of the NEB voiced concern regarding socio-economic research areas. He noted that since socio-economic research is based around information sharing and finding best practices, focusing on more resource intensive biophysical research topics demonstrated the best potential of this initiative.

Mr. Charlie noted that as a Board, they take their research priorities from the communities.

Mr. Christensen of MVEIRB clarified that a preliminary statement of research could be distributed before starting the second version of the list. He said that some information is always better than no information.

Ms. Snider noted her support for a list of information gaps and research priorities and said it is "worth pursuing".

Over all, there was cautious support for the initiative from participants and most recognized the research priorities list could be a useful tool, complementary to present coordination and information gathering efforts. It was also mentioned that there would need to be coordination with renewable resource boards.

6.4 Board Forum "Website Mock Up" Discussion – Jennifer Moores & Renita Jenkins

Jennifer Moores and Renita Jenkins had presented the first draft of the Board Forum website at the past Board Forum meeting. From that first presentation, Ms. Moore indicated that they had received constructive and helpful comments from members. Ms. Jenkins informed participants that the Communications Working Group consists of Ms. Moores, Mr. Dobson, and Ms. Adlem and Ms. Jenkins.

The working group had contracted out the design of the website. The site was constructed using the program “Flash”. The group found out that making any changes to the site was quite difficult and resource intensive because of this program, which proved not to be flexible enough to meet their needs. In order for the working group to continue work on the website, Ms. Moores and Jenkins asked for the support of the Board Forum to seek out a new contractor that would develop, based on the progress already made, a website using another more flexible program. In order to do so, Ms. Moores indicated the working group would require additional funding from the Board Relations Secretariat.

Ms. Atkinson inquired about the scope of the new website. Ms. Jenkins indicated that the consensus so far was to keep the website simple and use it as a springboard to other sites.

Mr. Wallace congratulated the working group on their work and efforts.

All Participants agreed and support was voiced regarding the additional funding from the Board Relations Secretariat to continue work on the Board Forum website.

6.5 Enhancing Board Planning and Reporting – Vern Christensen

At the start of his presentation, Mr. Christensen noted that the need to improve the planning process and accountability was identified by the Auditor General. He indicated that a working group on strategic planning had been established, with the purpose of creating that the annual reporting tools, assisting Boards to develop strategic and business plans, ensuring annual budgets contain the best information to substantiate the Board’s needs, and reporting on annual achievements of the Boards.

Mr. Christensen noted that the strategic plans would have a three year horizon and that business plans would be updated annually (see slide 4 of PowerPoint presentation). Templates and workbooks have been developed for strategic and business planning and for annual report by the working group through a collaborative process between Boards and INAC. Mr. Christensen noted that the working group also developed a high level environmental scan (that looked at the entire north) and a workload driver analysis. He invited individual Boards to use these tools and conduct similar environmental scans and workload driver analysis for their own jurisdictions.

Mr. Christensen presented the working group’s schedule from October 2007 until June 2009 illustrating project milestones and board planning and reporting cycles and key deliverables for both categories (see slide 6 of the PowerPoint presentation).

At this point, he indicated the working group was satisfied with the strategic planning tools and extended an invitation for Boards to participate in a “test drive” of the tools. Mr. Christensen indicated this exercise would take place between January and November of 2008 and that any volunteering Board would get the full support of the working group and of a consultant in developing their strategic and business plans.

The last section of Mr. Christensen’s presentation identified the working group’s next steps which included: conducting the pilot Board strategic and business planning exercise; making appropriate changes to the workbook and template; distributing the updated materials and providing support for their use. Mr. Christensen noted that the working group expected to follow a similar approach with the development of the workbook and template for annual reporting.

Discussion

Ms. Camsell-Blondin of the WLWB congratulated Mr. Christensen and the working group on their work and voiced her interest to participate in the testing of both the strategic and business plan development initiative proposed by the strategic planning working group, to which Mr. Christensen extended his thanks.

Mr. Caron complimented Mr. Christensen on the great work done so far. He noted that the NEB had found which developing their own strategic plan that such plans are very strong tools for improving internal processes as well as for accountability and transparency of the organization.

Mr. Hagen agreed with both Ms. Camsell-Blondin and Mr. Caron and encouraged the working group to continue with their initiatives.

Mr. Yaxley indicated that INAC would fund the consulting services. Mr. Christensen noted that strong strategic and business plans could serve in future to secure additional funding for Boards.

Ms. Snortland of the Sahtu Renewable Resource Board also volunteered to take part in the initiative.

DAY TWO

6.6 Toward the Development of Northern Water Standards – Kathleen Racher

Ms. Racher initially spoke of the 2005 Auditor General's report. In looking at INAC's roles and responsibilities set out in the *MVRMA*, the report recommended that INAC "in consultation with the boards under the *MVRMA*, should develop standards for water [...]". Mr. Racher said that as a result INAC made, and is continuing to make, significant efforts to provide proponents with greater certainty by first determining information needs of water users (i.e. the Boards) and second by developing water standards, policy, or regulations to best fit these needs.

Recently, INAC contracted the development of a discussion paper on northern water standards in four steps:

1. Evaluate existing approaches to water management in the NWT;
2. Review approaches used by other jurisdictions;
3. Propose several possible options to address Auditor's General's concerns; and
4. For each option, outline a process for implementation.

For her presentation, Ms. Racher looked into effluent water quality criteria setting (i.e. waste water quality level standard required to keep impacts on bodies of water within check). To determine the desired effluent quality, she noted that many factors must be defined, such as: the properties of the body of water or of the industry and water quality objectives. The latter is the only step requiring a value judgement and is usually partly determined by local residents. Because this analysis can only be done on a case by case basis, Ms. Racher noted this was a fairly flexible process when dealing with different industries and locations.

Ms. Racher presented three options to improve certainty levels in developing water standards (see slides 7 to 9 of PowerPoint presentation). The first option she noted was to establish uniform water quality objectives for the NWT. The second was to establish an industry-specific effluent quality criteria based on best treatment technologies for each industry type. The third option noted by Ms. Racher was to establish a framework for deriving and applying project-specific effluent quality criteria. She noted that for the first two options, additional time and northern based/oriented research would be required. Mr. Racher indicated that the latter option would be based on a long range vision of water quality and articulated around a water quality policy that would clarify what factors to consider in the final decision. This water quality policy would help determine best practices and water quality objectives. She underlined that by taking a step back and defining a long range vision of water quality, this would help bring certainty and consistency to the later steps in the process. This would allow a guideline on decision making to be developed around option three. In developing guidelines and policies, she noted the need to keep in mind a balance “between economic development and environmental protection”

In closing, Ms. Racher referred back to the auditor general’s report and underlined the importance of involving the Boards in the development of water standards by INAC. She indicated that the discussion paper would be distributed and proposed that a formal collective discussion take place at the next board forum meeting.

Discussion

Mr. Govier made the observation that for the SLWB, an important issue is municipal water licenses. He noted that they were not mentioned of the NWT Water Board guidelines for municipal effluent water quality. Mr. Govier noted that the SLWB has been working with the Canadian Council of Ministers of the Environment (CCME) on a municipal wastewater effluent initiative (also with EC and GNWT-ENR). He inquired if Ms. Racher was aware of this work and noted that coordination and information sharing between the two initiatives could be beneficial.

Ms. Racher responded that regarding the guidelines, EC’s data gives a good representation of effluent water quality in Canada but does not necessarily give an accurate depiction of northern conditions. She noted that EC recognizes the uniqueness of the North.

She indicated that INAC did consult with 15 communities, and conducted water sampling to determine the best possible method for determining water standards. As they stand, the NWT Water Board guidelines of municipal effluent water quality are good as guidance but need updating.

Mr. Hagen asked about standards and agreements based around the notion of any ‘substantial quality and quantity water alterations’, as specified in the comprehensive land claims. Ms. Racher answered that the definition of what is a substantial alteration would lack clarity for the purposes of this initiative and could be interpreted in many ways. She emphasized that we should not look to science to resolve what are effectively value judgements.

6.7 NWT Mineral & Oil and Gas Industry Update – Malcolm Robb

Mr. Robb, Acting Director of the Mineral & Petroleum Resources Directorate of INAC noted that his presentation was meant to provide a snapshot of current mineral and oil and gas activities as well as an overview of anticipated production and exploitation trends.

After providing an overview of the global economic environment for mineral and oil and gas products, Mr. Robb mentioned that unless any new mining projects are approved and start construction, “the 2006-2010 period will likely represent a peak in mineral revenues”. He noted that in the NWT, three producing diamond mines (i.e. Diavik Mine, Ekati and Snap Lake) and one tungsten mine (i.e. Cantung) are generating significant employment, production levels and gross revenues (see slides 4 to 10 of PowerPoint presentation). He indicated that the value of mineral, oil and gas production in the world has dramatically increased since 2001 - equalling just over 2.2 billion dollars for 2006 for the NWT alone and is expected to continue rising in the near future. Mr. Robb noted that the cumulative production value of NWT diamonds now exceeds 10 billion dollars (see slide 7 and 8 of PowerPoint presentation).

About exploration trends, he said that most activity was focused in the Central Mackenzie region. According to Mr. Robb, between 2004 and 2006, a record number of prospecting permits were in good standing, most of which divided between the Sahtu, Inuvialuit and Akaitcho areas. “As of October 2007, the area of active permits in the NWT is half that of active permits in 2005”. Mr. Robb presented maps showing primary exploration areas for diamonds, base and precious metals and other commodities (see slides 21 to 24 of PowerPoint presentation). He noted that the position of the NWT in mineral exploration expenditures is deteriorating compared to other Canadian provinces and territories (see slides 27 to 30 of PowerPoint presentation). Mr. Robb listed a number of factors that contribute to making the exploration process more time consuming and expensive in comparison to other jurisdictions (e.g. lack of infrastructure, unsettled land claims). Despite these factors, since 2003, the Sahtu region has seen mineral exploration expenditures of over 70 million dollars.

In conclusion, Mr. Robb highlighted a number of implications for the regulatory system including: exploration companies require greater certainty regarding permitting of drilling operations in un settled land claims; “advanced” exploration projects will focus on timing issues regarding submitting applications. Other considerations noted by Mr. Robb include competition for qualified workers, Section 35 Crown consultation assertions, availability of and access to baseline environmental data and cumulative impacts of overlapping exploration activities.

Discussion

Ms. Atkinson asked for a clarification regarding the “availability of and access to baseline environmental data”. Mr. Robb indicated he brought up the point because the project review process is risk based, which underlines the importance of clear, consistent and accessible base line environmental data.

Mr. Hagen requested more background information on the MacTung mine. Mr. Robb indicated that the site had been identified about 20 years ago and is presently undergoing a feasibility study. The project is for an open pit mine with underground reserves. He noted that about 10% of the resource sits in the NWT as does the access road. Mr. Robb noted that it was a complex transboundary project with potentially high anticipated revenues.

When asked about the impact of the recent increases of the Canadian currency, Mr. Robb indicated that it has important impacts on a number of factors (e.g. transportation). He also noted that for diamonds, the value of the Canadian dollar has almost no impact because diamonds are sold in US dollars.

6.8 Diamond Mining and Sustainable Development in the NWT– Pierre Gratton and Rick Myers

Mr. Gratton of the Mining Association of Canada (MAC) first noted that the MAC was a credible and well established national organization that represents producers of minerals and metals (e.g. iron ore, diamonds or uranium). Mr. Gratton's introduced the Towards Sustainable Mining (TSM) program as a performance reporting system. Based around a number of sustainability criteria (i.e. Aboriginal relations, biodiversity, energy management) participating companies conduct self assessments which are reviews by a third party advisory panel (see slide 5 and 6 of PowerPoint presentation). Mr. Gratton said that companies are then given a ranking for each indicator (one to five) and given an overall score. He indicated that the MAC was the first mining association in the world to implement external verification of performance.

Mr. Gratton noted that Diamond producers (namely Diavik and Ekati) are among the top MAC performers. For the external review process, he mentioned advisory panel participants included 14 external interest group members with significant Aboriginal representation, 5 MAC members and 1 junior mining industry representative (see slides 10 and 11 of PowerPoint presentation). Mr. Gratton indicated that the MAC was working on a draft Mining and Aboriginal People Framework which they hope to distribute for comments in 2008.

Mr. Gratton briefly presented on the recent evolution of the diamond industry (see slides 13 to 18). Canada ranked 5th in terms of value and 6th in volume the world for diamond production. Specific to northern Canada, Mr. Gratton presented mining as a major economic driver and indicated that the "diamond industry has brought new prosperity to northern communities". He noted that NWT diamond mines have provided over 10,500 person-years of employment and over 5 billion dollars over the past 8 years to Aboriginal and northern communities. Mr. Gratton stated the importance the MAC gives to building partnerships with communities as well as providing adequate education and training.

In conclusion, Mr. Gratton identified industry concerns regarding the NWT regulatory system. They included: timelines of water license renewals; water quality standards and EEM requirements and terms of water licenses; providing stronger Aboriginal community engagement; and ensuring a stronger and more consistent interaction with Boards.

Discussion

Mr. Govier asked if MAC members include companies involved in only exploration. Mr. Gratton indicated that mineral exploration companies can participate but have a different membership and that not all producing companies are member of the MAC.

Mr. Yaxley asked if more detail could be provided regarding the third party verification process. Mr. Gratton indicated that terms of reference were developed for verification service providers. He noted after

attending a workshop and meeting requirements, a list of verifiers is compiled and updated. A verifier can not be involved in a review if they have worked the company in the last two years.

Mr. Hagen requested clarification about the “industry concerns regarding the NWT regulatory system”. Mr. Gratton said that in other jurisdictions, permits are issued for the life of a project. There are triggers in place to review the license. Mr. Gratton noted that for permit renewal, the threat of shutting down operations does not exist elsewhere. He pointed out that going through the entire approval process to do a review of a permit is costly and resource intensive for both proponents and Boards.

Mr. Nevitt thanked the presenter and noted efforts by the MAC to cooperate with the WLWB.

6.9 Prospectors and Developers Association of Canada – Philip Bousquet

Mr. Bousquet is the director of the Prospectors and Developers Association of Canada (PDAC), which is a national organization with 7,000 members (corporate members and individual members). Mr. Bousquet introduced e3, which stands for Environmental Excellence in Exploration. Available since 2004, it is an internet-based program providing examples of environmental and social responsibility in the mineral industry. With over 2,000 users representing over 80% of the world’s mining and exploration industry, Mr. Bousquet noted that e3 provides “field-proven” guidelines on exploration, community engagement and environmental practices. He noted that new developments included e3 translation to French, Spanish and Portuguese. The PDAC is also developing guidelines on cultural heritage and archaeology as well as on uranium exploration practices.

Mr. Bousquet indicated that regarding Aboriginal participation in the mineral industry and sustainability, PDAC had taken a number of actions including: forming an Aboriginal affairs committee to inform and advise Board of Directors, providing technical sessions and developing educational programs (see slices 7 and 9 of PowerPoint presentation).

Mr. Bousquet spoke about the PDAC Corporate Social Responsibility (CSR) strategy developed for its membership. The goals and objectives of the CSR are centered on environmental, social and economic priorities (see slides 13 and 14 of the PowerPoint presentation).

According to Mr. Bousquet, key issues raised by PDAC this year included:

- Investment in geoscience
- Tax policy for mineral exploration
- Regulatory reform and efficiency in permitting
- Land access, mineral exploration and Aboriginal communities (e.g. resolution of land claims)

Citing a Fraser Institute 2006 study which ranked 65 jurisdictions, although the NWT is 1st in mineral potential, it is ranked 41st in policy potential (i.e. the effects of government policies on exploration) which is the lowest ranking for Canada and greatly contrasts with the Yukon, ranked 11th (see slide 18 and 19 of PowerPoint presentation). Mr Bousquet noted that in order to bridge this gap between 1st and 41st place, “we need to work together and look for consistent approaches to resolving issues and addressing concerns”.

Discussion

Mr. Hagen asked if Mr. Bousquet thought there was a link between devolution and the Yukon's better ranking in the Fraser Institute study. He answered that although the gap between the two jurisdictions is large, no one can draw any conclusions on devolution at this point, also pointing out that in previous years, the Yukon was ranked well below 11th place.

Answering a clarification request regarding the E3 initiative, Mr. Bousquet indicated that most resources on community consultation are aimed at industry (their corporate members) and touch on international issues common across many jurisdictions.

Mr. Bousquet also mentioned that the PDAC is now giving out awards for Aboriginal run businesses in the mineral industry.

6.10 Chambers of Mines Activities & Introduction of Industry Representatives – Mike Vaydik

Mr. Vaydik started his presentation by stating that the NWT economy has gotten used to capital investments totalling up to \$700 million and noted that if such numbers are to be sustained, lots of grassroots exploration projects will be required every year.

Mr. Vaydik indicated that the NWT has lost a part of its market share for exploration from \$130 million to \$112 million between last year and this year alone. He noted that Canada's economy has been driven by a resource sector boom but the NWT is only one of two jurisdictions (with Alberta) which have experienced a decrease in exploration expenditure. NWT mines are being developed on deposits that were identified in the 90's. Mr. Vaydik noted that production statistics for diamonds (considering projects on known deposits) are anticipated to peak in 2013, so considering the 10 year gap between the discovery of a deposit and the start of exploitation, "we're already behind" if a reduction in production is to be avoided.

Mr. Vaydik noted that although Canada has arguably the best mineral potential, factors have restricted exploration activities such as remoteness have human solutions and could be resolved or hampered. Mr. Vaydik referred to a Fraser Institute study on the exploration and mining industry. The study pointed to issues and problems on the regulatory front as an important barrier to the industry and the expansion of its activities. Mr. Vaydik noted that all participants to the Board Forum understand the complications an unsettled land claim area can create. He underlined how resolving the issue would bring greater certainty regarding ownership and stakeholders with regards to land in the NWT. He invited the Boards to provide a copy of the Fraser Institute study to their Executive Directors.

In conclusion, Mr. Vaydik stated that in the exploration industry, perception is as good as reality because it is based on investment. He noted that if the NWT as a jurisdiction is perceived as a bad climate for investment, companies and investors will go elsewhere in Canada or to other countries altogether.

Discussion

Mr. Hagen asked Mr. Vaydik's opinion on whether or not devolution could have a positive impact on the situation. Mr. Vaydik noted that although devolution could offer improvements, it also raises uncertainty.

He noted that he believed in northerners to make the correct and responsible decisions. He indicated that for the Yukon, even though the time was right and agreement was reached, the territory still went through difficult economic times.

Mr. Govier asked if the Chambers of Mines ever gets involved in environmental assessment on behalf of companies. Mr. Vaydik noted that he had done so in the past when he was asked. He noted that the Chamber of Mines has only three staff members.

Mr. Simpson stated that although he had not seen the Fraser Institute report, he felt Mr. Vaydik's comments and recommendation were helpful. Mr. Simpson underlined the importance on knowing "where the changes need to happen". Mr. Vaydik agreed and noted that continued discussions with government hasn't been as productive as industry had hoped and is now directly engaging communities, Boards and other key stakeholders. He offered to jointly work with the Boards on the review and analysis of regulations to make constructive recommendations to Mr. McCrank and to the Minister.

Mr. Simpson raised the issue of land claim implementation and linked it with lack of funding and resources available to the Boards. Mr. Gratton followed by noting that the annual lobby day on parliament hill might be of interest to participants as this year's topic is Aboriginal issues and land claims.

Mr. Bayha noted that the Sahtu region is seeing increasing exploration activities but noted he had not seen this to be apparent in Mr. Vaydik's presentation. Mr. Vaydik indicated that since the 1990's, diamond activity has been concentrated in the Slave region. But since these deposits are almost all at some stage of mining, exploration activities are now spreading out (i.e. in the Sahtu region).

Address to industry presenters and attendees.

Gabriel: thanks for coming and we're sure to invite you again. Thanks for the great presentations.

6.11 Regional Regulatory Improvement Initiative Update – Neil McCrank

Mr. McCrank first thanked the Board Forum for giving him the opportunity to assist and take part in an engaging dialogue, and noted that he looks forward to continuing with them.

Underlining the fact that the engagement process set out in his mandate was in its very early stages, Mr. McCrank noted that so far he had met with Aboriginal groups as well as industry representatives. Although he did not have his terms of reference with him at the time, Mr. McCrank indicated that the impetus for his initiative came from the Auditor General's 2005 report and a few other report invoking regulatory complexity as an issue. He said that the two phases of the regulatory improvement initiative are first engaging and addressing Board governance and second, making improvements to the system.

In terms of his appointment process, Mr. McCrank first explained he had initially retired in March 2007, after which he worked on an agency review in Alberta from a governmental point of view. Mr. McCrank noted that two weeks prior to the Board Forum meeting, and after the Throne speech which gave support to northern issues, he had been approached for this assignment.

Mr. McCrank indicated that the first step in the regulatory improvement initiative is to identify goals and policy objectives and then look at what can be done to achieve them. He noted that industry or Aboriginal

groups might have recommendations and that it was his mandate to bring all recommendations out through a consultation process. Mr. McCrank indicated that how this process will take place or what it will look like has not yet been set out.

In terms of products, Mr. McCrank noted that an interim report should be produced around mid-February, and a final report should be completed by April. The final report will make recommendations directly to the Minister and for every recommendation, “we need to understand the position of every involved party, otherwise the Minister will not accept any recommendations”.

Mr. McCrank noted that his mandate is to examine the regulatory system to see if there are improvements to be made with emphasis on the NWT but also in the Yukon and Nunavut. He also noted he would look into the potential benefits from a Major Project Office type initiative in the north.

Discussion

Mr. Christensen indicated the timeliness and usefulness of Mr. McCrank’s initiative and made a suggestion to use a ‘paper hearing’ so that all involved parties can see all positions on issues, also saying “it is a very transparent process”.

Mr. McCrank assured participants that he has no interest in making recommendations that not all parties are aware of. He noted that the improvement initiative has to be driven “by the people in this room, industry and Aboriginal groups”, also stating that a regulatory system only works if rules and expectations are clear and understood.

Mr. Hagen stated that the *MVRMA* has only five signatories. He pointed out that if this initiative was to be successful, the Akaitcho and Dehcho regions should be involved in the process.

Mr. Carron commented that the motivation behind the Board Forum was and is regulatory improvement. He also pointed out that Board Forum members have experience and a deep understanding of how “we inter-relate with other government agencies”, some of which were not present at the meeting (e.g. Environment Canada). Mr. Carron indicated that the Board Forum will share their findings with Mr. McCrank but that their aim is not to change the legislation, although if asked, “We’ll be glad to make suggestions”.

Mr. McCrank said that perhaps his position should be representative to, and not of, the Minister. He recognized the significant amount of work and effort towards cooperation and collaboration carried out by the Board Forum, and noted that if he can act as a representative of this community to the minister, “this would be a success”.

Ms. Mackenzie-Scott indicated that work had been done on improving the Board appointment processes. She also pointed out the need and desire from both industry and the general public to better understand the regulatory process. A clear definition of roles and responsibilities of Boards is another motivation behind the creation of the Board Forum.

Mr. McCrank agreed regarding the importance of achieving a clear understanding of the regulatory system.

Mr. Simpson noted that important concerns for the GLUPB were the lack of proactive approaches to implementing land claims and the resourcing of the Boards through a process that “we don’t participate

in”. He noted that it could be useful to look back at the Auditor General’s report to see her recommendations on resourcing and land claim implementation.

Mr. McCrank indicated that time should be spent on the issue of resourcing, also noting that if lack of resources available to Boards is an issue, it should be in the recommendations. He said that adequate resourcing to the regulatory system is of economic interest.

Ms. Snider thanked Mr. McCrank for his presentation and inquired as to how he could be reached. Mr. McCrank gave his email (neil.mccreag@shaw.ca) and noted that Ms. Merrithew-Mercredi of INAC would have his contact information.

Ms. Mackenzie-Scott agreed with Mr. Simpson’s comments regarding resourcing and in closing, thanked Mr. McCrank for his participation.

6.12 Boreal & Barren Ground Caribou Management Strategy – Bob Bailey

Mr. Bailey, the Deputy Minister of Environment and Natural Resources (GNWT-ENR) started his presentation by listing the four NWT caribou subspecies (i.e. Peary caribou, barren-ground caribou, mountain woodland caribou and the boreal woodland caribou). Barren-ground caribou populations are referred to as herds, which can be studied and observed as groups. Mr. Bailey noted that the migratory patterns of seven Barren-ground caribou herds with distinct geographical areas have been studied over the last 5 to 10 years (see slide 4 of PowerPoint presentation).

Mr. Bailey indicated that in the long term caribou herds operate in cycles (based on scientific observation and traditional knowledge). It is important to understand long term variations in herd population, and where herds are in their cycle before management plans can be set out. He noted that current estimates show herd sizes to be declining. Mr. Bailey spoke of the 2007 caribou survey update conducted by plane during which calf survival information, male to female ratio, and health condition information was gathered (see slide 6 and 7 of presentation).

Mr. Bailey mentioned the 2006-2010 NWT Caribou Management Strategy released a year ago. The document was developed around previous strategies, the precautionary principle, consistency with land claims and recommendations from co-management boards as well as traditional and scientific knowledge.

Mr. Bailey presented the five key components of the management strategy as follows:

1. Engaging partners (e.g. workshops meetings, summits);
2. Information for management;
3. Public education and compliance;
4. Managing human activity (stewardship); and
5. Addressing hardships (work with ITI).

Mr. Bailey provided an update of caribou management actions which included a public education campaign, the creation of a new management zone for the Cape Bathurst herd and increased enforcement activities (see slide 12 of presentation). Mr. Bailey mentioned activities are aimed to reduce

commercial and residential harvests first. He also recognized the hard work of the Renewable Resources Boards on caribou herd management. Mr. Bailey introduced the January 2007 NWT Caribou Summit in Inuvik as a unique opportunity to bring together stakeholders and to identify priorities of actions. He noted that the results of the summit should be published in a report shortly. He also noted ENR's intention to hold a cumulative effects workshop.

Mr. Bailey noted that ENR works in collaboration with management and regulatory agencies by providing assistance, sharing information and by reviewing land use applications and providing recommendations.

Mr. Bailey presented the example of the Boreal woodland caribou, now listed as threatened. Herd decline is linked to habitat destruction, human disturbances and predation across Canada. He noted that a national recovery strategy is being developed and will be released in 2008. He also noted that an NWT plan should also be ready in 2008. Mr. Bailey spoke of the Mountain woodland caribou, now listed as "special concern", and so a cooperative management plan covering British Columbia, the Yukon and the NWT is being prepared with the help and collaboration of the Federal Government.

In conclusion, Mr. Bailey stressed how working jointly with Regulatory Boards is a key component in developing comprehensive and effective management plans. He noted that these are collective problems and that common solutions are required to keep caribou herds. Mr. Bailey encouraged participants to visit their website for further information and documentation (www.nwtwildlife.com).

Discussion

Mr. Charlie inquired regarding the determination of herd numbers and where there were any alternative methods to conducting a total census. Mr. Bailey indicated that because of weather and other factors it was difficult to do a complete census this year, and that is often a limiting factor. He mentioned satellite tagging of caribou and also noted that a meeting looking at alternative methods was to take place in the near future.

Ms. Mackenzie-Scott asked if there was hope for the caribou herds in the face of such adversity. Mr. Bailey responded that there is always hope. He noted that improvements were being observed in the Bathurst herd for example. The decline in herd population has been observed throughout North America and not just in one or two herds, which could point climatic cycle or other variables that could improve shortly.

Mr. Pokiak of the Inuvialuit Game Council asked why ENR still allowed outfitting activities to take place if caribou herds are in a situation of crisis. He felt disappointed to see outfitting continue at the same time that local people are being restricted in their hunting activities. Mr. Bailey indicated that co-management Boards have to be partners in these often transboundary decisions, and reminded participants that the caribou management plan aims to "deal with" commercial harvest first.

6.13 Seismic Guidelines Update – Bob Bailey

Mr. Bailey started his update by stating that, based on the 2006 Best Practices Guidelines, the working group wanted to look more closely at two priorities: camp operations and seismic operations. Alter, concerns were voiced about seismic operations that were going to take place. Mr. Bailey noted that in

2006-2007 concerns were raised regarding seismic operations and practices. Consequently, a letter of agreement between EC, DIAND and GNWT-ENR was written towards the development of guidelines for seismic operations. The guidelines will be aimed at addressing the ecological impacts of seismic operations and provide certainty for all participants in a transparent and pro-active manner.

Mr. Bailey indicated that the Alberta Research Council was approached to develop the first draft of the document. The final document should be available in the spring of 2008. He stated that EC, ENR, and DIAND are all working jointly with a consulting company to finalize the document. Mr. Bailey noted that a letter should be distributed shortly to the Boards, looking for input and comments on the document. He also noted that a staff-oriented educational workshop was held in Yellowknife to provide updates on practices and approaches to the mitigation of seismic operation impacts. Mr. Bailey indicated that a similar workshop for communities was being planned for 2008.

Mr. Bailey said that in terms of next steps, the consulting company will develop the initial concepts for the seismic operation guidelines and get feedback from Boards and stakeholders. He noted that the final document should be ready by the end of March 2008.

Discussion

Mr. Govier noted his disappointment that the SLWB had still not been invited into the consultation process. Mr. Bailey mentioned that there had been some difficulties in getting things organized. He recognized Mr. Govier's point and agreed that if any comment were given by any other Boards on permits and decisions by the SLWB, the SLWB should be given the opportunity to participate as well.

Mr. Hagen noted that in the agreement between EC, DIAND and ENR, the NEB was not included. Ms. Atkinson of the NEB noted that NEB staff had been consulted and that the most successful approaches are collaborative in nature.

6.14 International Polar Year (IPY) Update – Bob Bailey

Mr. Bailey first noted that 2007 was the fourth International Polar Year (IPY). He noted that the IPY is not only the largest international program of coordinated research focussed on Polar Regions, but that an estimate \$474 million have been allocated to IPY research. Most research projects will end in 2008 but a few will be complete in 2010 (e.g. a Canadian human health study).

Mr. Bailey indicated that government of Canada programs represented \$150 million in funding over six years to 44 research projects, with a special focus on climate change impacts, and health and well-being of northern communities (see slides 4 to 6 of PowerPoint presentation). Some of the research projects mentioned by Mr. Bailey included: the Inuit health survey covering 37 northern communities; the environmental change and traditional use in the Old Crow flats in northern Canada project; and the arctic beluga tagging project. Slide 9 of the PowerPoint presentation provides a list of international projects organized by topic and geographical research area.

Mr. Bailey noted that other components of the Government of Canada's participation in the IPY included a number of training sessions, workshops and other initiatives aimed at facilitating applications of and

participation in research projects. He indicated that the Canadian IPY Secretariat is located at the University of Alberta (see slides 10 and 11 of PowerPoint presentation).

Mr. Bailey provided an NWT specific update on IPY activities. He mentioned the August 2007 Geonorth International conference in Yellowknife, the Ice Breaker Amundson which will over-winter in the Beaufort Sea. Education initiatives mentioned included the IPY Science days focusing on global ice sheets, and the Students on Ice projects (see slides 14 of PowerPoint presentation). Finally, Mr. Bailey also stated that 18 IPY research licenses had been issued to researchers in the NWT through ARI as of September 2007 and that the deadline for applications to the Education Outreach and Communications request for proposals is January 15th 2008.

6.15 Section 35 Consultation Update – Julie Jackson

Ms. Jackson stated that her presentation was meant to provide an update of INAC-NWT Region internal and external activities in relation to s. 35 Crown consultation over the last six months. She noted that an interim approach to address Crown consultation issues has been under development since November 2005. Ms. Jackson presented the goals of the interim approach as follows:

- Meet the Crown's legal duty to consult with Aboriginal groups;
- Avoid duplication with existing consultation processes (e.g. *MVRMA* processes);
- Respect accommodations reached through negotiations processes (e.g. *IMAs*).

She also noted that the basis of the NWT interim approach included: special focus given to unsettled claims areas (Dehcho, Akaitcho and NWT Métis Nation); encourages industry best practices of conducting consultation "early on"; look into procedural aspects of consultation as part of the *MVRMA* to avoid duplication (see slides 5 and 6 of PowerPoint presentation).

Ms. Jackson listed a number of INAC's internal activities that have taken place over the last six months which included (see slides 7 to 9 of PowerPoint presentation):

- Establishing consultation as a primary Regional strategic planning priority;
- The Internal Regional Consultation Working Group is continuing its work;
- Looking into and addressing with HQ key Crown consultation policy issues ;
- Resources acquired to assist the MVLWB respond to Crown consultation issues arising in unsettled claims areas.

She noted the ongoing effort through INAC and Justice Canada to develop a Canada wide consultation approach. She also mentioned a number of external activities that have taken place over the last six months. They included:

- INAC is in communication with unsettled regions on Crown consultation and how to "link it with the negotiations and Interim Measures Agreement";
- INAC continues to work with the MVLWB
- Work has started with federal counterparts in the NWT to begin coordination of Crown consultations efforts.

Ms. Jackson indicated that the next steps for INAC are to focus on policy and guidelines. They include the implementation of a regional consultation unit, continuing to meet with Aboriginal representatives, and continuing coordination with federal departments and with the GNWT.

Discussion

Mr. Yaxley noted that the special attention given to unsettled regions doesn't mean that INAC is not working with settled regions.

Mr. Nevitt pointed out there had been a change in language in the Tlicho Agreement from "management area" to "settlement area". The difference between unsettled claims "area" and "group" carries a lot of meaning and there is potential for overlap. Mr. Nevitt also pointed out that in addition to the three unsettled areas mentioned in the presentation, the North Slave Métis Alliance should be added. He also pointed to a need for guidance and direction from INAC on their status. In essence, issues that arise from unsettled claim "groups" are affecting resource management regimes in settled claim areas like the Tlicho.

Mr. Jackson thanked Mr. Nevitt for his comment and offered to meet with him to discuss the topic. She noted that INAC is not recognizing them as a group as they are uncertain of their membership and who they represent. She noted that INAC was ready to help them with support to gather this information and help with the land claims process.

6.16 Proposed Public Utilities Board Discussion – Vern Christensen

Mr. Christensen started the discussion by presenting a letter sent to MVEIRB on August 24th from Mr. Joe Acorn, chair of the NWT Public Utilities Board (PUB) (see Appendix D. In this letter, the PUB proposes becoming a member of the Board Forum. The PUB is a quasi-judicial regulatory body that shares similar projects (e.g. Taltson project regulated by the MVLWB). Mr. Christensen also pointed to a PowerPoint presentation that was provided for information purposes.

Mr. Christensen noted that the PUB is another NWT board and that they are interested in a relationship with the Board Forum. He indicated that the PUB seemed to be mostly interested in training events. Opening the topic up for discussion, Mr. Christensen suggested that the Board Forum could decide to ask the working group to take this under consideration, turn them down or explore cooperation opportunities on training activities.

Discussion

Ms. Snider stated that she was inclined to think that the PUB would not correspond with the initial motivation behind the creation of the Board Forum, but that the Forum might benefit from their participation. She noted that for training opportunities, questions of funding and focus would still need to be clarified.

Suggestions were made for the participation of the PUB in a Board Forum meeting, but not as a full member. Participants also agreed that the PUB should be asked to make a presentation at the next Board Forum meeting. Participants agreed to ask the Working Group to prepare a response to PUB. .

Ms. Camsell-Blondin indicated that section three of the Board Forum Terms of Reference should be cited in the response letter. Mr. Yaxley agreed and noted that the PUB is a very different board (i.e. territorial board) and that the PUB has access to other training opportunities through other venues.

Ms. Snider indicated that in drafting the response to PUB, attention needs to be given to not excluding the NEB and other organizations which are not land claims based but do have a role to play in the Board Forum as regulators.

7.0 Next Board Forum Meeting

The National Energy Board (NEB) offered to host the next NWT Board Forum Meeting in Calgary. This was enthusiastically accepted by attendants. The timing of the meeting still needs to be determined but will be in the spring of 2008. The Working Group will assist the NEB in coordinating the meeting date and location.

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Appendix A

NWT Board Forum Agenda

Board Forum Agenda
November 7 - 8, 2007
Tree of Peace, Yellowknife, NT

DAY 1 – November 7th

- 8:30 Introductions – Facilitator Ricki Hurst
- Welcome – Gabrielle Mackenzie - Scott, Host, Mackenzie Valley
 Environmental Impact Review Board
- Opening Prayer
- Opening Remarks, Round Table – Chairs (60 minutes)
- Update from last Forum – Board Forum Working Group
- 10:30 Health Break
- Update from last Forum – Board Forum Working Group
- Overview of Composition, Mandate and Activities – Gwich'in Renewable
 Resource Board presentation – R. Charlie
- Board Forum – Terms of Reference (Revised)
- Renewable Resource Boards included as members of the NWT Board
 Forum
- 11:45 Board Appointments Update – Trish Merrithew-Mercredi (TBC)

Lunch to be provided

- 1:00 Strategic Planning/Business Planning Update – V. Christensen
- 1:45 Participant Funding Update – (TBD)
- 2:00 Health Break
- 2:30 NWT Audit, Plans for next Audit & CIMP update – T. Joudrie
- 3:15 Board Forum “Website Mock up” Discussion – R. Jenkins & J. Moores
- 3:45 Board Training Update for Training Committee – W. Anderson

4:00 Board Research Priorities Initiative Update – V. Christensen

Evening Event – Tree of Peace

DAY 2 – November 8th (Industry Attendees)

9:00 Water Standards Review Update & Discussion – K. Racher

9:30 MGP Regulatory Coordination update – W. Anderson

9:45 Overview Minerals and Oil & Gas Development in the NWT – M. Robb

10:00 Health Break

10:20 Mining Association of Canada Presentation & Discussion – Pierre Gratton & Rick Myers

10:50 Prospectors and Developers Association of Canada Presentation & Discussion – P. Bousquet

11:20 Chamber of Mines Activities & Introduction of Industry Representatives – Mike Vaydik

Lunch (Not provided)

1:00 Regional Regulatory Improvement Initiative Update – INAC (TBD)

1:30 GNWT Presentations & Discussion

- Boreal & Barren - Ground Caribou Management Strategy – B. Bailey ENR/GNWT
- Seismic Guidelines Update – B. Bailey ENR/GNWT
- IPY Update – B. Bailey ENR/GNWT

2:30 Section 35 Consultation update – J. Jackson

3:00 Discussion of Request – Proposed Public Utilities Board Presentation V. Christensen

3:30 Post Forum Chairs Caucus

4:00 Departure of Delegates



Appendix B

Participant List

NWT Board Forum

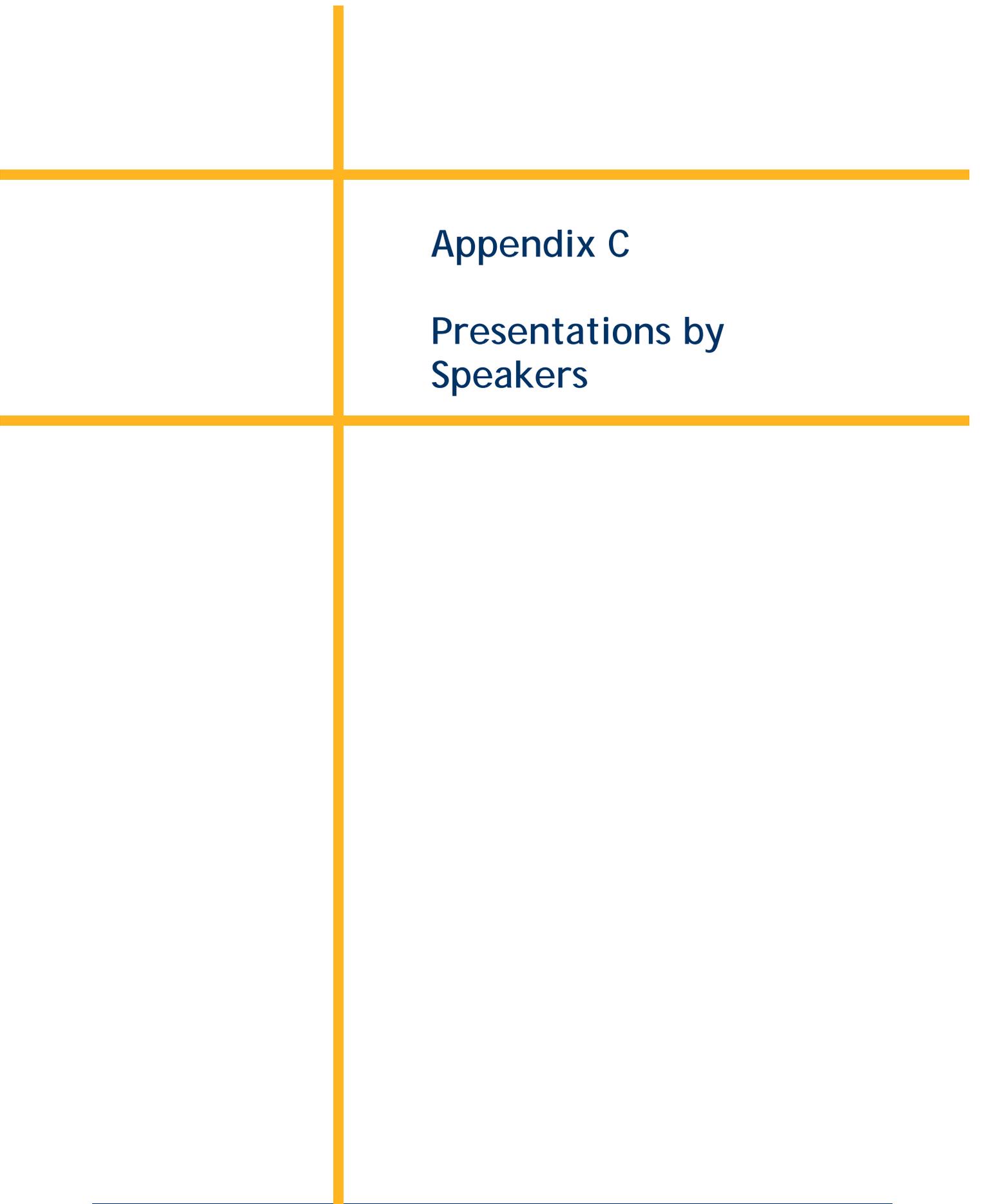
November 7 - 8, 2007

Yellowknife, NT: Tree of Peace

Participant List

Name	Affiliation
Alfonz Nitsiza	Chair, WRRB
Allison Blackduck	MVEIRB
Alistair MacDonald	MVEIRB
Bella T'Seleie	Director, SLUPB
Bob Bailey	ENR, GNWT
Bob Simpson	Chair, GLUPB
Chuck Strahl	Minister, INAC
Elizabeth Snider	Chair, EIRB
Eric Yaxley	Manager, BRS, INAC
Frank Pokiak	Chair, Inuvialuit Game Council
Fred McFarland	Chair, EISC
Gabrielle Mackenzie-Scott	Chair, MVEIRB - Host
Gaétan Caron	Chair, NEB
George Govier	Exec. Director, SLWB
James Lawrance	INAC
Jann Atkinson	Regulatory Development, NEB
Jennifer Moores	INAC – Communications
Jody Snortland	Exec. Director, SRRB
Joe Murdock	Dir. Technical Services, NWTWB
John T'Seleie	Exec. Director, SLUPB
Judith Wright-Bird	Chair, SLUPB
Julie Jackson	INAC – Policy and Planning
Kathleen Racher	Water Resources Division, INAC
Larry Wallace	Chair, SLWB
Liz Snider	Chair, EIRB / ISR

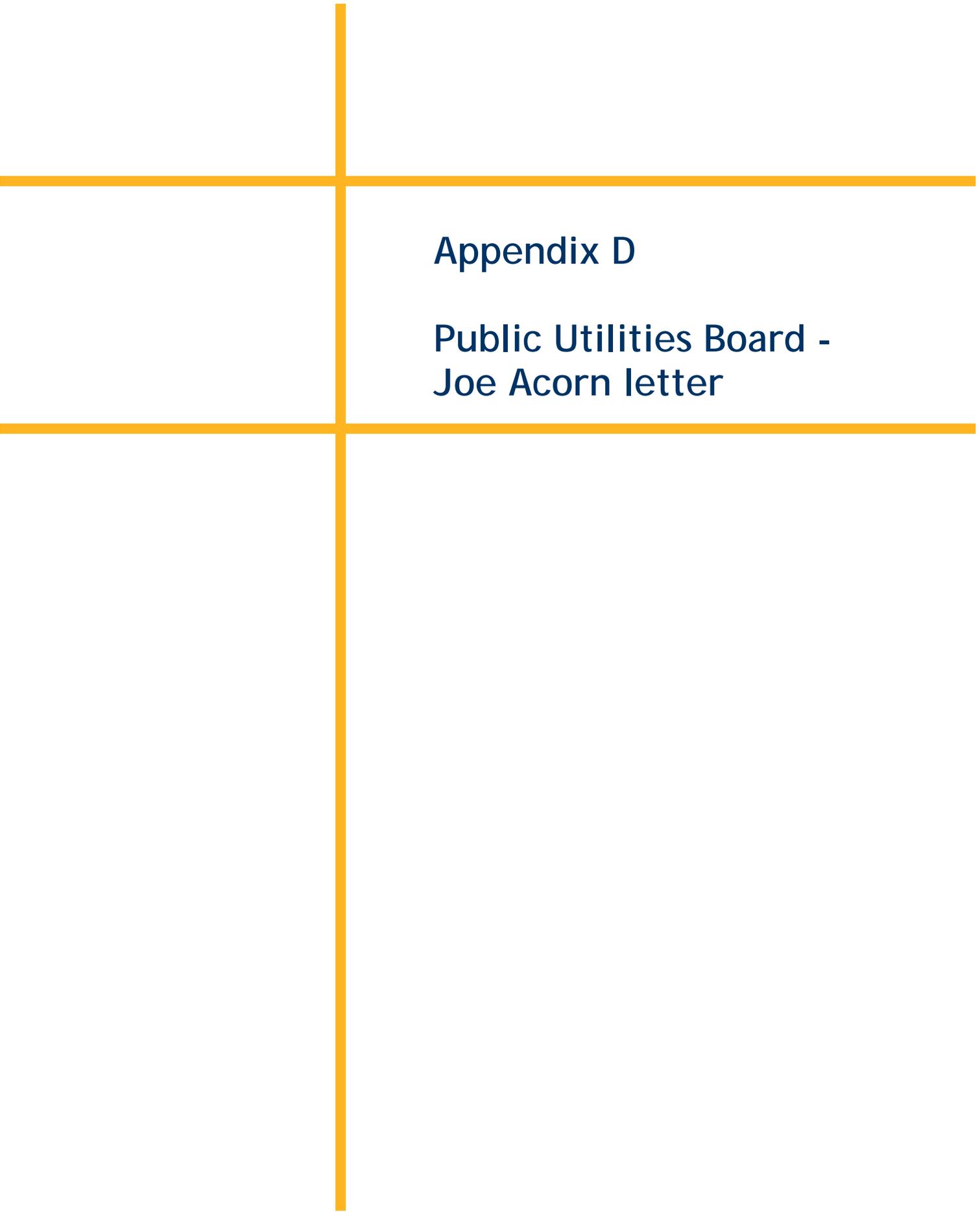
Name	Affiliation
Malcolm Robb	Mineral & Petroleum Resources Directorate, INAC
Mike Vaydik	General Manager, NWT & Nunavut Chamber of Mines
Neil McCrank	Minister's Representative
Norm Snow	Exec. Director, J.S./I.G.C.
Philip Bousquet	PDAC
Philippe Dipizzo	NWTWB
Pierre Gratton	Mining Association of Canada
Renita Jenkins	MVEIRB, Communications
Rick Meyers	V.P. Diamonds Affairs, Mining Association of Canada
Robert Charlie	Gwich'in Renewable Resource Board
Sherri Young	Sr Analyst, INAC
Stephen Van Dine	Director, Resource Policy And Programs , INAC, HQ
Susan McKenzie	Exec. Director, GLUPB
Tom Beaulieu	A/DM, ENR, GNWT
Teresa Joudrie	Manager, INAC
Trish Merrithew-Mercredi	RDG, INAC
Vern Christensen	Exec. Director, MVEIRB
Vicki Losier	A/EA, NWT Water Board
Violet Camsell-Blondin	Chair, WLWB
Walter Bayha	Chair, SRRB
Wanda Anderson	Exec. Director, MVLWB
Willard Hagen	Chair, GLWB, Interim Chair, MVLWB
Yolande Chapman	A/Senior Analyst, BRS, INAC
Zabey Nevitt	Exec. Director, WLWB
Ricki Hurst	Terriplan Consultants
Maude Parent	Terriplan Consultants



Appendix C

Presentations by Speakers

NOTE – Due to the number and size of the PowerPoint presentations given at the November 2007 NWT Board Forum, a separate document has been created.



Appendix D

Public Utilities Board - Joe Acorn letter



Northwest
Territories Public Utilities Board

August 24, 2007

Gabrielle Mackenzie-Scott
Co-Chair, NWT Board Forum
Chair, Mackenzie Valley Environmental Impact Review Board
Via E-mail

Dear Ms. Mackenzie-Scott:

As we discussed earlier this summer, the Northwest Territories Public Utilities Board (PUB) is interested in becoming involved in some manner with the NWT Board Forum.

It is our understanding the Forum provides various resource management boards in the NWT with an opportunity to share information, identify common priorities and undertake collaborative action.

While there are aspects of the Forum that obviously would not involve the PUB (such as board funding issues with the Government of Canada), as a quasi-judicial regulatory body with a long history in the NWT, the PUB believes that it could be a productive member of the Forum.

As well, while the PUB does not work under the review process created by the *Mackenzie Valley Resource Management Act*, there is obviously the potential for future projects, such as hydro developments, to require review by both the PUB and the *MVRMA* Boards. By starting to work together now and becoming more familiar with each other's processes and responsibilities, we would be more readily able to identify potential problems and perhaps harmonize the regulatory processes for such projects.

Sincerely,

Joe Acorn
Chair of the NWT Public Utilities Board

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