

Implementing the Gwich'in Land Use Plan: A FIVE YEAR WORK PLAN (2003 TO 2008)

June 2007 Revision



CONTENTS

A.	INTRODUCTION.....	2
B.	PLANNING PROCESS ACTIONS	4
1.0	COMMUNICATIONS	4
2.0	WORKING WITH OTHERS (INTEGRATED RESOURCE MANAGEMENT)...	9
3.0.	CONDITIONS LEADING TO LAND USE PLAN APPROVAL	12
4.0.	CONFORMITY PROCESS	14
5.0	CONTINUED INFORMATION GATHERING	18
6.0	5-YEAR REVIEW.....	18
C:	ISSUES-RELATED ACTIONS	23
1.0	COMMUNITY INVOLVEMENT.....	23
2.0	ECONOMIC DEVELOPMENT	26
3.0	GWICH’IN HERITAGE RESOURCES	27
4.0	WATER AND AIR RESOURCES	28
5.0	RENEWABLE RESOURCES	30
6.0	NON-RENEWABLE RESOURCES DEVELOPMENT	32
7.0	POLLUTION AND WASTE MANAGEMENT	34
8.0	TRANSPORTATION, UTILITIES AND COMMUNICATION	35
9.0	TOURISM AND RECREATION.....	37
10.0	TRANSBOUNDARY AREAS	37
11.0	LEGISLATED PROTECTED AREAS:	41
D:	TIMEFRAME/WORK PLAN.....	46
E:	LIST OF ACRONYMS	51

A. INTRODUCTION

1.1 Introduction

The Gwich'in Land Use Plan (the Plan) was fully signed and approved on August 7, 2003. This document (the Strategy) will guide the Planning Board's activities over the life of the Plan. It will also help guide our planning partners, such as DIAND, Gwich'in Tribal Council (GTC), Gwich'in Renewable Resource Board (GRRB), and the Government of the Northwest Territories (GNWT) in their roles and responsibilities in implementing the Plan.

Procedures for implementing the Plan are found in Chapter 6 of the Plan (pg.148). The Planning Board will play a critical role in implementing the Plan. It will be a challenging task as the Plan covers a broad range of issues such as water quality, tourism planning, conservation of heritage resources and economic development. The Plan, as much as possible, deals with these issues in an integrated way, which means that issues are considered together. The Planning Board will be involved in many different areas facilitating, where possible, the resolution of issues identified in the Plan.

This Strategy is available to everyone. While the Planning Board is responsible for overseeing and monitoring the Strategy, it needs to work with its planning partners in implementation. This document takes into consideration our discussion with the communities and our other planning partners.

We expect these discussions are just the beginning of how we will implement the Plan. Given that, we see this Strategy as a "living document", and will regularly review it over the five years for necessary changes. Currently, every February and October when the Board looks at budget issues seems like an appropriate time to monitor and possibly update this document.

1.2 Description of the Strategy

Section C

The Land Use Plan has a series of recommendations and actions, outlined according to issues (Chapter 5 of the Plan pg-118). There are 50 issues outlined in the Plan, according to eleven topic areas:

1. Community involvement
2. Economic development
3. Gwich'in heritage resources
4. Water and air resources
5. Renewable resources
6. Non-renewable resources
7. Pollution and waste management
8. Transportation, utilities and communications
9. Tourism and recreation
10. Transboundary areas
11. Legislative protected areas

For each action, a time frame for completing the action is given. In some cases, detailed steps are given to address the actions; in some, general ideas are given regarding monitoring

how other organizations are doing at addressing the issues they are responsible for in the Plan. Given the lengthy approval process, in some cases actions have already been taken towards completing the item. On the other hand, we have also added, where appropriate, additional action items that have come up during the approval process and creation of the implementation strategy. All actions are outlined in *Section C*.

Note that procedures for dealing with conformity, exceptions and amendments to the Plan are also outlined in Chapter 6 of the Plan. These are further outlined in the Planning Board's policies and procedures manual, not in this document.

Section B

In addition to the actions identified in the Land Use Plan, there are others that fall under topics that are specific to the Plan implementation and continuing planning process, namely:

- 1.0 Communications
- 2.0 Working with Others (Integrated Resource Management)
- 3.0 Conditions for Plan Approval
- 4.0 Conformity Process
- 5.0 Continued Information Gathering
- 6.0 5-Year Review

These items are outlined in *Section B: Planning Process Actions*.

Section D

The *Timeframe/Work Plan* summarizes this Strategy by listing actions from Sections B and C of the Strategy in order of target completion date.

B. PLANNING PROCESS ACTIONS

1.0 COMMUNICATIONS

What do we need to say?

Communicating with a wide range of groups is important to:

- Promote the vision set out in the Plan
- Promote understanding of its contents
- Help implement the Plan
- Monitor our progress in implementing the Plan.
- Encourage participation in the five year review process

Communities need to fully understand their role in land use planning, and continue to refine their vision for the Gwich'in Settlement Area. Planning partners need to understand their roles and responsibilities in managing human action and influences on the land. Regulatory authorities, communities, and industry need to be given clear instructions regarding procedures for determining conformity, exceptions, and amendments.

We also need to be able to learn from experience, acknowledge problems with the Plan, and collectively discuss and resolve any issues and problems.

To deal with these many communications needs, a variety of communications procedures and methods are planned. These are intended to meet the needs of the wide range of interest groups, including Gwich'in beneficiaries, industry and business, signatories, boards, and interest groups. Evaluating our communications will be done on an ongoing basis, but a specific evaluation of communications is also expected prior to the 5-year review.

We also have some legal requirements for communications. Public notice of the draft plan was given as required by the MVRMA 42 (1). And, under the Board's Flexible Transfer Payment Agreements with the Federal Government, the Board must report yearly on how funds are spent and what was achieved.

The Auditor General of Canada made a report to the House of Commons in April 2005 which included a review of DIAND's role in the development of non-renewable resource in the NWT. In this report, there was discussion of how DIAND should work with the Boards that have a mandate to regulate or manage resource development in the North. It was stated that DIAND has the responsibility to request accountability reporting from the Boards. The Planning Board feels that it demonstrates its accountability to DIAND and all participants in the planning process with the current level of reporting and communication.

Who are we communicating with?

Different groups will have different needs in terms of obtaining information about the Plan. Following are the major groups or audiences, along with the main methods proposed for communication.

Communities: see “Community Involvement” section (page 22)

Signatories: annual meetings as a minimum, website, annual reports, newsletters

Gwich’in Boards: annual meetings as a minimum, website, annual reports, newsletters

Mining and hydrocarbon industries: website; displays; pamphlets

Other industries and businesses: website; pamphlets

Non-government agencies: website

Adjacent jurisdictions: see “Transboundary” section

How will we communicate?

We want to get accurate information to people and groups when they need it. A variety of media are planned as outlined below.

1.1 Annual Report

The Planning Board is committed to producing and distributing an annual report. The annual report will provide an integrated summary of the previous year of land use planning and management in the Settlement Area. It will summarize what has been done in the year and outline what can be expected in the future. The annual report may also include recommendations for further actions by the Board or planning partners (these recommendations will be added to future revisions of this work plan document). The annual report will be our primary instrument to record, monitor and communicate Plan implementation activities that are described in this document.

The report will include:

1. Board membership and staff update
2. highlights of the year's activities and issues
3. Activity Report: Brief status report on implementation items undertaken by the Board and by other planning partners for the fiscal year
4. Work Plan for the upcoming year
5. A review of authorisations subject to the Plan for the year. This is intended as a quick reference to current land use activities and how the Plan affected those activities; it will include descriptions of:
 - a. applications for permits/licences for activities conforming to the Plan and permitted
 - b. applications for permits/licences for activities conforming to the Plan but not permitted
 - c. Non-conforming applications
6. List of requests for exceptions or amendments to the Plan, including status of application
7. A map showing general location of authorised activities during the year
8. Audited Financial Statements

The format of the report will be consistent each year to make it easier to compare the reports and to see the progress made each year. The Planning Board consulted with the above listed

groups, to ensure that the format of the report meets the needs of as many groups as possible.

The report will be distributed to each community of the GSA, and to the three signatory governments. We would ask the signatories to review the report, and send a letter of any comments to the Board. Any other agency or board listed in the Strategy will either be sent a copy or advised when the new report is posted on the Planning Board website.

Timeframe

The annual report will be completed each year in July.

1.2 Website

The Planning Board has a website, www.gwichinplanning.nt.ca. The Plan is on the website, including background reports - *The Process of Land Use Planning in the GSA*, and *Plan Options: Gwich'in Settlement Area Land Use Plan*. In addition, the site contains a description of the Board, the Region, the annual reports, links to other sites, and contact information.

The Planning Board will continue to update the website with any changes in members or staff, each new annual report, any newsletters, and any requested or accepted exceptions or amendments. Other information, such as the process for the 5-year review of the plan, will be added at the appropriate time.

Consideration to including a "guest book" will be given to get feedback and a sense of usage. A "hits" recorder could also measure Website use. Links to other applicable websites, particularly the signatories, will be investigated (both in terms of our links to other sites, and how DIAND and the GNWT might link the Land Use Plan webpage to their sites).

The Board will review the website in 2008. Part of this review will be to look at potentially adding a section oriented for youth, as well as more detailed maps of the Plan or links to government website with interactive GIS.

Timeframe

Website Updates required:

- this Strategy, each time it's revised
 - Annual Report, every July
 - Newsletters, as produced
 - 5 year Review Terms of Reference
 - notice of applications for exceptions and amendments to the Plan considered by the Board
- January 2008: Full review of website

1.3 Pamphlets and Brochures

A pamphlet on the Gwich'in Land Use Plan has been produced.

A more detailed pamphlet to be produced jointly with the Gwich'in Land and Water Board (GLWB) and Gwich'in Lands and Resources (GLR) to describe the current regulatory system will be considered. It is intended primarily for wide distribution to the mining and hydrocarbon industries, but will be useful for community and other stakeholder groups.

The pamphlets will be given out during conferences that the Planning Board attends, such as the Inuvik Petroleum Show and the Yellowknife Geoscience Forum. They will be made available to agencies that might wish to display them; for example, the regional and Yellowknife offices of DIAND and the GNWT, and the office of the NWT/Nunavut Chamber of Mines. The Board also hopes to send the pamphlets to the mining industry through DIAND when it does the second round of CMR consultations as a good way to get information to a significant proportion of that industry.

Last year the Board completed a pamphlet about the Plan amendment and exception process. The copy of the exception application form will be replaced with more information about the Board's decision-making criteria.

This and the above informational pamphlets, perhaps with corresponding posters, would make up a series to get information out to address frequently asked questions.

The need for other pamphlets or brochures will be evaluated over the 5-year cycle on an annual basis, probably in February as part of the larger assessment of communications discussed later in B 1.9.

Timeframe

August 2007: distribute general pamphlet to mining industry groups and Mining recorders office during CMR review

July 2007: confirm GLWB and GLR interest in joint pamphlet (see also C 2.1)

1.4 Newsletters

We are planning to publish two newsletters annually. This is directed to the communities, to keep them up-to-date on activities. It will also be distributed to the signatory agencies and Gwich'in boards, and posted on the website.

A newsletter published in January is ideal as it can be distributed at the annual regional Renewable Resource Council meeting. The summaries of Board activities put together for the newsletter can be built into the annual report, so it does not necessarily mean a lot of extra work. An August newsletter would be a good summary of the annual report when distributed at the Gwich'in Annual Assembly.

Timeframe

January: Newsletter (Annual Regional RRC meeting)

August: Newsletter (Annual Gwich'in Assembly)

1.5 Media releases

The Board has published one media release, following the formal approval of the Plan. Though not a large part of the communications plan, media release will be done for other major events. This will help get information out to groups other than the main audiences listed.

Timeframe

August/September 2007: press release with summary of July workshop issues and overall review process
Ongoing as situations arise

1.6 Direct Communications

Meetings with the signatories will need to be done on an ongoing basis to update this Strategy and to work together on the Plan implementation. The Board wants to ensure everyone is up-to-date, and there are not large, unexpected issues arising late in the 5-year review process.

Notification of the Plan's approval was sent to all Gwich'in, Boards, the Aurora Research Institute, the National Energy Board, and any other non-signatory regulatory authorities. The notification included a brief summary of what the Plan means in terms of the regulation of land and water use in the Settlement Area, and the need to work together on implementation of the Plan.

Required and recommended actions from the Land Use Plan will be reviewed with the signatories and other planning partners.

DIAND have said it would be useful to have regular updates on the Plan and current activities. While written quarterly updates were discussed, in practice, direct communications have been informal and on an as needed basis. Direct communications with the GNWT are infrequent as there is less of a need.

With all regulatory authorities, a specific process for conformity checks must be established. This was done directly with each authority. The Board should consider drafting a formal monitoring policy.

Letters or face-to-face meetings will also be done for specific items. For example, the airline and tourism companies need to be told of the flying restrictions in certain Special Management Zones. The most efficient way to do this will be by letter to each business, with follow-up meetings as required.

Timeframe

Ongoing

October 2008: evaluate need and options for monitoring regulatory authority conformance checking process

1.7 Video/Other non-written communications

More consideration to non-written communication methods needs to be given. An option is a video with other Gwich'in co-management boards regarding the roles and responsibilities of each of the boards, and the roles and responsibilities of beneficiaries. Various agencies may be interested in supporting such an endeavour.

Another method is ongoing radio shows, or special radio shows.

Timeframe

2009 – 2013: Discuss potential joint video projects with other Gwich'in co-management boards in the next five-year strategy (see also B2.1)
Look for opportunities to use radio on an ongoing basis

1.8 Beneficiaries outside the GSA

It is the role of GTC to inform beneficiaries of matters of concern and importance to them. The Board is willing to, if suitable to the GTC, notify beneficiaries outside the GSA in writing of the plan, and provided them with a copy or CD upon request.

Timeframe

-dependent upon GTC

1.9 Evaluation of Communications

Annual internal assessment

2007/08 Possible survey to assess communications. Could be linked to C1.5 but expanded to include industry and government.

Assess website (see B 1.2)

July 2008: Compare annual report to templates produced by Board Forum working group (or when available)

2.0 WORKING WITH OTHERS (INTEGRATED RESOURCE MANAGEMENT)

The Gwich'in Land Use Plan, as much as possible, deals with land use issues in an integrated way, which means that issues are considered together. This needs to be done at a series of levels:

- a) Within the Planning Board activities themselves
- b) Within the GSA (between regional Boards)
- c) Within the Mackenzie Valley region (e.g., CIMP, CEAM, MVLWB, MVEIRB)
- d) Within the boreal context (Canadian/global)

This section is to give a sense of the “fit” between the Planning Board and its planning partners, and a strategy for working together at various levels.

2.1 Working with Gwich'in Boards

The Planning Board recommends that co-management boards continue to develop an integrated management system to improve the level of involvement of Gwich'in, communities, and representative organizations in decision-making processes.

This is an ongoing recommendation. There are specific steps being taken at this stage that should be built upon (See also B1.7 – potential video project).

The Gwich'in Integrated Geographic Information System Project (GIGISP) has been operating in the past as a GIS services partnership between the GTC and the co-management boards. It consists of a central database of information and a technician that provides GIS services to the partners. The project objectives are best described by the benefits it has brought to the partners in the past, which include:

- better storage and updating of data because the work only has to be done once on commonly used data rather than each partner doing it independently,
- more efficient retrieval of information because it will be stored in Inuvik and a full time technician will be familiar with it,
- more efficient production of information products because the technician will be familiar with the data and the needs of each partner group,
- better decisions through more rapid and complex analysis which will be possible because of the location and capacity that the project offers to the partner groups,
- enhanced communication between the partner groups as they discuss projects and information needs,
- increased data value through increased use,
- increased capacity for Integrated Resource Management,
- the technician can offer support for any in-house GIS capacity of the partners, and
- shared costs make local GIS accessible and affordable.

This project has proven worthwhile over the last 4+ years and it is recommended that this approach continue. The most recent GIGISP partners, the GLUPB, GRRB, and GTC, need to re-assess options to fund the technician position for the long term and re-staff since the position has been vacant since January 2007.

Resource management groups in the Gwich'in Settlement Area will need to work together and develop a strategy for dealing with the effects of outside activities on resources in the Gwich'in Settlement Area. Having an Integrated Resource Manager for the settlement area is recommended, with the position being staffed under of the co-management Boards or the GTC. Responsibilities would include working with resource mandated government departments as well as the boards. When or how this position can be funded is uncertain.

In the past, the chair and a staff member of the GRRB, GLWB, GLUPB, GSCI, and the GTC Implementation Coordinator have met to provide updates on current activities to one another ('Gwich'in All-Boards'). The groups agreed that the GTC should take the lead on calling these meetings as it fits within the mandate of the GTC to monitor implementation of the Land Claim. Meeting routinely will help:

- Integrate visits to communities (minimizing time demands on community)
- Integrate and improve communications to the communities and industry
- Integrate research programmes
- Share website resources
- Discuss planning issues
- Discuss education and training, and
- Discuss similar integrated resource management concerns.

Even with an annual 'Gwich'in All-Boards' meeting, the Planning Board will still need to set up meetings with the GRRB, GLWB, GSCI, and the GTC individually as necessary for our planning and implementation activities.

Timeframe

annual meetings with other Gwich'in boards – dependant on GTC

November 2007: Integrated GIS project partners meet to re-assess project need and scope, potentially begin technician hiring process

September 2007: discuss Integrated Resource Manager position at Gwich'in All Boards meeting

2.2 Working with Other Planning Partners

For working with GTC, the Planning Board will work directly with the Lands, Resources and Implementation section, which includes the Gwich'in Land Administration. When working on issues requiring formal GTC approval, the Planning Board will meet with the GTC Board of directors.

When working on implementation issues relevant to the specific mandates and interests of various departments of the GNWT, the Board will work directly with the appropriate departments in the Inuvik Region. If central services are required, the Policy, Legislation, and Communications group within Environment and Natural Resources will be used to assist in identifying appropriate contacts. Departments to work with include:

- Public Works (gravel sources)
- Transportation (roads, ferries)
- Environment and Natural Resources (forestry, wildlife, PAS, environmental assessment, mineral, oil and gas, tourism, and the Mackenzie Valley Pipeline group)
- Education, Culture, and Employment (PWNHC, Aurora Research Institute)
- Aboriginal Affairs

For working with the Federal Government, the Planning Board will work through the Mackenzie Valley Land Use Planning Co-ordinator within the Environment and Conservation Division of DIAND. The MVLUP Co-ordinator will co-ordinate comments and information from DIAND to the Planning Board. He will not co-ordinate comments and information from other Federal Departments, but will arrange for meetings with those Departments in conjunction with DIAND meetings.

Generally, the Planning Board will follow-up with the following federal departments:

- Fisheries and Oceans
- Environment Canada (including Parks Canada, Water Resources, and CWS)
- DIAND (Land Administration Division, Contaminants Division, Communications, Environment and Conservation Division, Water Resources Division, NWT Geoscience Office, Pipeline Preparedness Office, and Claims Implementation Branch)

The Planning Board received specific comments from DIAND during the review period of the Land Use Plan that the Board will address over the next five years. All points have been included in this Strategy.

2.3 Integrated Planning within the Mackenzie Valley region

The Board wants to do our part to ensure planning in the Mackenzie Valley region is integrated. *Section C: 10. Transboundary Areas* discusses working with the Sahtu and others regarding planning.

Land use planning is also an important part of the cumulative effects assessment process. The Board should take into consideration work under the NWT Cumulative Impact Monitoring Program (CIMP) and Audit as part of the Cumulative Effects Assessment and Management (CEAM) strategy and framework. We will work with DIAND and the GTC in keeping up to date on these initiatives. We will keep in mind project cumulative effects assessments (which should allow some "environmental room" for future development of current industries and other industries) as well as regional cumulative effects. Progress on the NWT CIMP will be reviewed annually in the Planning Board report with respect to our purposes/mandate.

Valley-wide, on-line spatial land use information sharing may become possible. There is currently an initiative by a group of government and regulatory Boards to have web access to spatial land use information (GIS data) collected from authorisations that they issue. The Planning Board staff have provided input as to the format that will make the data most useful for the Board.

We will work with other Boards (e.g., MVLWB) as appropriate. One method for learning about other initiatives and co-ordination will be to participate in 'All-Board Forums' as suitable.

2.4 Planning within the Boreal Context

Canadian and global issues also affect the Gwich'in Settlement Area. As an example, climate change, and water quality and quantity of the Mackenzie River Basin (which covers portions of the NWT, Yukon, BC, Alberta, Saskatchewan). We trust that our planning partners will bring forward relevant national and international commitments that may affect planning in the GSA.

3.0. CONDITIONS LEADING TO LAND USE PLAN APPROVAL

The Plan was approved by the GTC, Territorial Government and DIAND (on behalf of the Federal Government) in August 2003. DIAND's approval came with certain conditions. This section outlines these conditions, and how they will be implemented and monitored.

3.1 Changes to the Canada Mining Regulations (CMR)

The Canada Mining Regulations at present do not allow for the Gwich'in Land Use Plan, or land use plans in general, to inhibit prospecting, staking, and the consequent approval of mines in areas sensitive to this type of land use. However, all parties agreed that the Gwich'in Comprehensive Land Claim Agreement, and an approved land use plan under this agreement, does take precedence over the Canada Mining Regulations. Therefore, changes are needed to the CMR to recognise the authority of the Gwich'in land use plan to identify where mining activities are and are not appropriate.

Until the changes are made, the lands classified as Conservation Zones and the Heritage Conservation Zones of the Plan have been withdrawn from subsurface use by an Order in Council OIC), which places restrictions on mining (see 'Land Withdrawals' section below for more details).

DIAND has commenced the changes to the CMR, which must be completed, approved, and gazetted by the January 2008 expiration of the land withdrawals. The Board has provided comments on the first draft of the revised CMR and a second review was expected in May 2004. The overall amendment process for the CMR has been going slower than expected, so, recently, DIAND separated out the section of the regulations relevant to the Plan so it can be processed faster. DIAND plans on sending this section out in the summer of 2007 for comment, but indicated that it won't likely be able to implement it until early 2008 at the soonest.

It will be DIAND's responsibility to ensure that the changes to the CMR do recognise the authority of the Land Use Plan and that any other changes to the CMR do not contradict this authority. The Planning Board will continue to monitor the changes to the CMR in terms of content and timetable.

Timeframe:

Summer 2007: review next draft of CMR changes and provide comments

Early 2008: CMR completed, approved, and gazetted by DIAND

3.2 Land Withdrawals

All of the Conservation Zones and Heritage Conservation Zones needed to have subsurface withdrawals completed prior to the Land Use Plan being approved, to allow time for the CMR changes to be made. The areas totalling 591, 050.9 hectares were withdrawn May 15, 2003, and the withdrawal is in effect until January 31, 2008. Only subsurface withdrawals were made; surface material rights (gravel, etc.) were not withdrawn.

Once appropriate changes to the CMR have been made and the withdrawals have lapsed, DIAND will need to show the Conservation Zones (including Heritage Conservation Zones) as areas of 'no development' on their maps. To date, they use OIC information for identifying the 'no development' status of the zones. DIAND will have to ensure it has a new policy or process for its staff that use the CMR before the withdrawals lapse that directs them to the Land Use Plan.

Since DIAND expects the CMR amendments to take longer than January 2008, the Board has been asked to apply to extend OIC withdrawal status. The term is yet to be decided. The Board feels that DIAND should submit the new application since we will not have much time to do it while working on the 5 year review so will discuss this further with DIAND staff.

Timeframe:

July 2007: contact DIAND and clarify their role in land withdrawal application

January 2008: follow-up with DIAND (Land Administration and Mining Recorders Office) to ensure they have an effective system and accurate mapping in place for checking the Plan Zoning when dealing with a rights issuance once the land withdrawals lapse

3.3 Mineral and Hydrocarbon Resource Assessment

The Plan was done with the best available information found by the Board or provided to the Board by its planning partners. Both DIAND and the Planning Board agreed that there is little detailed information on mineral and hydrocarbon resources.

As part of the land withdrawals, DIAND committed to completing a “Phase 1 and Phase 2” assessment of the mineral and hydrocarbon resources of all withdrawn lands by January, 2008. Phase 1 assessments are a review of existing data. This was completed. Phase 2 assessments involve new data collection, focussing on areas of highest potential for mineral or hydrocarbon extraction. The Planning Board asked that tourism potential of mineral occurrences is also included in the evaluations (e.g., Norman Wells ‘fossil hunt’; Arizona turquoise ‘hunts’). The NWT Geoscience Office (formerly called the C.S. Lord Geosciences Centre) has been contracted by DIAND to do the Phase 1 and Phase 2 work, including economic potential evaluation.

DIAND is responsible for ensuring this work is completed to the satisfaction of the Federal Government and the Planning Board, so that an informed decision on the retention and boundaries of the Conservation Zones/Heritage Conservation Zones can be made from a mineral/hydrocarbon economic perspective. As part of their responsibility, DIAND will ensure that the work is peer reviewed, and meets the current standards used for non-renewable resource assessments in other jurisdictions in Canada. They will also ensure that the work meets requirements set out under the Protected Areas Strategy (PAS), so that if desired, the Conservation Zones/Heritage Conservation Zones could go through the PAS process for full legal protection without additional geosciences work. The NWT Geoscience Office will be responsible for providing the Planning Board with timely reporting on their annual work, and plans well in advance of each field season of their proposed work. They are also required to have meeting with the affected communities, in a manner agreed to between the NWT Geoscience Office Centre and the Planning Board.

The Planning Board is responsible for participating in the communications meeting with the NWT Geoscience Office staff, providing timely comments on the work plans and reports, and integrating the information into Plan during the 5 year review .

Timeframe

2007 (Late): expecting the final assessment of the mineral and hydrocarbon resources report

4.0 CONFORMITY PROCESS

The Mackenzie Valley Resource Management Act (Section 47) states that Regulatory Authorities do the initial conformity check unless the responsibility is referred to the Board. The conformity check consists of assessing if the activity described in an application to a Regulatory Authority (RA) is allowed under the Land Use Plan, and what conditions from the Plan should be attached to any authorizations issued. The Board must be on all referral lists to keep track of all applications and licenses/authorizations issued, do our own conformity checks as necessary, and evaluate Plan implications.

At least initially, the Board wishes to do all conformity checks. This serves three purposes:

1. It will provide the RAs with some examples of Plan interpretation and application for when they make the decision on conformity.

2. It allows for the development of a strong working relationship between the Board and Regulatory Authority through discussion of individual applications. This relationship is important to both the regulatory and planning processes.
3. The discussion of individual applications will increase the Board's understanding of RA process and decision making, which will help when evaluating the Plan's effectiveness during the five-year review.

A generalized 'best practices' process for determining conformance was sketched out with input from regulatory authorities and is on the following page. The Board met with each of the following regulatory authorities:

- Gwich'in Land and Water Board
- Mackenzie Valley Land and Water Board
- Mackenzie Valley Environmental Review Board
- National Energy Board
- Aurora Research Institute
- Gwich'in Tribal Council - Land Administration
- DIAND (representatives from Ottawa, Yellowknife, and Inuvik)

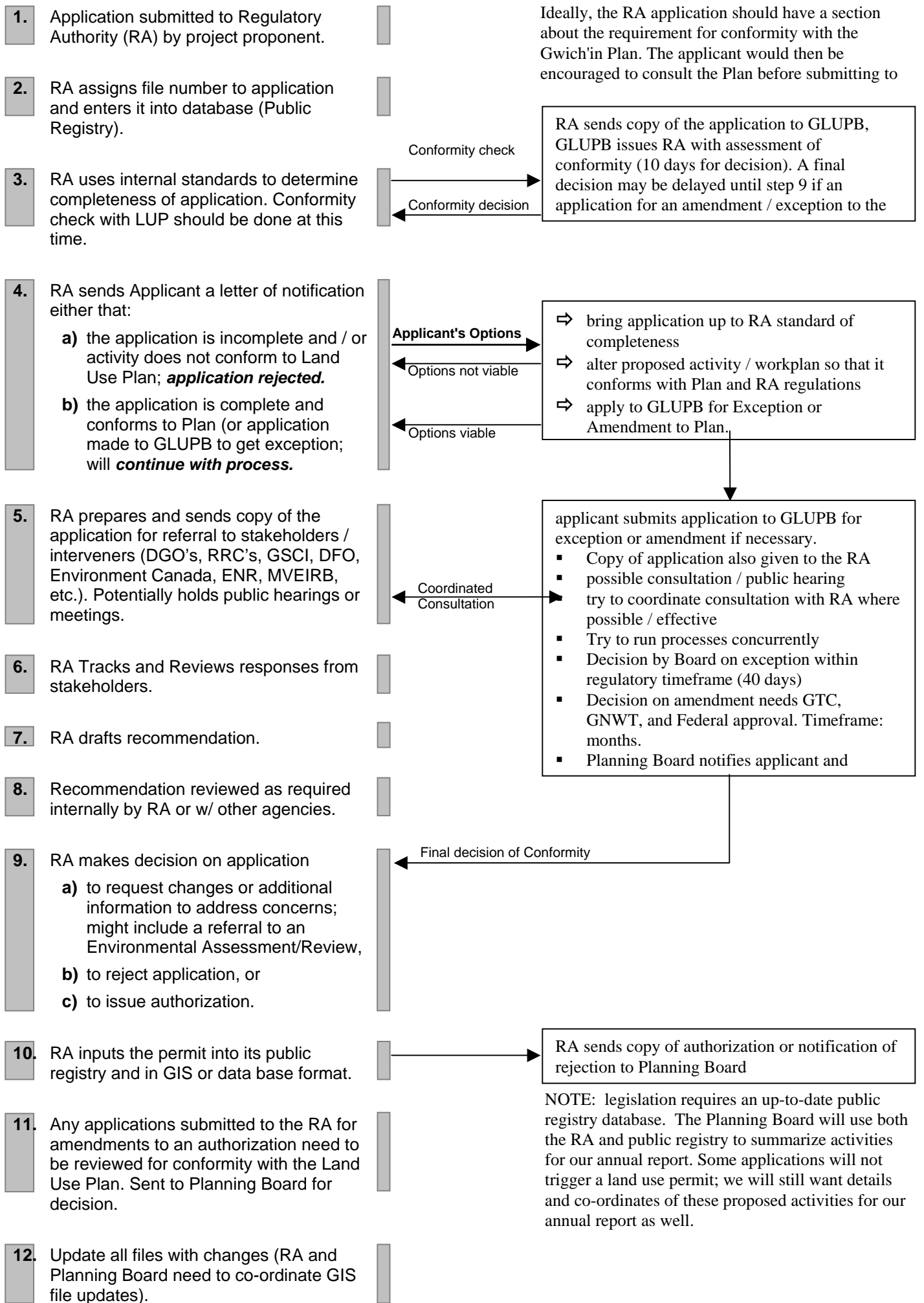
The Board needs to follow up with:

- DFO
- any other agency doing preliminary screening under Schedule 2 of the MVRMA

GENERALIZED BEST PRACTICES REGARDING CONFORMITY WITH THE LAND USE PLAN

GENERALISED REGULATORY PROCESS

WORKING WITH THE LAND USE PLAN



Monitoring

In the MVRMA the Board is not mandated to check the conformance of every authorisation issued by a regulatory authority, but is mandated with monitoring the implementation of the Plan. The Board needs to develop a systematic, accountable, and manageable process.

Insurance and Penalties

Exceptions to the Land Use Plan can be expected. These will only be given if we believe the activity will have minimal negative impacts, will provide benefits (particularly to the Gwich'in), and are temporary in nature. Even with these process assurances, for any exceptions made, the Board would like regulatory authorities to set a monetary security on the authorised activities when appropriate. In our meetings early in 2004, we had informal discussions with regulatory authorities about insurance levels and performance/security deposits. Levels of insurance and deposits should be expected to be higher in special management zones and in conservation zones.

Conditions

Conditions in the Special Management Zones will form part of land and water authorizations in those zones. We want to make sure these conditions are effective and enforceable. The Board will review these conditions with the assistance of appropriate groups, including the Gwich'in Renewable Resource Board and the community Renewable Resource Councils, to take into account the most up-to-date traditional knowledge and scientific information. The review should include a legal assessment to ensure the clauses conform to "best practices", are clear to proponents and regulatory authorities, and are enforceable.

The Board should consider partnering with the GTC to have a workshop with environmental monitors so they are well informed about conditions and overall objectives for each zone of the Plan. Familiarity with the Plan will assist when they make evaluations about what happens when working in the field.

This review should include a review of "Mobile Caribou Protection Measures" drafted by the Nunavut Planning Commission in the (draft) West Kitikmeot Land Use Plan. These measures are to offer protection that moves with the caribou (i.e., they are in addition to any protected area measures). The Board will work with the Gwich'in Renewable Resources Board to determine the suitability of these "mobile measures" in the Gwich'in Land Use Plan (Note: ENR sits on the GRRB and will participate from this role). Included in the review would be whether these measures should be associated with any particular areas, or should be addressed in some other way within the Plan.

Timeframe

Ongoing: monitoring of terms and conditions set in authorisations issued
April 2008: Develop long term monitoring process for checking Regulatory conformance determination and Plan implementation (present at All Boards Forum)
2007: Discussions with GRRB over the mobile caribou protection measures
2007: SMZ conditions will be reviewed as part of the 5-year review
2007-08: revisit issue of securities with Regulatory Authorities during 5-year review

2008-2013: determine interest in workshop with monitors in next the 5 year Plan Implementation Strategy

5.0 CONTINUED INFORMATION GATHERING

For this Land Use Plan, the Planning Board has used the best information available to make decisions. To keep improving the Plan, the Planning Board needs information to be gathered on a continuing basis. In all areas/issues more information would be helpful for planning, and research by various organizations is often ongoing. For instance, the Gwich'in Social and Cultural Institute is continuing to collect new heritage resources information. The Gwich'in Renewable Resource Board will continue to do research on wildlife, fish and forests. The Western NWT Biophysical Study (ENR) and CIMP/CEAM programs (DIAND) should provide additional material on the existing biophysical environment and on changes occurring to the environment.

To date, detailed non-renewable resources information is only being collected in the Conservation Zones (the areas where communities least want non-renewable resources industries to occur). The Planning Board encourages the Gwich'in, government, and industry to evaluate non-renewable resource development potential particularly in the General Use Zones, and specifically along the potential transportation and pipeline corridors.

The Planning Board also needs to look closely at what other items need to be researched in anticipation of land use pressures in the next five years. The Planning Board will develop a research plan to evaluate where there are gaps in the information we need to improve the Plan in the 5-year review. The Board will also look at the larger issue of climate change.

As part of considering climate change, the Planning Board will look at recent permafrost information (e.g., http://sts.gsc.nrcan.gc.ca/permafrost/index_e.html, GSD Bulletin on the physical Environment of the Mackenzie: Dyke, L.D. and Brooks, G. 2000. The Physical Environment of the Mackenzie Valley, Northwest Territories: A Baseline for the Assessment of Environment Change. Geological Survey of Canada Bulletin 547, 208 pages + maps).

Timeframe

Ongoing: Participation in spatial land use data sharing exercise under CEAMF

Ongoing: Collect & consider information about climate change issues (permafrost, etc.)

June 2007: Draft final research plan

August 2007: Review of permafrost information

6.0 5-YEAR REVIEW

Issues will emerge over the next five years that will need to be addressed in the 5-year review. These will be tracked in the Annual Report. In addition, we will need to establish if any changes are required to the Plan resulting from:

1. The CMR review (e.g., what changes to conservation zone procedures may be needed)
2. CIMP audit (e.g., possible establishment of baselines or standards, changes to the conditions in Special Management Zones, include in Chapter 3 the obligations under the Claim and MVRMA for CIMP and audit)
3. Any management plans produced by GRRB (e.g., changes to the conditions in Special Management Zones, locations of Special Management Zones, changes to boundaries of Conservation Zones)
4. The NWT Geoscience Office non-renewable resource assessments (e.g., changes to boundaries of Conservation Zones)
5. Pipeline review
6. Land use plans in adjacent areas (e.g., changes to rationalize or harmonize cross-boundary management)
7. Any other research over the next 5 years

The Plan will include an assessment of the recommendations and actions, a revised list of those items still (or now) requiring action, and any changes necessary to the agencies recommended for a particular action (i.e., more agencies may be involved than are shown for some recommendations; other agencies may not be the most suitable lead agency)

The review will include community consultations, as well as at least one regional workshop. The regional workshop will include communities, government and industry to facilitate understanding of the Plan between all parties and sectors. A survey on community involvement in decision-making will be part of the 5-year review (see section C 1.5.)

A Terms of Reference has been drafted for the 5-year review and circulated to the Planning Partners. It contains more detail about the process and principles the Board will use to complete the review.

Timeframe

See following table (from ToR)

Planning Process Stage	Tasks	Actions/Product?	Timeline
1. Information Gathering			
Gather issues from: - communities - industry - government	1. Letter to each agency/organisation outlining: a) any action item(s) they are involved in b) the need for the 5-year review c) asking for a meeting to discuss objectives/process of 5-year review, review any actions they have taken to date, and what actions they are considering on these and similar issues over the next 5 years d) Document with each agency completed, ongoing and considered action, to develop a new list of recommendations for the revised Plan	compile list	Letters Dec., 2006 -meetings Jan– March 2007
Update inventory of: - land uses - environmental resources - cultural/heritage resources	- Assess/fill in information gaps	Assemble all additional digital and non-digital information into GIS database; identify any additional gaps not yet prioritized above a. Some being done through the research work b. Other areas? Input data from all research projects and GRRB plans	Immediate
Assess:	<ul style="list-style-type: none"> • If the Plan met the planning principles in Claim and MVRMA • If Action Items were implemented successfully • Exceptions and amendments • Applications not in conformity with the Plan • Accuracy of forecasts/information base • Document conformity/conditions • Encourage our partners to implement their responsibilities regarding the Land Use Plan recommended actions 		January 2007
Reach an agreement with partners on issues, objectives and process for 5-year review	<ul style="list-style-type: none"> • determine specific representatives • set individual meetings • set community meetings • gain agreement 	Regional Workshop with communities	Jan – April 2007 Jan – April 2007 Jan – April 2007 July 2007

Planning Process Stage	Tasks	Actions/Product?	Timeline
2. Plan Options			
Analyze information	Review and analyse issues and information	draft recommendations for possible changes (documents and maps) Summarize regional workshop results, have available at Gwich'in Assembly	May - September 2007 August 13-15, 2007
Present and discuss options with stakeholders	Take plan amendments recommendations to communities; also determine priority projects for next 5-year planning cycle	Community meetings (review regional workshop results & options) GTC (review regional workshop results & options)	October – November 2007 October – November 2007
	Review options for plan amendments with stakeholders and planning partners	Meetings/communications (GTC, GRRB, GSCI, GNWT, government of Canada, industry)	October – November 2007
3. Draft Plan Revisions			
Compile proposed changes	Integrate proposed changes into Land Use Plan document	Revised Plan document	Nov 2007 – February 2008
Distribute document for comments			Nov 2007 – February 2008
4. Final Revised Plan			
Revise Draft from comments	Take final draft plan through approval process	Stakeholder communications Community meetings	February / March 2008 February / April 2008
Submit for Approvals	GTC, GNWT, federal government	Letters notifying Board of approval (signatures for signature page)	April - August 2008
Print and distribute			September/November 2008
5. Plan Implementation			
	Review regulatory application for conformance with the Plan Monitor regulatory authorisations for Plan conformance	Draft new 5-year workplan (Land Use Plan implementation strategy) Public registry of decisions by GLUPB Annual reporting of implementation activities	2008 2008-2013 2008-2013

C: ISSUES-RELATED ACTIONS

1.0 COMMUNITY INVOLVEMENT

Community involvement has been key to the planning process. The permitting process continues to rely heavily on input from communities. The Planning Board will again require input from the communities during the five-year review. Therefore, ongoing and continuous community involvement is critical to the successful implementation of the Land Use Plan.

A series of recommendations for the Board and planning partners are listed below. More details on many of these are given in the Communications section (Section B.1)

- 1.1** The Planning Board recommends that all management and regulatory groups work with communities to improve the level of understanding of communities about decision-making processes. (see also B 1.3)

Timeframe

Ongoing

- 1.2** In order to improve communications in the future, the Planning Board recommends that all management and regulatory groups review on an on-going basis:
- a) When and how often they consult with communities, and
 - b) How effective they are in involving communities in decision-making.

This is likely to become a more formal part of boards' operations under Board Forum initiatives for strategic planning and accountability reporting.

Timeframe

Ongoing

- 1.3** The Planning Board recommends that co-management boards continue to develop an integrated management system to improve the level of involvement of Gwich'in communities and representative organizations in decision-making processes. (see also B 2.1)

Timeframe

Ongoing

- 1.4** The Planning Board's Strategy for implementing the Plan shall describe a process for involving Gwich'in, communities, and representative organizations in land use planning decision-making.

Process

Gwich'in, communities and regional organizations have been involved throughout the Plan's development. They will continue to be involved in the implementation of the Plan by:

1.4.1 *Reporting on How the Plan Affects Land Use*

The Planning Board will visit each community to discuss the approved Plan.

The Planning Board will also produce a brochure, with the Gwich'in Land and Water Board and the Gwich'in Land Administration, showing how the Plan fits in with the current regulatory framework. Gwich'in and regional organizations that received copies of the Plan will also be given a list of amendments made during the approval process.

Gwich'in, communities and regional organizations must also be aware of how the Plan is affecting proposed land use in the Settlement Area over time. This includes knowing which land use applications conform to the Plan and have been approved or have continued through the regulatory process.

In their review of land use applications, most regulatory authorities consult with Gwich'in, communities and regional organizations, giving them an opportunity to see which applications conform to the Plan and are proceeding through the regulatory process. In the annual report, the Planning Board will also provide a summary list of applications in the previous year that have conformed to the Plan. This will provide a quick overview of how the Plan is working to guide land use.

It is also important for Gwich'in, communities and regional organizations to see which permits were not authorized because they did not conform to the Plan. Again, it is an indication of how the Plan is affecting land use, and the economy, in the Settlement Area over time. The annual report will be used to share this information. The report will include a list of proposed land/water uses that were not authorized because they did not conform with the Plan.

Gwich'in, communities and regional organizations should also know if the Planning Board has considered any exceptions to the Plan. Requests for exceptions to the Plan will be summarized in the annual report, along with the Planning Board's decision.

The annual report will allow Gwich'in, communities and regional organizations to see how the Plan is working. The information will certainly be available throughout the year, if someone requests it, but the report will summarize and present the information each year.

A newsletter specifically directed to the communities will be published annually. Items will vary depending on what issues are most pressing. However, each newsletter will contain a brief explanation of the Plan, and where we are in the implementation process.

At least one staff and Board member will attend the Gwich'in Annual Assembly. Whenever possible, we will set up with the GTC a time slot for a brief presentation regarding the Plan. If GTC requests a presentation, both staff and Board will be involved.

Since we need to work closely with other Gwich'in Boards in implementing the Plan, and since many issues are common between the Boards, we will explore other ways to produce communications materials. An example is possibly doing a video regarding the roles of the different Boards, and how communities are involved in Board activities. Another option is to have a community radio programme to explain the implementation of the Land Claim in general (including implementation of the Land Use Plan).

1.4.2 Working Together to Change the Plan

The Planning Board is committed to doing more detailed planning, particularly along proposed highway and pipeline corridors. The Planning Board may also consider amending the Plan. Gwich'in, communities and regional organizations will be fully involved in the consultation process as they were in the development of the Plan.

In doing more detailed planning or considering plan amendments, the Planning Board will research and put together land use information. The information will be shared with Gwich'in, communities and regional organizations. They will be asked for their feedback and will be asked to contribute additional information. Any draft amendments or decisions based on more detailed planning will be reviewed by Gwich'in, communities and regional organizations and will require the approval of the GTC (before submitting to the GNWT and DIAND for their approval).

Timeframe

Ongoing

- 1.5** The Planning Board as part of the Gwich'in Land Use Plan Review will conduct a survey on community involvement in decision-making. The survey will evaluate how well groups have involved communities in decision making about land, water, air and resource management.

Process

The Board feels that working with the GTC on this survey would be a good approach since they have an interest in monitoring Claim implementation, and this very important element of community involvement is clearly stated in the claim. We would like to have the survey completed prior to finalizing the Plan review to allow us to consider information from the survey in our review process. Hence, we are suggesting a draft survey be completed in 2007, with the survey to be completed in 2008.

Timeframe

September 2007: Draft survey for assessing community involvement in resource management decision-making processes. Presented to GTC to determine interest in taking the administrative lead.

2008: Survey completed

1.6 Youth Involvement Strategy

The Planning Board will target youth in the communities for educating them regarding the Land Use Plan and the land use planning process.

Timeframe

August 2007: remind schools of resource materials and investigate classroom presentation

Ongoing: youth included in planning activities by special invitation

August/September 2007: Investigate additional options for working with schools

2.0 ECONOMIC DEVELOPMENT

This Plan sets out clearly what areas are open for activities and what areas activities are restricted due to community use, heritage resources, renewable resources, and a number of other reasons. From the community perspective, conservation measures needed to be looked at before economic issues could be fully addressed. The Planning Board was given direction by communities, Gwich'in and government groups to focus on economic development opportunities. To this end the Planning Board will be working with these groups to assess economic opportunities. Areas that have been identified, as possible opportunities include for outfitting and other tourism ventures, oil and gas development as well as transportation. All possible opportunities will be looked at.

- 2.1** The Planning Board recommends that the Planning Board with the assistance of the Gwich'in Land and Water Board and Gwich'in Lands and Resources department (GTC) produce a pamphlet about the Gwich'in Land Use Plan and the Licencing /Permitting/ Authorisation requirements to describe steps businesses need to take to conduct land, water and resource activities in the Gwich'in Settlement Area.

The pamphlet will include a map of the land use zones and the steps necessary to conform to the Plan. It will also mention other land use authorisation processes such as leases, quarry permits, or mineral claims issued by the federal government.

Additional Steps

Ensuring businesses are aware of, and fully understand, land use planning and permitting in the Settlement Area is an extremely important part of the initial phase of implementing the Plan. Since approval of the MVRMA, businesses have had to adjust to changes to the way land and water use are regulated.

The Planning Board, has produced and distribute a pamphlet describing the Plan/Board after the Plan is approved. The pamphlet will also inform businesses that the Planning Board will consider exceptions and amendments to the Plan, and will provide some details about those processes. A separate pamphlet with a more detailed description of the exception and amendment process was also be developed and distributed, though to a lesser degree. This pamphlet should be revised to have more detailed criteria for determining whether it is an exception or amendment that will be required.

Timeframe

2008: revised Planning Board Pamphlet

July 2007: confirm GLWB and GLR interest in joint pamphlet (see also B 1.3)

- 2.2** The Planning Board recommends that the Gwich'in Tribal Council with the assistance of the Gwich'in co-management boards and government groups produce a map series for Gwich'in beneficiaries showing areas of high resource development potential for the settlement area.

Discussion

The Planning Board has collected some existing information from sources such as the NWT Geoscience office to use for the Plan's 5-year review (we are still waiting for final assessment on Conservation zones though so may not be able to use it in the review).

Whatever is produced from it for use in the 5-year review will be available to the GTC.

Timeframe

June 2007: Planning Board will compile information on hand of resource potential for Plan review

- 2.3 The Planning Board recommends that the Gwich'in Tribal Council and government promote economic activities and promote research and options for improving the economic self-sufficiency of Gwich'in beneficiaries and communities.

Timeframe

July 2007: contact GNWT, GTC, and DIAND to find out current initiatives to promote Gwich'in economic self-sufficiency

- 2.4 The Planning Board recommends that the Gwich'in Tribal Council with the involvement of the Designated Gwich'in Organizations develop a long-term economic strategy.

Timeframe

July 2007: contact GNWT, GTC, and DIAND to find out current initiatives to develop a long-term economic strategy

- 2.5 The Planning Board recommends that the Gwich'in Tribal Council with the involvement of the Designated Gwich'in Organizations identify economic opportunities on Gwich'in Settlement Lands and develop economic plans for them.

Timeframe

July 2007: contact GNWT, GTC, and DIAND to find out current initiatives develop economic plans on GSL

3.0 GWICH'IN HERITAGE RESOURCES

- 3.1 The Planning Board shall consider recommendations by the Gwich'in Social and Cultural Institute for the addition of areas to the Gwich'in Conservation Zone or Gwich'in Special Management Area zones during the life of the Land Use Plan.

Process

The Board initiated a project with the GSCI to compile a list of heritage sites and have them make management recommendations for each site. It is due in its final form in August, but we will have a draft in time for the July regional workshop

Timeframe

July 2007: use GSCI compiled list of heritage and cultural sites for 5-year review

- 3.2 The Planning Board recommends that the Gwich'in Social and Cultural Institute (GSCI) identify heritage areas or cultural landscapes meriting legislative protected area status in the Gwich'in Settlement Area.

Discussion

The Board needs to review with the GSCI how all the Heritage Conservation Zones that do not become legislated protected areas are to be managed. More detailed management plans for all these zones are likely needed as the Plan alone cannot be used to fully manage these sites. (e.g. non-commercial recreation and tourism might affect these areas but the Plan doesn't regulate them since they don't require permits or authorisations.) 8-Mile is an example of a Heritage Conservation Zone that needs some immediate management work. A process for GSCI developing such plans, and how they relate to the Land Use Plan, is needed.

The Board initiated a project to have the GSCI compile a list of prioritised heritage sites, current management for each site, and objectives. It is due in its final form in August, but we will have a draft in time for the July regional workshop. It is the first step in the GSCI developing site specific management plans that will

Timeframe

July 2007: use GSCI compiled list of heritage and cultural sites for 5-year review

2008: assist GSCI with establishing process for developing detailed site management plans

4.0 WATER AND AIR RESOURCES

- 4.1** The Planning Board recommends that the Gwich'in Land and Water Board develop a status report on water quality and quantity in the Gwich'in Settlement Area. The status report should look at community concerns with water and gaps in water monitoring.

Process

When the Plan was drafted, the GLWB was listed as the recommended agency given their requirement for this information when evaluating possible impacts of proposed activities. Since then, it has been recognised that co-operation between the GTC, Environment Canada, DIAND and the GNWT will be necessary, given governments' existing legal obligations, mandate and programmes under various legislation. The NWT CIMP may be an appropriate lead for this action because of its mandate to collect baseline information as part of the impacts monitoring work it coordinates.

Timeframe

June 2007: check CIMP reports for water quality and quantity status/determine follow-up

- 4.2** The Planning Board recommends that water management groups provide communities with plain language information on water quality and quantity.

Process

Co-operation between the GTC, Environment Canada, DIAND and the GNWT will be necessary given governments' existing legal obligations, mandate and programmes under various legislation. The NWT CIMP may be an appropriate lead for this action because of its mandate to collect baseline information as part of the impacts monitoring work it coordinates.

Timeframe

June/July 2007: evaluate current plain language information available on water quality and quantity

October 2007: communicate if action needed to CIMP and other responsible authorities

- 4.3** The Planning Board recommends that the Gwich'in Land and Water Board take the lead in developing strategies for ensuring that appropriate water gauging stations are active or installed within the Gwich'in Settlement Region.

Process

Again, the GLWB is listed as the recommended agency given their requirement for this information when evaluating possible impacts of proposed activities. Co-operation between the GTC, Environment Canada, DIAND and the GNWT will be necessary given governments' existing legal obligations, mandate and programmes under various legislation. The NWT CIMP may be an appropriate lead for this action because of its mandate to collect baseline information as part of the impacts monitoring work it coordinates.

Timeframe

July 2007: get status of current initiatives ensuring that appropriate water gauging stations are active

November 2007: submit any perceived gaps in water monitoring to Board forum

- 4.4** The Planning Board recommends that the NWT Cumulative Impact Monitoring Program:
- i) Address land, water and air quality concerns of all four settlement area communities; and
 - ii) Involve communities in the actual monitoring of land, water and air resources.

Timeframe

June 2007: check CIMP reports for progress on addressing land, water and air quality concerns /determine follow-up actions

- 4.5** The Planning Board shall review the findings of the NWT Cumulative Impact Monitoring Program with respect to land, water and air during each five-year review of the Gwich'in Land Use Plan, and will integrate the Programs' recommendations into the Plan.

Timeframe

June 2007: check CIMP reports for Programs' recommendations/determine follow-up actions on integration into the plan

- 4.6** The Planning Board recommends that resource management groups in the Gwich'in Settlement Area work together and develop a strategy for dealing with the effects of outside activities on resources in the Gwich'in Settlement Area (e.g. climate change)

Discussion: this could be related to the IRM position discussed in section B 2.1. If that position were created, this should be one of the priorities. The NWT CIMP and CEAM initiatives could also be potential resources for this action. The first step would be to determine what the outside influences of concern are, and then develop the strategy. (see also C 7.5)

Timeframe

August 2007: raise issue with CIMP group to discuss feasibility develop a strategy for dealing with the effects of outside activities on the GSA

4.7 Other Initiatives

The Land Claim and the Mackenzie Valley Act require a program of environmental monitoring and audit be established for the Mackenzie Valley. Impacts of outside activities on the resources of the Settlement Area should be addressed within the context of this program. A NWT Cumulative Impact Monitoring Program (CIMP) and Audit Working Group has been established to develop the monitoring program and environmental audit. Resource management groups in the Settlement Area should work closely with members of the Working Group in order to contribute to the development and implementation of the NWT CIMP Program.

Timeframe

Annually: The NWT CIMP and its progress will be reviewed annually by the Planning Board for implications on our purposes/mandate

5.0 RENEWABLE RESOURCES

- 5.1** The Planning Board will review completed wildlife and fish management plans and consider how to integrate these plans with the Gwich'in Land Use Plan.

Note: These plans will include Coney Management Plan, Rat River Biodiversity and Cultural Assessment Report, Moose Management Plan, draft Grizzly Bear management plan, Porcupine Caribou Herd Management Plan, other caribou management plan

Timeframe

June 2007: review any management plans available from GRRB, DFO, CWS, etc.

- 5.2** The Planning Board recommends that wildlife management groups produce plans for Dall's sheep and other wildlife with economic commercial potential.

Timeframe

June 2007: review any management plans available (see also C5.1)

- 5.3** The Planning Board will review conditions placed on Gwich'in Special Management Zones with the assistance of appropriate groups taking into account traditional knowledge and scientific information.

Timeframe

July 2007 (Starting): review conditions placed on Gwich'in Special Management Zones

- 5.4** The Planning Board will review the completed Forest Management Plan and consider how to integrate it with the Gwich'in Land Use Plan.

Timeframe

June 2007: review any forest management plans available. Determine if the location and recommendations for old growth forests have been included in the management plan, and if not, ask for them to be included.

- 5.5 The Planning Board recommends Gwich'in Tribal Council and the Department of Energy and Natural Resources continue to work together in reviewing and developing fire management policies and plans.

Timeframe

July 2007: remind GTC and ENR of action to continue developing fire management policies (through distribution of annual report)

- 5.6 The Planning Board recommends that the Aurora Research Institute, the Department of Energy and Natural Resources, and other energy related agencies continue to investigate and support the use of alternative sources of energy.

Timeframe

July 2007: Contact Aurora Research Institute, ENR, and ITI to ask about progress on alternative energy sources (territorial strategy)

5.7 Other Initiatives

A multi partied NWT Biodiversity Team continues to work on the NWT Biodiversity Action Plan (NWT BAP). The NWT BAP includes a report on current activities related to biodiversity in the NWT, a web-page (www.nwtwildlife.rwed.gov.nt.ca/Biodiversity/default.htm) with access to the Companion of the NWT Biodiversity Action Plan, background material in an archive, and information on the NWT Biodiversity Team, including schedule and meeting notes, and the Matrix: a searchable list of NWT based activities and initiatives related to biodiversity. The list can be used to quickly find and compare commitments to what is already being accomplished and proposed priorities for the future. Included in a future report will be a gap analysis, recommendations, and proposed future actions. The NWT is linked to the Canadian Biodiversity Strategy whose goals are to improve the understanding of ecosystems and resource management capabilities, education and awareness, incentives and legislation that support the conservation of biodiversity, and improved international cooperation. The Planning Board will ensure that information regarding the Land Use Plan is accurate and up-to-date. We will also monitor the progress of the Action Plan, to determine if any changes to our Strategy are appropriate.

The Federal Species at Risk Act (SARA) came into effect June 2004, and so will be an item of consideration in the Plan. We will discuss implications on the Plan with the Canadian Wildlife Service (CWS) and other.

Timeframe

June 2007: Check for latest NWT Biodiversity Action Plan /determine follow up

6.0 NON-RENEWABLE RESOURCES DEVELOPMENT

- 6.1** The Planning Board recommends that with the consent of the landowners, the Department of Indian Affairs and Northern Development and the Department of Energy and Natural Resources initiate a review of oil and gas resources of the Gwich'in Settlement Area to promote the economic well being of the Gwich'in.

Discussion

The Planning Board has collected some existing information from sources such as the NWT Geoscience office to use for the Plan's 5-year review (we are still waiting for final assessment on Conservation zones though so may not be able to use it in the review). Whatever is produced from it for use in the 5-year review will be available to the GTC. (See also C 2.2)

Timeframe

June/July 2007: Follow – up to see what GNWT/DIAND are doing with their oil and gas potential maps

June/July 2007: Planning Board will compile information on hand of oil and gas resource potential for Plan review

- 6.2** The Planning Board recommends that the Gwich'in Tribal Council and the Department of Indian Affairs and Northern Development, in conjunction with other government agencies, and in consultation with the mineral industry, initiate a review of the mineral resources of the Gwich'in Settlement Area to promote the economic well being of the Gwich'in.

Discussion

Detailed research is being done by the NWT Geoscience Office on non-renewable resource potential within conservation zones as part of the plan approval process. Unfortunately, these are the areas that the communities *least* want to develop, rather than the areas they most want to develop (it is federal government policy to ensure that for the interest of all Canadians, important economic considerations are taken into account before land is permanently withdrawn. Even though these lands are not permanently withdrawn, DIAND decided to extend the policy to the Gwich'in Conservation Zones). Detailed research needs to be expanded to take in areas that are not conservation zones, i.e., the areas that the communities *most* want to develop. (See also C 2.2)

Timeframe

June/July 2007: Follow – up to see what GNWT/DIAND are doing with their mineral potential maps

June/July 2007: Planning Board will compile information on hand of mineral resource potential for Plan review

- 6.3** The Planning Board recommends that the Department of Indian Affairs and Northern Development prepare a sand, gravel and rock (crushed rock and carving stone) management plan for Crown lands in the Gwich'in Settlement Area that would include specific management plans for operating pits.

Discussion: This recommendation has become more critical with the pipeline discussions. A regional approach to developing granular resources is needed. Community concerns regarding distance to granular resources must be included in the plans. DIAND has a

Granular Resource Management Plan in the Inuvialuit Settlement Region, were an MOA to work together was signed by IRC and DIAND's NWT Regional Director General. While the Board has had some discussion with GTC and DIAND about this same approach for the GSA, things have not really progressed.

The Board had consultants prepare a 'best practices' for pit management plans report. The Board needed background information on the topic to assist them with planning decisions, and as a tool for further discussions with DIAND and GTC about requiring plans on all pits.

Timeframe

August 2007: initiate discussions around pit management 'best practices' report with GTC, GNWT and DIAND

- 6.4** The Planning Board recommends that the Gwich'in Tribal Council prepare a sand, gravel and rock (crushed rock and carving stone) management plan for Gwich'in Settlement Lands in the Gwich'in Settlement Area that would include specific management plans for operating pits.

Discussion

In addition to potentially looking at granular resources on a regional basis, the GTC has drafted two site-specific plans. The "Willow Creek (site 467) Development and Reclamation" (pit management plan) and one for Frog Creek. The GTC is now working on a plan for the Midway Lake pit. The GTC policy is to have management plans for all operating pits on Gwich'in Settlement Lands.

Timeframe

August 2007: initiate discussions around pit management 'best practices' report with GTC, GNWT and DIAND

- 6.5** The Planning Board recommends that the Department of Indian Affairs and Northern Development plan for the clean up of abandoned and old pits that have not been rehabilitated. This includes the installation of barriers to access.

Timeframe

July/August 2007: discuss clean up of abandoned and old pits with DIAND as part of the 5-year review/report on initiative and progress

- 6.6** Other initiatives:
DIAND to check that their pamphlets and other information regarding mineral exploration, surface dispositions etc. include appropriate information regarding the Land Use Plan and in particular the requirements under the zone system.

Timeframe

January 2008: follow-up with DIAND (Land Administration and Mining Recorders Office) to ensure they have an effective system and accurate mapping in place for checking the Plan Zoning when dealing with a rights issuance once the land withdrawals lapse

7.0 POLLUTION AND WASTE MANAGEMENT

- 7.1** The Department of Indian Affairs and Northern Development shall provide all available information on known waste sites for the Gwich'in Settlement Area to Gwich'in and co-management groups.

Timeframe

July 2007: confirm with DIAND that the Board has the latest GIS data on known waste sites for the GSA

- 7.2** The Planning Board recommends that the Department of Indian Affairs and Northern Development and appropriate industry groups develop strategies for the clean up of remaining waste sites.

Discussion

DIAND considers this an ongoing departmental responsibility. How it is being addressed needs to be better understood by the Board, including timeframes, industry involvement and issues regarding unregulated fuel storage.

Timeframe

July 2007: Board and DIAND discussion regarding strategies for the clean up of remaining waste sites

- 7.3** The Planning Board recommends that the Gwich'in Tribal Council, Renewable Resource Councils, Designated Gwich'in Organizations and co-management boards work together to develop a "Code of Good Conduct" for the disposal of garbage by all land users.

Timeframe

As time allows:

- The Board could draft 'code of good conduct' for garbage disposal by all land users
- Circulate draft 'code of good conduct' for garbage disposal to parties and establish interest in finalising

- 7.4** The Planning Board recommends that the Gwich'in Tribal Council, Renewable Resource Councils, Designated Gwich'in Organizations and co-management boards and appropriate government groups work together to develop a strategy for cleaning up camp sites, hunting and fishing sites, ice road garbage and other areas littered by garbage. The Planning Board recommends that education on appropriate disposal methods for all types of garbage be a part of this strategy.

Note: 8-Mile is a heritage conservation zone that gets a lot of use. Members of Fort McPherson are concerned about garbage building up there, and particular attention may need to be paid to that area. The ENR officer in Fort McPherson is supposed to conduct cabin assessments and may help address the concerns expressed.

Timeframe

2007: Identify lead/establish interest develop a strategy for cleaning up areas littered by garbage

2008: lead will draft strategy for clean-up of on-the-land garbage sites

- 7.5** The Planning Board recommends that Gwich'in, community, co-management, government and circumpolar groups work together to develop strategies to reduce the transfer of long range air and water pollutants in the Gwich'in Settlement Area.

Additional Steps

As with the issues of outside activities affecting the Settlement Area (see also C 4.6), strategies for dealing with the transfer of both long and short range air and water pollutants should be addressed through the Cumulative Impact Monitoring Program and environmental audit. This could be related to the IRM position discussed in section B 2.1. If that position were created, this should be one of the priorities.

The first step would be to determine what the outside influences of concern are, and then develop the strategy.

Timeframe

August 2007: raise issue with CIMP group to discuss feasibility of developing strategies to reduce the transfer of long range air and water pollutants

8.0 TRANSPORTATION, UTILITIES AND COMMUNICATION

- 8.1** The Gwich'in Land and Water Board will consider public and community concerns with respect to ferry landings at the Mackenzie and Peel Rivers during the review process for the water licences associated with the ferry landings.

Timeframe

2009/10?: ferry landings water licence expires and Department of Transportation must apply for new one so is in next 5 year strategy

- 8.2** The Planning Board recommends that the Department of Transportation with the involvement of co-management boards, Department of Fisheries and Oceans and community groups co-ordinate a study to address community concerns with the long term effects on fish and water resources of placing gravel in the rivers every year for ferry landings.

Additional Steps

Two studies were completed by DOT in October 2003 concerning the ferry landings: *Aquatic Effects Study for the Mackenzie and Peel River Ferry Crossings*, and *Structural Alternatives Study for the Mackenzie and Peel River Ferry Crossings*. The Planning Board reviewed the studies to determine if the issue of the redistribution of the granular material was adequately addressed (i.e., is the gravel changing the course of the river), and any other recommendations that need to be taken into consideration in the Plan. The studies indicated the activity at the landings was not causing any significant impacts, and that other structural alternatives were not feasible or cost effective. This is still an issue for the communities so the Board may want to communicate the results of the studies during the 5-year review.

Timeframe

July 2007: communicate report summaries on long term effects on fish and water resources of placing gravel in the rivers every year for ferry landings at regional planning workshop

- 8.3** The Planning Board will conduct more detailed land use planning along the Dempster Highway and where new transportation and utility corridors are proposed. Potential corridors include the Mackenzie Highway extension and a Mackenzie pipeline corridor.

Additional Steps

The Planning Board will only conduct more detailed planning along new transportation and utility corridors when those corridors are proposed.

Dempster Highway: The Planning Board will conduct more detailed land use planning along the existing Dempster Highway. Most of the currently permitted land use activities in the Settlement Area are taking place along the highway. The Planning Board will encourage the Tribal Council, with the assistance of the Planning Board, to develop land use and management plans for the Settlement Lands along the highway.

Communities, organizations and industry will also be asked for their input about critical areas along the highway and any issues or concerns. This will be supported by a complete review of the information collected by the Planning Board about the highway corridor during the Plan review process.

Management plans for sand, gravel and crushed rock pits are particularly important. The Planning Board will also work closely with and encourage DIAND to develop management plans for the sand, gravel and crushed rock pits on Crown land (see also C 6.3). The Board had consultants prepare a ‘best practices’ for pit management plans report. The Board needed background information on the topic to assist them with planning decisions, and as a tool for further discussions with DIAND and GTC about requiring plans on all pits.

Mackenzie Gas Pipeline: The proposed Mackenzie Gas Project is proceeding through the environmental assessment and National Energy Board hearings. Enough information about the project is available to consider it during the five-year review.

Timeframe

July 2007: Produce updated land use maps of Dempster highway and Mackenzie Gas Project for regional planning workshop

9.0 TOURISM AND RECREATION

- 9.1** The Planning Board recommends that the Gwich’in Tribal Council in cooperation with the Department of Energy and Natural Resources develop a Tourism Code of Ethics.

Timeline:

August 2007: meet with GTC and ENR during 5-year review discussions to investigate interest in developing a Tourism Code of Ethics

- 9.2 The Gwich'in Tribal Council shall, with the assistance of the Planning Board, produce a management plan for the Campbell Hills that addresses the commercial tourism potential of the area and relationship to Gwich'in Territorial Park.

Additional Steps

The Board will be working primarily with the Nihtat Designated Gwich'in Organisation and Renewable Resource Council. The Planning Board will provide assistance and support for the Councils planning. The detailed planning work will be part of the 5-year review of the Plan.

Timeframe

June 2007: management planning for the Campbell Hills started, complete in 2008 with end of Plan review process.

- 9.3 The Planning Board recommends that the Department of Energy and Natural Resources develop, with the assistance of the Gwich'in Tribal Council and co-management boards, a tourism economic plan for the Gwich'in Settlement Area.

Additional Steps

The GNWT Department of Energy and Natural Resources has a mandate in Parks and Tourism. The Planning Board will work with GNWT and appropriate agencies, such as NWT Arts and Tourism, to determine how best to develop a tourism economic plan.

Timeframe

September 2007: Check for new Tourism economic plans from GNWT and GTC

10.0 TRANSBOUNDARY AREAS

The legislation guiding the Planning Board provides direction regarding its involvement in transboundary area planning. Essentially, the Planning Board can participate in developing cooperative, transboundary land use plans with organizations from the Sahtu, Inuvialuit, and Yukon regions. As well, the Planning Board will co-operate in municipal plans within the GSA.

For reference, these are the relevant parts of the legislation that guide the Planning Board's involvement in transboundary planning:

Land Claim

24.2.11 The Planning Board may liaise and co-ordinate its plan, or co-operate in land use planning, with the appropriate land use planning bodies for the Inuvialuit Settlement Region, the Sahtu Settlement Region and the primary use area described in appendix C. Any co-operative land use plans are subject to the approval of the relevant federal and territorial ministers as may be provided in legislation.

Land Claim, Appendix C

- i. If any land use planning body is established for an area including any part of the primary use area, it shall include at least one nominee of the Tetlit Gwich'in.

- ii. Any nominee of the Tetlit Gwich'in shall be included within the entitlement of the First Nation of Na'cho N'y'ak Dun to nominate members to a land use planning body.
- iii. Any regional land use planning commission or other planning agency described in 7.1.1 shall consult with the Gwich'in Land Use Planning Board in order to make use of land use planning that has been done with respect to the Peel River watershed by the Mackenzie Delta Beaufort Sea Land Use Planning Commission and to discuss ongoing co-operative land use planning activities.

Mackenzie Valley Resource Management Act

45(1) the planning board for a settlement area may cooperate with any body responsible for land use planning in any other area, either within or outside the Northwest Territories, that is adjacent to the settlement area.

(2) A planning board may, in conjunction with a body referred to in subsection (1), prepare a land use plan for the settlement area and an adjacent area of the Mackenzie Valley which shall be subject to the requirements of this Part in respect of the portion of the plan relating to the settlement area.

Transboundary Area Actions Identified in the Plan:

- 10.1** The Planning Board recommends that the Gwich'in Tribal Council and co-management boards work with transboundary groups to monitor activities in the Peel River Watershed in the Yukon Territory and the Mackenzie Valley.

Additional Steps

The impacts of activities in the Peel Watershed in the Mackenzie Valley will be monitored by the Cumulative Impact Monitoring Program and will be managed through direction given in the environmental audit. In the Mackenzie Valley, GTC must work closely with the Sahtu and Mackenzie Valley-wide co-management boards to see which activities have been proposed and which activities have been approved. An annual report published jointly by the regulatory authorities, reporting on activities for the year, may be a good way to ensure the information gets out to regional organizations and communities.

In the Yukon, GTC are working as part of the advisory group to establish the Development Assessment Process. The process should include reporting/communication mechanisms to ensure that regional organizations and communities know what activities are taking place, particularly in the Peel Watershed.

Timeframe

August 2007: find out from GTC and YDAP what communication mechanisms regarding activities in the Peel are/will be established

- 10.2** The Planning Board will initiate discussions to establish cooperative planning processes. The Board will work with neighbouring groups, including the Yukon Land Use Planning Council and the Sahtu Land Use Planning Board, on transboundary land use planning issues.

10.2.1 *Peel River Watershed*

The Peel River Watershed is a priority area for discussing cooperative transboundary planning. The importance of planning and managing the Peel River's transboundary

watershed is recognized in both the Gwich'in Land Claim and the Na'cho N'y'ak Dun Final Agreement. Both agreements required a Peel River Watershed Advisory Committee be established to consider and make recommendations on the establishment of a regional land use planning commission in the Yukon for the watershed.

Peel River Watershed Advisory Committee Recommendations

Recommendations of the Peel River Watershed Advisory Committee (1996) on the establishment of regional land use planning commissions, include:

1. The PRWAC recommends that a regional land use planning commission be established to develop a regional land use plan for an area that includes at least the entire Peel River Watershed. The main reasons for establishing a regional land use planning commission include:

- To provide communities with a mechanism to have direct input into land use planning decisions
- To facilitate ecosystem-based management of renewable and non-renewable resources
- To coordinate land use planning decisions within the region
- To provide a linkage to water management processes
- To maintain the distinct characteristics that define the Peel River Watershed
- Information to support land use planning activities is currently available.

2. The PRWAC recommends that priority be given to the Peel River Watershed for establishing a regional land use planning commission and that affected First Nations be consulted regarding the timing for initiating the process.

3. The PRWAC recommends that a member of the Gwich'in Land Use Planning Board sit as the Tetlit Gwich'in representative on the regional land use planning commission.

Peel River Watershed Planning Commission

Following the PRWAC recommendations, and under the Yukon Land Use Planning Council, a Peel River Watershed Planning Commission was set up in 2005. A General Terms of Reference for the commission has been completed. Membership on the commissions includes a representative of the GTC.

The Gwich'in Land Use Planning Board role with the commission is outlined in the Detailed Terms of Reference. Basically, the Planning Board supports a cooperative planning process for the entire Peel River Watershed, including the part of the watershed that is in the Northwest Territories. Cooperative planning will mean reviewing, collecting and considering information for the entire watershed. The Yukon Planning Commission has suggested they will assist in a joint data base project, which we will evaluate to see if it can meet our needs. Cooperative planning may also mean amending the Gwich'in Land Use Plan to reflect complimentary zoning along the border.

The GSCI had put forward a recommendation for a National Historic Site along parts of the Peel River. This is on hold now but needs to be considered during the land use planning.

Timeframe

August 2007: Meet with Peel Planning Commission to find out latest on draft Peel Plan

10.2.2 Sahtu Land Use Plan

A new draft Sahtu Land Use Plan was issued in 2007. The plan proposes a similar land zoning system to the Gwich'in Land Use Plan, listing:

- Conservation areas
- Special management areas
- Multiple use areas

The Planning Board will comment on the draft plan, paying particular attention to the zoning and conditions placed on areas adjacent to the GSA. Copies of comments will also be sent to DIAND, GNWT and GTC. It is in the interests of the integrated resource management that a Land Use Plan be established in the Sahtu, and the Planning Board will continue to monitor the progress of the plan. If deemed necessary, a joint meeting of the Sahtu and Gwich'in Land Use Planning Boards will be requested.

The Planning Board will also send the Sahtu Planning Board each annual report and a copy of this Strategy.

Timeframe:

August/September 2007: review /submit comments on revised draft Sahtu Land Use Plan
2008: meet with Sahtu Board to discuss transboundary issues

10.2.3 Inuvialuit Settlement Region (ISR)

The Inuvialuit have Community Conservation Plans rather than a regional land use plan. The Community Conservation Plans are not legally binding, as the Gwich'in Land Use Plan is.

The most obvious area of transboundary issues between the Inuvialuit and the Gwich'in is Parcel A. This block (also known as the 700 block) has over 200 square miles of surface and subsurface Gwich'in private lands within the ISR. The Community Conservation Plan for Aklavik covers Parcel A. Though this community plan is not a legally binding document, it is intended to provide guidance to all who have an interest in planning and using the area. The Inuvialuit community conservation plans will begin their review this year.

In addition to the interests of Gwich'in in the ISR, the Inuvialuit also have traditional interests within the GSA. The Planning Board will need to work on a plan-to-plan basis with the Inuvialuit, particularly with the Inuvialuit Game Council, the Inuvialuit Regional Corporation, and the Aklavik Community Corporation.

Timeframe:

August/September 2007: Consider Inuvialuit community plans in 5-year review process
September 2007: Distribute plan options and drafts to Inuvialuit Game Council, the Inuvialuit Regional Corporation, and the Aklavik Community Corporation

- 10.3** The Planning Board will work with local municipalities and the Department of Municipal and Community Affairs on transboundary issues with respect to municipal boundaries.

The municipal plans are generally done on a rotational basis, set out by MACA. The Planning Board will contact MACA to determine the Gwich'in community planning schedule and process.

Other Initiatives

The Planning Board will send the Community Planning Section of MACA each annual report and a copy of this Strategy.

Timeframe

August 2007: Get most recent community plans from MACA

September 2007: Meet with MACA to discuss transboundary issues

10.4 Mackenzie River Basin Board

A report by the Mackenzie River Basin Board was received in 2004. The Planning Board will use the report to evaluate if additional transboundary steps are necessary.

Timeframe

August 2007: review Mackenzie River Basin Board report for implications on Plan

11.0 LEGISLATED PROTECTED AREAS

The Planning Board does not have the power to create long term legislative protected areas. The Plan offers protection for the Conservation Zones in the Plan. The Plan, and the Conservation Zones, will be reviewed every five years. The Conservation Zones in the Plan may be amended.

Legislated protected areas, such as territorial or national parks, give long term protection to areas. The Planning Board supports any community initiative for the establishment of long term protected areas in the Settlement Area. When an area is proposed for legislative protection, work needs to be done to review how areas can be protected by legislation, and what protected areas mean for the entire Settlement Region.

Any protected area that is established through federal, territorial or Gwich'in Tribal Council legislation will have to conform to the Plan, or the Plan will have to be amended.

- 11.1** The Planning Board recommends that the Protected Areas Strategy Secretariat (DIAND and GNWT Department of Energy and Natural Resources) with the full involvement of Gwich'in groups work with the appropriate Yukon agencies in investigating transboundary legislative protected areas.

Timeframe

September 2007: the Planning Board will present any protected areas proposed by the communities during the 5-year review planning to the GTC for consideration

- 11.2** The Planning Board recommends that the Gwich'in Social and Cultural Institute and appropriate government groups investigate the possibility of a legislated protected area that

supports the Nagwichoonjik (Mackenzie River) National Historic Site. This work should be done within the framework set out in the NWT Protected Areas Strategy.

Discussion

Parks Canada has noted that section 42 of the Canada National Parks Act allows for more protection, but Parks Canada is not seeking this. A Commemorative Integrity Statement is being produced between the GSCI and Parks Canada. This statement should include recommendations on whether or not higher degrees of protection are need for certain areas. Territorial Park legislation is another possibility, as there have been revisions to allow for Cultural Conservation Parks.

Timeframe

August 2007: Review the Commemorative Integrity Statement for Nagwichoonjik National Historic Site; assess any implication for Plan

July 2007: Discuss the management of all Heritage Conservation Zones with GSCI

2008: complete heritage site management plan template project (see also C 3.2)

- 11.3** The Planning Board recommends that the Gwich'in Social and Cultural Institute, the Ehdiitat Gwich'in and government groups work together in identifying a cultural site to recognize and celebrate the Ehdiitat Gwich'in.

Timeframe

September 2007: consider the two Ehdiitat sites proposed by GSCI for NWT Heritage Site status for inclusion in the Plan

- 11.4** The Planning Board recommends that the Gwich'in Tribal Council, government and co-management boards evaluate the potential for a tribal park within the Gwich'in Settlement Area.

What are Tribal Parks?

The level of protection a tribal park offers, and how it is managed, can vary a great deal. There is no specific legislation for the creation of tribal parks. Tribal parks have been established in British Columbia and the western United States.

In 1989, the Department of Renewable Resources reviewed the concept of tribal parks and its application in the Mackenzie Delta/Beaufort Sea region. From that review:

“Tribal parks are areas of land which are administered under special conservation and management regimes. They have four defining characteristics or goals:

- (1) They are created to conserve some component of the natural and cultural heritage of an aboriginal people.
- (2) They provide a central role for aboriginal people in the management of this heritage. Decisions regarding the designation, planning and management of tribal parks are made either by an aboriginal body, or by an aboriginal body jointly with the relevant departments of government.

(3) They are managed primarily according to aboriginal principles and values. Conservation is usually defined by the aboriginal group.

(4) They are of direct benefit to the local population” (Nesbitt: 1989).

On surface and sub-surface Gwich'in-owned lands, it would be the Gwich'in Tribal Council's decision to create a tribal park. Lands on which the Crown maintains sub-surface rights and the Gwich'in have surface rights, any decision to establish a tribal park would have to be negotiated jointly with the relevant government department and the Tribal Council.

A tribal park may be managed by the Gwich'in, by the government or jointly. Because the level of protection also varies, a tribal park may or may not restrict commercial access.

Additional Steps

Evaluating the potential for a tribal park in the Settlement Area must be a top priority. The Protected Area Strategy is currently being implemented in the NWT. Tribal parks are one tool for protecting areas. Although there is no specific legislation dealing with tribal parks, it may be possible to create tribal parks through some of the existing legislation. A thorough study of how tribal parks can be used in the Settlement Area needs to be done.

The study will give us a better understanding of what a tribal park is and how it can be implemented in the Settlement Area. With this understanding, the Planning Board can work with Tribal Council, communities and government to consider creating a tribal park in the Settlement Area.

Since the idea of Tribal Parks is potentially relevant to other areas of the NWT, the Planning Board will initiate the discussions with the Protected Areas Strategy Secretariat as well as the GTC to have tribal parks reviewed.

Timeframe

October 2007: initiate discussions with GTC and PAS Secretariat to determine interest/options for Tribal Parks

- 11.5** The Planning Board recommends that Gwich'in Tribal Council and the Department of Energy and Natural Resources review the process for establishing and managing territorial parks and review the management of Gwich'in Territorial Park specifically.

Additional Steps

Detailed planning will be done for the Campbell area including a review of park management.

Timeframe

September 2007: further actions for reviewing Territorial park process/management might be identified from the 5-year review (see also C9.2).

- 11.6** The Planning Board recommends that scientific and traditional knowledge studies be conducted in the Headwaters of the Arctic Red River to determine if a legislative protected

area or a Gwich'in Conservation Zone under the Land Use Plan should be established in the area. Studies required include:

- Wildlife, vegetation and other ecological inventories;
- Non-renewable resource inventory and potential analysis, and;
- Traditional use and heritage resource inventories.

Groups that should be involved in conducting studies include the Planning Board, the Gwich'in Renewable Resource Board, the Gwich'in Social and Cultural Institute, the Gwichya Gwich'in Renewable Resource Council, the Sahtu Land Use Planning Board, the Department of Indian and Northern Affairs Canada and the Department of Resources, Wildlife and Economic Development.

Additional Steps

The Planning Board will initiate discussions with all the recommended contributing groups. A small workshop to look at what information exists, what research is currently being done and how organizations can best contribute to future studies may be organized. Evaluating the aquatic state of knowledge for the river in general is also needed. In particular, the fish spawning areas are not well known. How the work relates to this as a Heritage River needs to be kept in mind. This is the one main river solely within the GSA so needs particular attention.

The Planning Board will inform the Sahtu Land Use Planning Board of our interest in research in this area, particularly to determine if there is an interest in collaborative research.

The studies initiated by the Board that have been conducted to date include:

Ecological phase I

Cultural phase I and II (phase III under discussion)

Geoscience compilation

Support for the studies has been available through the implementation of the Protected Areas Strategy.

Timeframe

November/December 2007: review Arctic Red River headwaters phase III cultural research

December 2007: revised boundaries, conditions or designation for ARR headwaters

- 11.7** The Planning Board recommends that groups and agencies working on establishing protected areas use the NWT Protected Areas Strategy as a framework to guide their identification and analysis of protected areas.

Discussion

The Protected Areas Strategy has 2 goals: protection of areas of particular cultural importance, and representation of the ecoregions of the Northwest Territories. The community-based planning process has ensured that areas of greatest interest and concern to the communities have been included as Conservation Zones. There was no assessment done concerning ecoregion representation. Wiersma's research (PhD candidate, U of Guelph) in the Yukon suggests that rare animals need to be taken into consideration in determining core-protected areas. While representation is important, it does not match with species

richness. It is easier and quicker to take rare animals into consideration, yet as effective, as taking a full slate of biodiversity into consideration.

The Planning Board will approach the PAS Secretariat to do an analysis of the Plan according to ecoregion representation, ecological viability, watershed protection, and rare animal protection. This is to assist in more detailed planning concerning legislated protected areas, and the 5-year plan review.

Timeframe

September/October 2007: Ecological representation modelling with PAS support

D: TIMEFRAME/WORK PLAN

This timeframe/work plan summarizes the Strategy. It is based on the actions and recommendations from the Gwich'in Land Use Plan, along with additional information we have gathered. Costs are not given, as they are either dependent on another agency, or are part of the Board's standard operating costs. In some instances, costs may need to be sought out by the Board to complete items shown.

Notes:

1. This Strategy prioritizes as much as possible our 'need to do' work compared with our 'nice to do' work. Items such as assessments for conformity, exceptions or amendments are not listed in this work plan, as we have no control over when these come in. They will take priority over many of the items listed in the work plan, so dates may not be accurate.

As time allows: Circulate draft 'code of good conduct' for garbage disposal to parties and establish interest in finalising (C7.3)

Ongoing: website updates (B1.2)

Ongoing: monitoring of terms and conditions set in authorisations issued (B4)

Ongoing: Collect and consider information about climate change issues (permafrost, etc) (B5)

Ongoing: Participation in spatial land use data sharing exercise under CEAMF (B5)

Ongoing: youth included in planning activities by special invitation (C1.6)

Annually: internal assessment of communications (B1.9)

Annually: meetings with other Gwich'in boards – dependant on GTC (B2.1)

Annually: The NWT CIMP and its progress will be reviewed by the Planning Board for implications on our purposes/mandate (C4.7)

2007 (Late): expecting the final assessment of the mineral and hydrocarbon resources report (B3.3)

2007 (Summer): review next draft of CMR changes and provide comments (B3.1)

2007: The Board could draft 'code of good conduct' for garbage disposal by all land users (C7.3)

2007: Discussions with GRRB over the mobile caribou protection measures (B4)

2007: Identify lead/establish interest develop a strategy for cleaning up areas littered by garbage (C7.4)

2007: SMZ conditions will be reviewed as part of the 5-year review (B4)

2007-08: revisit issue of securities with Regulatory Authorities during 5-year review (B4)

JUNE 2007

- June 2007: check CIMP reports for water quality and quantity status/determine follow-up(C 4.1)
- June 2007: review any forest management plans available (C5.4)
- June 2007: review any management plans available from GRRB, DFO, CWS, etc. (C5.1/5.2)
- June 2007: check CIMP reports for Programs' recommendations/determine follow-up actions on integration into the plan (C4.5)
- June 2007: check CIMP reports for progress on addressing land, water and air quality concerns /determine follow-up actions (C 4.4)
- June 2007: Check for latest NWT Biodiversity Action Plan /determine follow up (C5.7)

- June 2007: Draft final research plan (B5)
- June 2007: initiate industry scenarios project with GTC, if interested (C2.5)
- June 2007: management planning for the Campbell Hills started, complete in 2008 with end of Plan review process (C9.2)
- June 2007: Planning Board will compile information on hand of resource potential for Plan review (C2.2)
- June/July 2007: evaluate current plain language information available on water quality and quantity (C4.2)
- June/July 2007: Follow – up to see what GNWT/DIAND are doing with their oil and gas potential maps (C6.1)
- June/July 2007: Follow – up to see what GNWT/DIAND are doing with their mineral potential maps (C6.2)
- June/July 2007: Planning Board will compile information on hand of oil and gas resource potential for Plan review (C6.1)
- June/July 2007: Planning Board will compile information on hand of mineral resource potential for Plan review (C6.2)

JULY 2007

- July: Annual Report produced and distributed (B1.1)
- July 2007: confirm GLWB and GLR interest in joint pamphlet (B1.3 - see also C 2.1)
- July 2007: Compare annual report to templates produced by Board Forum working group (or when available) (B1.9)
- July 2007: contact DIAND and clarify their role in land withdrawal application (B3.2)
- July 2007: confirm with DIAND that the Board has the latest GIS data on known waste sites for the GSA (C7.1)
- July 2007: Board and DIAND discussion regarding strategies for the clean up of remaining waste sites (C7.2)
- July 2007: communicate report summaries on long term effects on fish and water resources of placing gravel in the rivers every year for ferry landings at regional planning workshop (C8.2)
- July 2007: Discuss the management of all Heritage Conservation Zones with GSCI (C11.2)
- July 2007: Produce updated land use maps of Dempster highway and Mackenzie Gas Project for regional planning workshop (C8.3)
- July 2007: confirm GLWB and GLR interest in joint pamphlet (C2.1 - see also B 1.3)
- July 2007: contact GNWT, GTC, and DIAND to find out current initiatives to promote Gwich'in economic self-sufficiency (C2.3)
- July 2007: contact GNWT, GTC, and DIAND to find out current initiatives to develop a long-term economic strategy (C2.4)
- July 2007: contact GNWT, GTC, and DIAND to find out current initiatives develop economic plans on GSL (C2.5)
- July 2007: get status of current initiatives ensuring that appropriate water gauging stations are active (C4.3)
- July 2007: Contact Aurora Research Institute, ENR, and ITI to ask about progress on alternative energy sources (territorial strategy?)(C5.6)
- July 2007: remind GTC and ENR of action to continue developing fire management policies (C5.5)

- July 2007: Start reviewing conditions placed on Gwich'in Special Management Zones (C5.3)
- July 2007: use GSCI compiled list of heritage and cultural sites for 5-year review (C3.1/3.2)
- July/August 2007: discuss clean up of abandoned and old pits with DIAND as part of the 5-year review/report on initiative and progress (C6.5)

AUGUST 2007

- August 2007: distribute pamphlet to mining industry groups and Mining recorders office during CMR review (B1.3)
- August: Newsletter (Annual Gwich'in Assembly) (B1.4)
- August 2007: initiate discussions around pit management 'best practices' report with GTC, GNWT and DIAND (C6.3/6.4)
- August 2007: Meet with Peel Planning Commission to find out latest on draft Peel Plan (C10.2.1)
- August 2007: remind schools of resource materials and investigate classroom presentation(C1.6)
- August 2007: find out from GTC and YDAP what communication mechanisms regarding activities in the Peel are/will be established (C10.1)
- August 2007: meet with GTC and ENR during 5-year review discussions to investigate interest in developing a Tourism Code of Ethics (C9.1)
- August 2007: raise issue with CIMP group to discuss feasibility develop a strategy for dealing with the effects of outside activities on the GSA (C4.6)
- August 2007: raise issue with CIMP group to discuss feasibility of developing strategies to reduce the transfer of long range air and water pollutants (C7.5)
- August 2007: Review of permafrost information (B5)
- August 2007: Get most recent community plans from MACA (C10.3)
- August 2007: Review the Commemorative Integrity Statement for Nagwichoonjik National Historic Site; assess any implication for Plan (C11.2)
- August 2007: review Mackenzie River Basin Board report for implications on Plan (C10.4)
- August/September 2007: press release with summary of July workshop issues and overall review process (B1.5)
- August/September 2007: Consider Inuvialuit community plans in 5-year review process
- August/September 2007: review /submit comments on revised draft Sahtu Land Use Plan (C10.2.2)
- August/September 2007: Investigate additional options for working with schools (C1.6)

SEPTEMBER 2007

- September 2007: discuss Integrated Resource Manager position at Gwich'in All Boards meeting (B2.1)
- September 2007: Draft survey for assessing community involvement in decision making processes. Present to GTC to determine interest in taking the administrative lead (C1.5)
- September 2007: Meet with MACA to discuss transboundary issues (C10.3)
- September 2007: consider the two Ehdiitat sites proposed by GSCI for NWT Heritage Site status for inclusion in the Plan (C11.3)
- September 2007: further actions for reviewing Territorial park process/management might be identified from the 5-year review (C11.5 - see also C9.2)

- September 2007: the Planning Board will present any protected areas proposed by the communities during the 5-year review planning to the GTC for consideration (C11.1)
- September 2007: Check for new Tourism economic plans from GNWT and GTC (C9.3)
- September/October 2007: Ecological representation modelling with PAS support
- Sept 2007: Distribute plan options and drafts to Inuvialuit Game Council, the Inuvialuit Regional Corporation, and the Aklavik Community Corporation (C10.2.3)

OCTOBER 2007

- October 2007: initiate discussions with GTC and PAS Secretariat to determine interest/options for Tribal Parks (C11.4)
- October 2007: communicate if action needed to CIMP and other responsible authorities on creating plain language water information (C4.2)

NOVEMBER 2007

- November 2007: Integrated GIS project partners meet to re-assess project need and scope, potentially begin technician hiring process (B2.1)
- November/December 2007: review Arctic Red River headwaters phase III cultural research (C11.6)
- November 2007: submit any gaps to Board forum research list (C4.3)

DECEMBER 2007

- December 2007: revised boundaries of, conditions or designation for Arctic Red River headwaters

2008: lead will draft strategy for clean-up of on-the-land garbage sites (C7.4)

2008: Survey for assessing community involvement completed (C1.5)

2008: assist GSCI with establishing process for developing detailed site management plans (C3.2)

2008: complete heritage site management plan template project (C11.2 - see also C 3.2)

2008: discuss Integrated Resource Manager position (B2.1)

2008: revised Planning Board Pamphlet (C2.1)

2008: Meet with Sahtu Board to discuss transboundary issues

Early 2008: CMR completed, approved, and gazetted by DIAND (B3.1)

January 2008

- January 2008: Full review of website (B1.2)
- January: Newsletter (Annual Regional RRC meeting) (B1.4)
- 2007/08 Possible survey to assess communications. Could be linked to C1.5 but expanded to include industry and government (B1.5/1.9)
- January 2008: follow-up with DIAND (Land Administration and Mining Recorders Office) to ensure they have an effective system and accurate mapping in place for checking the Plan Zoning when dealing with a rights issuance once the land withdrawals lapse (C6.6/B3.2)

February 2008

- Annually(February): internal assessment of communications (B1.9)

March 2008

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April 2008

- April 2008: Develop long term monitoring process for checking Regulatory conformance determination and Plan implementation (present at All Boards Forum) (B4)

May 2008

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June 2008

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July 2008

- July: Annual Report produced and distributed (B1.1)

August 2008

- August: Newsletter (Annual Gwich'in Assembly) (B1.4)

September 2008

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October 2008

- October 2008: evaluate need and options for monitoring regulatory authority conformance checking process (B1.6)

November 2008

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December 2008

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2009-2013

- 2009/10?: Gwich'in Land and Water Board will consider ongoing concerns regarding ferry landings during water licence renewal (C8.1)
- 2008-2013: determine interest in workshop with monitors in next the 5 year Plan Implementation Strategy (B4)
- 2009 – 2013: Discuss potential joint video projects with other Gwich'in co-management boards in the next five year strategy (B1.7)

E: LIST OF ACRONYMS

CMR:	Canada Mining Regulations
CIMP:	Cumulative Impact Monitoring Program
CEAM:	Cumulative Effects Assessment Management
CWS:	Canadian Wildlife Service, Environment Canada
DFO:	Department of Fisheries and Oceans
DIAND:	Department of Indian and Northern Affairs Canada
DOT:	Department of Transportation (GNWT)
ENR:	Department of Energy and Natural Resources (used to called be RWED)
GLR:	Gwich'in Lands and Resources
GLWB:	Gwich'in Land and Water Board
GNWT:	Government of the Northwest Territories
GRRB:	Gwich'in Renewable Resource Board
GSA:	Gwich'in Settlement Area
GTC:	Gwich'in Tribal Council
IRM:	Integrated Resource Manager or Integrated Resource Management
ISR:	Inuvialuit Settlement Region
ITI	Department of Investment, Tourism and Industry
MVL&WB	Mackenzie Valley Land and Water Board
NRCan	Natural Resources Canada
PAS:	NWT Protected Areas Strategy
PWPC:	Peel Watershed Planning Commission
PRWAC:	Peel River Watershed Advisory Committee
RWED:	Department of Resources, Wildlife and Economic Development (GNWT)
UFA:	Umbrella Final Agreement (Yukon)