



CANADIAN PARKS AND WILDERNESS SOCIETY
NORTHWEST TERRITORIES CHAPTER

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July 31, 2009

Judith Wright-Bird, Chair
Sahtu Land Use Planning Board
c/o Edna Tobac, Executive Director
Sent by email: ed_slupb@airware.ca

Re: Comments on the Sahtu Land Use Plan (SLUP) Draft 2, April 30, 2009

Dear Ms. Wright-Bird:

Please accept this submission on behalf of the Northwest Territories Chapter of the Canadian Parks and Wilderness Society (CPAWS-NWT). Congratulations to the Board and staff for the new energy and hard work put into completing this latest draft of the SLUP.

Background on CPAWS-NWT

As you may be aware, CPAWS-NWT is part of a national non-profit conservation organization dedicated to protecting Canada's wilderness. CPAWS-NWT was formed in 1996 by a dedicated group of northerners and continues to be governed by an NWT volunteer Board of Directors. CPAWS-NWT contributed to the creation and implementation of the Northwest Territories Protected Areas Strategy (NWT-PAS) and has actively worked with the community of Délj̄ne to achieve permanent protection of Saoyú - ʔehdacho. CPAWS-NWT participated on the Great Bear Lake (GBL) Working Group and contributed to the development of the 'Water Heart: A Management Plan for GBL and Its Watershed' from 2002-2005. Our Chapter continues to work with Délj̄ne to protect the Edajjila peninsula, and we have also acted in supporting roles on other NWT-PAS files within the Sahtu Settlement Area. CPAWS-NWT currently sits on the NWT-PAS Steering Committee.

CPAWS-NWT's main focus is to support NWT communities in the creation and establishment of important cultural and ecological protected areas. Additionally, the Chapter supports sustainable development that benefits NWT communities

while ensuring clean water, air, and land for future generations.

Overview

CPAWS-NWT views land use planning as an essential tool in working towards sustainable development, in that it provides both certainty and clarity for industry, government and NWT communities, and reflects collective interests proactively. CPAWS-NWT has reviewed and provided comments on various drafts of the SLUP since 2002 and is pleased to provide comments on this latest version. Thank you for also including CPAWS-NWT in the Yellowknife consultations in late June.

This submission is organized into four main areas for consideration:

1. managing the GBL Watershed in accordance with the GBL Watershed Management Plan;
2. the inclusion of cumulative effects monitoring and management indicators;
3. enhancing conditional requirements, recommendations and actions; and
4. other comments.

The three main areas are then followed by Appendices A-C, which provide detailed specific.

1. Managing the GBL Watershed in Accordance with the Management Plan

CPAWS-NWT views the intent of the GBL Management Plan (GBLMP) as an innovative way of managing land, water and resources within the Watershed. As a community-driven project, it was founded on the vision and stories of Déljine's elders. It is unique in that was developed collaboratively with a variety of organizations, boards and levels of government.

In CPAWS-NWT's submission on the previous draft SLUP, we recommended that the GBLMP be appended to the SLUP in its entirety. Since this time, and based on further review, we understand there are several challenges to including the GBLMP in SLUP as-is. CPAWS-NWT supports the effort of the SLUP Board in working with the community of Déljine and others to reach a constructive outcome to include and/or adopt elements of the GBLMP in the next iteration of the SLUP.

The current SLUP Conformity Requirement #1 may not be strong or clear enough to ensure that responsible authorities will manage land, water and resources within the GBL Watershed in accordance with the GBLMP. As such, CPAWS-NWT sees two potential options to define actions and responsibilities to ensure the goals of the GBLMP are achieved:

1. Modify the GBLMP and include it in its entirety; or
2. Modify the GBLMP and include specific terms, conditions, and

recommendations within the SLUP.

CPAWS-NWT believes that greater clarity on the terms, conditions, prohibitions, and recommendations of the GBLWP, would aid in the approval and implementation of a revised SLUP, while retaining the essence of the GBLMP. As such, CPAWS-NWT has included a table in Appendix A with potential specific terms and conditions adopted from the GBLMP for the SLUP, as a starting point for the Board's discussions and consideration.

2. Inclusion of Cumulative Effects Monitoring and Management Indicators

Based on what we currently know, the assessment, monitoring and management of cumulative effects in the NWT has been and will continue to not be an easy task. However, the challenges associated with assessing, monitoring and managing cumulative effects do not diminish their importance. Too often, industry and governments have been unaware or unable to identify how land, water and resources **should be** managed collectively. Rather, cumulative effects have been left to be assessed and managed on a project-by-project basis at the environmental assessment and regulatory levels. This has resulted in inefficiencies, ineffectiveness and even inconsistencies for NWT communities, governments, industry and other stakeholders involved in these processes.

Well-researched and scientifically defensible cumulative effects indicators and thresholds are one of the most critical components of a LUP's ability to effectively manage the long-term ecological, cultural, and economic sustainability of a region. CPAWS-NWT views the SLUP as the best legal mechanism to **proactively** identify monitoring and management objectives for cumulative effects. As noted in the current draft, research on cumulative effects management is being conducted for future consideration as part of the SLUP. **CPAWS-NWT urges the Board to carefully consider this research, and to include at a minimum recommendations or guidelines on specific and quantifiable cumulative effects indicators and thresholds.**

Creating comprehensive cumulative effects monitoring and information management systems, as well as securing long-term funding, will be challenging. However, by identifying targets in the SLUP, there is an opportunity to provide a clear starting point. **CPAWS-NWT also recommends that the SLUP Board identify supplementary cumulative effects research priorities¹ and funding needs as a recommendation for Draft 3 of the SLUP.**

¹ For example, one area in which the SLUP Board may consider conducting additional research is relating community concerns and Traditional Knowledge with cumulative effects indicators and thresholds.

As noted, “the management of cumulative effects is a shared responsibility”² and therefore it is **also recommended that the SLUP Board continue to work on cumulative effects using a collaborative approach.**

3. Enhanced Conformity Requirements (CR), Recommendations and Actions

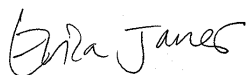
CPAWS-NWT feels the SLUP Board has made significant effort in further defining CRs, Recommendations and Actions. Clear, measurable and enforceable CRs, Actions and Recommendations will aid in strengthening and working towards achieving the goals of the Plan. CPAWS-NWT has provided detailed comments in Appendix B on specific CRs, Recommendations and Actions, as well as provided additional considerations.

4. Other Comments

CPAWS-NWT has compiled a table of additional comments in Appendix C, which lists the SLUP section reference, the issue or concern, and a proposed recommendation or consideration.

CPAWS-NWT looks forward to the next draft as the SLUP Board moves closer to developing a Plan for approval and implementation. Please do not hesitate to contact me if you have any questions or would like to discuss the submission, or if you feel we can be of further assistance.

Sincerely,



Erica Janes
Conservation Coordinator
CPAWS-NWT

² Sahtu Land Use Planning Board. Sahtu Land Use Plan Draft 2. April 30, 2009. Page 90.

Appendix A

Recommendations on the Great Bear Lake Watershed Management Plan (GBLMP)

Below in Table 1 are potential CRs, Recommendations, and Actions the SLUP Board may wish to use as a basis for discussion should the Board choose to integrate the GBLMP into the SLUP.

The context, scope and focus of the GBLMP (Pages 4-8, 10-11) should also be included as part of the description of the proposed GBL Watershed Special Management Zone in the SLUP, should the SLUP Board and Déljine consider this direction, in order to maintain the essence of the GBLMP.

Table 1: Suggested CRs, Recommendations or Actions to Integrate the GBLMP into the SLUP.

GBLMP Reference (Page)	GBLMP Excerpt	Suggested CR, Recommendation or Action for Possible GBL SMZ in Revised SLUP (identified by letters)
8.2 a. i. and ii. (9-10), management jurisdiction and authorities of GBL	i. The three levels of government should meet, on a government to government basis, to identify, through negotiations, roles for the Déljine First Nation Government in the exercise of GBLW management jurisdiction and authorities; and ii. Déljine authorities should work with the appropriate management authorities so that, over time, the operational management of the GBLW is increasingly coordinated and delivered out of a Déljine office(s) which has the capability to issue sport fishing licences, patrol activities in the watershed, administer a GBL registration system, carry out monitoring, provide logistical support, aid in/undertake research, and (ultimately) carry out inspections and enforce legislation and regulations.	<u>Action A</u> : The Déljine First Nation and the three government levels should continue negotiations and discussions on the management jurisdiction and authorities of the GBL Watershed, including the movement towards increasing the coordination and delivery from Déljine.
9.1 a., b. c. (9) and 9.2 b. (12), consistency with ecological and cultural integrity and adaptive	a. The GBLW is part of the natural and cultural heritage of the Sahtugot'ine, other Canadians, and indeed the world. The lake and its watershed must be protected for generations to come. The conservation of renewable resources and the maintenance of the ecological and cultural integrity of the GBLW must be the first priority in all management decisions affecting the lake and its watershed. All activities in the GBLW must be consistent with the maintenance of the ecological and cultural integrity of the GBLW. b. The management of the Special Management Zone must also accommodate the use, by Déljine individuals/organization and others, of renewable and non-renewable resources, provided that such use is consistent with the terms of the SLCA and the policies, conditions and prohibitions of this Management Plan. Wherever possible, proponents and the appropriate authorities must act to prevent adverse impacts. Applicants for permits,	This proposed CR is very similar to CR #18 ¹ . A modification of CR #18 or the following suggested CR could be considered: <u>CR A</u> : Applicants shall be required to identify how their proposed land and/or water uses are consistent with the maintenance of

¹ CR #18: Applicants will develop a site-specific research and monitoring program sufficient to document the impacts of their proposed land use activities on the ecological and cultural values identified for the zone in which the activity is proposed. Applicants will distribute the monitoring reports to relevant community organizations and make the reports publicly available.

GBLMP Reference (Page)	GBLMP Excerpt	Suggested CR, Recommendation or Action for Possible GBL SMZ in Revised SLUP (identified by letters)
management	<p>licences and other authorizations in the Special Management Zone must <i>demonstrate</i> to the appropriate authorities, including, as the context requires, the SLUPB, the MVEIRB, the SL&WB, the SRRB, the DLC and authorized inspectors, that all aspects of their activities are consistent with the maintenance of the ecological and cultural integrity of the GBLW and, without limiting the generality of the foregoing, with the conditions and prohibitions set out in Parts 9.2 to 9.4 below.</p> <p>c. The management of the Special Management Zone must be adapted to emerging knowledge (“adaptive management”). It must take account of and integrate the best available scientific and traditional knowledge, and it must be defensible in terms of both of these bodies of knowledge. The traditional knowledge used to meet this policy must be specific to the area that will be affected by the activity under consideration.</p> <p>9.2.b. All uses of land or water and all deposits of waste in the Special Management Zone must be consistent with the maintenance of the ecological integrity of the GBLW. All uses of water and all deposits of waste in the Special Management Zone must be consistent with the maintenance of the ecological and cultural integrity of Conservation Zones within the GBLW.</p>	ecological and cultural integrity ² , including the use of best available technology ¹ to prevent adverse impacts, and the use of emerging knowledge or adaptive management ³ .
9.2 a. i., ii. and iii. Abandonment and reclamation	<p>i. establishes and maintains a site-specific research and monitoring program that is appropriate to the nature and scale of its proposed activity(ies) and adequate to demonstrate that all aspects of its activity(ies) are consistent with the maintenance of the ecological integrity of GBLW ecosystems;</p> <p>ii. on termination or abandonment of its activity(ies), restores all areas affected by the activities to a condition consistent with the maintenance of the ecological integrity of GBLW ecosystems; and</p> <p>iii. furnishes and maintains security with the Minister sufficient for achieving the purposes in (a)(i) and (ii) above, as well as for any ongoing measures that may be required after abandonment or closing.</p>	Current CR #19 ⁴ and CR #20 ⁵ cover several aspects of abandonment and reclamation. Further refinement on CR #19 may be required to include “any ongoing measures that may be required after abandonment or

² As noted in the other comments section (Appendix C), ecological integrity, cultural integrity (or community well-being), and best available technology terms will require definition for this proposed CR to have meaning. It is also recommended that references to prohibitions (9.3.c through 9.3.h, pages 13-14 GBLMP) be included in the definition of ecological and cultural integrity.

³ It is also recommended that a definition of **adaptive management** be included that recognizes ‘adaptive management’ as a carefully planned management approach with predicted outcomes, including a carefully planned monitoring regime to determine if those outcomes come about, so as to avoid ‘adaptive management’ being misinterpreted as simply ‘trial and error’ or ‘learn as you go’ management, as it often is. For an overview of definitions and misconceptions of adaptive management, see “Adaptive Management of Prairie Grouse: How do we get there”, by C. Aldridge et al., Wildlife Society Bulletin 32(1), 2004, at pages 93-95, available at [www.nrel.colostate.edu/~aldrIDGE/_documents/Aldridge_et_al-AM_of_Prairie_Grouse_WSB_\(32\)92-103.pdf](http://www.nrel.colostate.edu/~aldrIDGE/_documents/Aldridge_et_al-AM_of_Prairie_Grouse_WSB_(32)92-103.pdf).

⁴ CR #19: On termination or abandonment of activities, applicants will restore all areas affected to the condition they were in before the authorized land use activities began. Unless required for safety reasons, materials and waste will not be buried on site.

⁵ CR #20: Responsible authorities will require applicants to furnish and maintain security with the Minister sufficient to achieve the reclamation goals stated above for their land use activities, and any ongoing measures that may be required after abandonment or closing.

GBLMP Reference (Page)	GBLMP Excerpt	Suggested CR, Recommendation or Action for Possible GBL SMZ in Revised SLUP (identified by letters)
		closing.”
9.2. c (12) Permafrost	c. All infrastructure in the Special Management Zone must be built, monitored and managed so as to prevent and where necessary rectify any negative environmental effects that may result from the infrastructure’s degradation or aggradation of permafrost.	The current CR #11 ⁶ covers this issue. Further comments are provided in Appendix B.
9.2. d (12) Destruction of habitat	d. Activities in the Special Management Zone must not result in or contribute significantly to the destruction or degradation of critical fish habitat, or of critical habitats or residences of other wildlife species.	This is partially covered by CR #4 ⁷ and CR #16 ⁸ . Additionally, various government departments have mandates to ensure habitat protection (see additional comments in Table 2, page 12 (CR#3a).
9.2.e (12) blocking migratory routes	Activities in the Special Management Zone must not block or significantly alter the migration routes of migratory fish species or other migratory or semi-migratory wildlife species.	This issue is covered by CR #4, CR #15 ⁹ , CR #16 and R#4.
9.2.f i.-iv. (12) fisheries	The management of Special Management Zone fisheries should be proactive in nature and must be precautionary in approach.	<u>Recommendation A:</u> The management of Special Management Zone fisheries should be proactive in nature and must be precautionary in approach. It is believed that the details of this condition as drafted in the GBLMP can be

⁶ CR #11: Applicants will design their land use activities to prevent and/or mitigate adverse environmental impacts resulting from the degradation or aggradation of permafrost.

⁷ CR #4: Applicants will avoid critical habitat for species at risk as identified in recovery strategies and action plans, and develop mitigation measures and monitoring programs consistent with these documents.

⁸ CR #16: Applicants will avoid significant habitat features (calving areas, nest sites, migration routes, dens, spawning areas, beaver/muskrat lodges, etc.) and apply the following minimum setbacks to minimize disturbance to these areas when occupied during sensitive life cycle stages: a) Grizzly bear dens - 800 m; b) Raptor nesting sites - 1000 m from March 1 to August 1 (breeding, nesting and fledging period), and 500 m outside this period; c) Waterfowl nesting areas - 250 m from June 1 – August 31 (breeding, nesting and fledging period); d) Waterfowl staging areas – 250 m from August 15 – September 15 (migration season); and e) Avoidance of fish bearing waters during spawning and migration periods as determined by the SRRB and DFO.

⁹ CR#15: Applicants will demonstrate that the proposed land use activities will not have a significant adverse impact on key wildlife species, their habitat and migration patterns, including but not limited to: a) fish; b) furbearers; c) waterfowl; d) raptors; e) caribou; f) moose; g) muskox; and h) grizzly bears.

¹⁰ For example, through the federal *Fisheries Act*.

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		addressed outside the mandate of the SLUP Board. ¹⁰
9.2. g/h inspections (13)	<p>g. Section 21.1.4 of the SLCA requires, as conditions of access to settlement lands, that there be no significant damage to these lands, no mischief committed on them, and no significant interference with participants' use and peaceful enjoyment of them. Government inspectors shall make every reasonable effort to ensure that all activities on settlement lands in the Special Management Zone comply with these requirements. In the event that the DLC or the Déline First Nation Government acquires the capability to inspect settlement lands, its inspectors shall do likewise.</p> <p>h. The <i>Mackenzie Valley Land Use Regulations</i> and the <i>Northwest Territories Archaeological Sites Regulations</i> protect historical and archaeological sites and burial grounds throughout the GBLW. Government inspectors shall make every reasonable effort to ensure that all activities in the Special Management Zone comply with both sets of regulations. In the event that the DLC or the Déline First Nation Government acquires the capability and authority to inspect settlement lands, its inspectors shall do likewise.</p>	It is believed that this condition as drafted in the GBLMP is implicitly addressed as part of the approval of the SLUP and the environmental assessment and permitting processes.
9.2. i/j consultations (13)	<p>i. Applicants for permits, licences or other authorizations in the Special Management Zone shall design and implement their activities in close consultation with the appropriate Déline authorities. Similarly, all bodies having authority under subsection 46(1) of the MVRMA (including government departments and agencies) shall consult Déline authorities prior to issuing licences, permits or other authorities under existing legislation. For greater certainty, the Mining Records Office shall consult Déline authorities prior to issuing prospecting permits in the Special Management Zone, and the National Energy Board shall consult Déline authorities prior to issuing approvals under its authority in the Special Management Zone. Consultation shall emphasize the prevention of adverse impacts. Consultation shall in all cases be initiated early in the activities-planning and the application-review processes. Déline authorities must have a reasonable period to make referrals to the SLUPB, and the SLUPB must have a reasonable period to make determinations of compliance in accordance with section 47 of the MVRMA.</p> <p>j. Activities in the Special Management Zone should have the support of Déline authorities. Where appropriate, given the scale of activities or their potential impacts on cultural integrity, consultation should be characterized by joint planning on the part of proponents and the appropriate Déline authorities. Proponents must in any case demonstrate to the SLUPB that proposed activities are consistent with the existing and future social, cultural and economic well-being of Déline participants.</p>	<p>Although there are two Actions (#2 and #3) in the SLUP, CPAWS-NWT recommends that a guiding principle on consultation be included in the SLUP until consultation protocols are developed¹¹.</p> <p>Recommendation B: Applicants and/or governments shall undertake community consultation efforts and follow consultation protocols or guidelines. Consultation efforts should correspond with the breadth and depth of the proposed development activities.</p> <p>Recommendation C: Applicants should seek</p>

¹¹ For more detail, please see the last row in Table 2 in Appendix B.

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		the support of Déljine authorities for development within the GBL SMZ.
9.3 a. (13) bulk water prohibition	a. any bulk water removal from the Special Management Zone; any bottled water removals shall have the approval of the Déljine First Nation Government, when it comes into existence;	This is addressed through CR #2 ¹² .
9.3 b., c., d., e., f., g., h. (14) deposit of waste	<p>b. any direct or indirect deposit of wastes into the surface or ground waters of the Special Management Zone which would have a negative impact on the ecological integrity of GBLW ecosystems;</p> <p>c. any direct or indirect deposit of wastes through surface or ground water into GBL, unless the concentration of wastes will be at or below natural background levels — or in the case of historically-polluted drainages, pre-development levels — when the waste stream enters GBL;</p> <p>d. activities which result in the introduction of non-native plant and wildlife species or subspecies, or of domestic animal species or subspecies into the Special Management Zone;</p> <p>e. activities which result in or contribute to the loss of any wildlife or plant species in the Special Management Zone;</p> <p>f. activities which result in or contribute to the loss of genetic diversity (the loss of genetically unique populations of aquatic or terrestrial plants or wildlife);</p> <p>g. fish farming or aquaculture in the Special Management Zone;</p> <p>h. activities in the lakebed of GBL, including any building or drilling in the lakebed and any trawling which results in the physical disturbance of the lakebed. Subject to the approval of the appropriate Déljine authorities and to existing legislative requirements, including requirements in the <i>Fisheries Act</i> and the <i>Navigable Waters Protection Act</i>, the following are excepted from this prohibition:</p> <ul style="list-style-type: none"> i. the installation of private, commercial or community wharves and docks; ii. the installation of other similar inert structures within the boundaries of the community of Déljine; and iii. environmental monitoring equipment. 	Addressed under suggested <u>CR A</u> .
9. (14-15) Heritage Zones		Would require discussion with Déljine on how to proceed, given that the SLUP has identified on CZs, SMZs, and PCIZs.
9.5 (16)		Addressed through

¹² CR#2: Responsible authorities will not approve any licence, permit or authorization that does not conform to Map 16 and applicable terms as identified in Table 10. Zone Descriptions, as per S. 46(1) of the MVRMA. No new surface or subsurface rights or interests in land, water or resources associated with these land uses will be granted or disposed of in zones where such uses are restricted, including but not limited to: timber cutting licences, timber cutting permits, prospecting permits, mineral claims, mineral leases, exploration licences, significant discovery licences, production licences, permits or leases under the Territorial Quarrying Regulations, or surface leases, unless these are associated with a right existing on the day the Plan is approved.

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Caribou Protection Measures		external processes and authorities. SLUP Board might consider including a recommendation to coordinate and communicate undertakings and results.
9.6.1 a., b., c., d. (16-17) Air Quality	<p>a. ENR should ensure that communities such as Déline are regularly informed (in print and orally) regarding the findings of the GNWT's ambient air quality monitoring program. The findings should include an analysis of seasonal levels and yearly trends, cumulative effects, and human health and environmental integrity implications.</p> <p>b. Within 1 to 5 years, ENR, the appropriate federal department(s) and the Déljine First Nation Government (when established) should study the feasibility and advisability of establishing an air quality monitoring station in Déljine. Further action on this recommendation must be integrated with the larger research and monitoring program described in Chapter 7 of this Management Plan.</p> <p>c. By the time of the first comprehensive review of the Sahtu Land Use Plan, ENR and the appropriate federal department(s) should collaborate in developing air quality regulations for the Mackenzie Valley. In so doing, they should consult (among others) the Déljine First Nation Government. The regulations should help ensure the maintenance of the ecological and cultural integrity of watersheds such as the GBLW.</p> <p>d. In the interim, the SL&WB should recommend to those applying for permits, licences or other authorizations that they conduct all activities in the GBLW in conformity with the standards set out in the GNWT's <i>Guidelines for Ambient Air Quality Standards in the Northwest Territories</i>, in the Alberta Energy and Utilities Board's <i>Guide 60: Upstream Petroleum Industry Flaring, Incineration, and Venting</i>, and in the Texas Commission on Environmental Quality's <i>Short-Term and Long-Term Effects Screening Levels</i>.</p>	<p><u>Action B</u>: Efforts to further enhance the communication of information on air quality, air quality monitoring, and the development of legally-enforceable air quality regulations should be undertaken by ENR, GNWT.</p> <p><u>Recommendation D</u>: It is recommended that Applicants conduct all activities in conformity with the standards set out in the GNWT's <i>Guidelines for Ambient Air Quality Standards in the Northwest Territories</i>, and consider compliance with the Alberta Energy and Utilities Board's <i>Guide 60: Upstream Petroleum Industry Flaring, Incineration, and Venting</i>, and the Texas Commission on Environmental Quality's <i>Short-Term and Long-Term Effects Screening Levels</i>.</p>
11. (17-21) Conservation Zones		This section can be addressed through zone descriptions as part of the SLUP.

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and Protected Areas		
12. 1 (21) Culture and Education	<p>The appropriate government authorities should make every reasonable effort to support initiatives on the part of Déljine to maintain and strengthen the land-based culture and its transmission from the elders to the younger generations. Operational management and research and monitoring priorities are addressed in Chapters 3, 7 and 8 of this Management Plan, and the protection of the land (in the widest sense) is addressed in Chapters 4 and 5. Culture and education priorities are as follows:</p> <ul style="list-style-type: none"> i. Facilitate land-based activities for community members, particularly where the elders can pass on Sahtugot'ine culture to the younger generations. ii. Assist elders and local/regional educators in defining clear teaching roles for the elders in the schools, and in the developing and incorporating culturally-appropriate teaching materials in the school curriculum. Support the inclusion of materials on the GBLW in the curriculum, incorporating both Sahtugot'ine traditional knowledge and scientific knowledge about the watershed in the curriculum. iii. Support the community's efforts to develop its capacity in the fields of ecological and cultural research, monitoring and management. iv. Support community efforts to promote and communicate Sahtugot'ine culture, to develop greater mutual respect between Sahtugot'ine and people of other cultures, and (more specifically) to develop and maintain a GBLW website. 	<p>It is believed that the bulk of the proposed policies fall outside the responsibility of land and water users (Applicants). However, an action or recommendation that supports cultural and ecological education, including research, monitoring and management could be included in the SLUP. <u>Action C</u>: Government authorities should support and enhance cultural and ecological education, including research monitoring and management.</p>
13.1 (23) Research and Monitoring	<p>An ongoing (long-term) research and monitoring program must be established in the GBLW:</p> <ul style="list-style-type: none"> i As set out in 9.2.(a)(i) above, the proponents of authorized activities shall be required to carry out site-specific research and monitoring. ii Government resource management departments and Déljine authorities shall collaborate in updating, implementing and reporting on the more general and ongoing research and monitoring program — the Research and Monitoring Plan for GBL and its Watershed — in the Special Management Zone and Conservation Zones. Together with the research and monitoring under 13.1(a)(i) above, the more general research and monitoring program shall, within 10 years following the approval of this Management Plan, provide an information base that is adequate for decision-makers to maintain the ecological and cultural integrity of the GBLW. It shall include research and monitoring re. cumulative effects. Research and management authorities in the GBLW (including Déljine authorities) should be resourced so that they are able, in full partnership, to carry out this more general research and monitoring program. b. The primary purposes of the research and monitoring program shall be the maintenance of the ecological and cultural integrity of the watershed, and the development of the research and monitoring capacity of Déljine, so that Déljine can again play a 	<p><u>Action D</u>: Government authorities should continue to work with the community of Déljine to further advance an on-going (long-term) research and monitoring program for the GBL Watershed as described in the GBLMP.</p>

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	<p>leading, stewardship role in the management of the GBLW. In public funding of research and monitoring in the GBLW, priority must be given to research and monitoring that can demonstrate a clear link to these purposes, and the coordination of proposed research or monitoring with other research and monitoring projects in the GBLW. All new and ongoing research and monitoring projects in the GBLW should consider the projects identified in the Research and Monitoring Plan for GBL and its Watershed as well as in the Report of the Sahtu Heritage Places and Sites Joint Working Group.</p> <p>c. Research and monitoring must be designed and carried out using both scientific and traditional knowledge.</p> <p>d. Guidelines on the collection and use of traditional knowledge shall be incorporated into the Research and Monitoring Plan for GBL.</p> <p>e. Prior to undertaking research and monitoring in the GBLW, researchers and monitors shall consult the appropriate Déljine organization(s) and the SRRB. The Déljine First Nation Government, when established, shall identify the Déljine organizations that are appropriate to different sorts of research and monitoring in the GBLW and that should be consulted, and it shall annually publish this information in plain language on its website as well as on the website of the SRRB.</p>	
14. 1 (24) Patrols and Enforcement	<p>a. Within 1 to 5 years, the enforcement and research management agencies in the GBLW shall collaborate in developing and implementing a Déljine residents/DRRC patrols and research & monitoring training plan.</p> <p>b. Within 5 to 10 years, the enforcement and research management agencies shall collaborate in maximizing the involvement of Déljine residents and the appropriate Déljine authorities in GBLW patrols, surveys, logistical support and monitoring.</p> <p>c. Within 5 to 10 years, the enforcement agencies shall collaborate in developing and implementing an enforcement agencies Déljine authorities' enforcement training plan.</p>	<u>Action E:</u> Government authorities should continue to work with the community of Déljine to develop and implement GBL Watershed patrol and enforcement policies as described in the GBLMP.
15. 1 (24) Contaminated and Waste Site Remediation	<p>a. The primary purpose of the contaminated and waste sites remediation program in the GBLW shall be to ensure that the ecological and cultural integrity of the watershed are maintained.</p> <p>b. In consultation with Déljine authorities, DIAND shall inventory, research, monitor and remediate contaminated and waste sites in the GBLW. If a thorough remediation is not feasible, the wastes should be contained. Without limiting the generality of the foregoing, DIAND shall:</p> <p>i. update and ground truth its inventory of contaminated and waste sites in the GBLW, and update Table 9.1 (in the main body of the Management Plan) on a yearly basis;</p> <p>ii. coordinate future inventory, assessment and remediation work in the GBLW with the research and monitoring program described in Chapter 7 of this Management Plan;</p> <p>iii. remediate known contaminated sites as set out in Table 9.1, and remediate smaller contaminated and waste sites as opportunities arise and as the confirmed budgets allow; and</p> <p>iv. work cooperatively with Déljine authorities in identifying and ensuring remediation of sites and, to the extent possible,</p>	<u>Action F:</u> Government authorities should continue to inventory, research, monitor and remediate contaminated sites in the GBL Watershed as described in the GBLMP.

GBLMP Reference (Page)	GBLMP Excerpt	Suggested CR, Recommendation or Action for Possible GBL SMZ in Revised SLUP (identified by letters)
	<p>maximize the economic opportunities available to authorities in site remediation and management.</p> <p>c. Until devolution, the federal government should continue to be responsible for the assessment and remediation of abandoned contaminated and waste sites on a priority basis. The federal government shall provide reasonable funding to allow for meaningful community involvement in the activities it undertakes to address concerns about identified sites. These responsibilities may change post-devolution in accordance with a devolution transfer agreement.</p>	
<p>16.1 (25) Transboundary issues</p>	<p>a. The appropriate government authorities should make every reasonable effort to allow Déljine's elders to meet with elders in adjacent jurisdictions, to discuss cooperative principles and processes by which the larger watershed of GBL may be kept clean and bountiful for all time. Other agencies, including the SLUPB and the SRRB, should observe and, where appropriate, lend support to this initiative.</p> <p>b. With the incorporation of the GBL Management Plan into the Sahtu Land Use Plan and the public review and refinement of the Land Use Plan in 2005, the SLUPB and the SRRB should work with comparable authorities in adjacent parts of the GBL watershed to establish processes by which the elders' initiative may be completed and by which the ecological and cultural integrity of the larger watershed may be assured.</p>	<p>Action G: Additional efforts should be made by the SLUP Board, appropriate government authorities and the community of Déljine to work on transboundary issues within the GBL Watershed.</p>

Appendix B

Enhancing Conformity Requirements (CRs), Recommendations and Actions

CPAWS-NWT supports clear, measurable and enforceable CRs, Actions and Recommendations in the SLUP. Below in Table 2 are some additional recommendations and suggestions to further enhance existing Conformity Requirements (CRs), Recommendations, and Actions.

Table 2: Recommendations and Suggestions for Enhancing CRs, Recommendations and Actions

SLUP Reference (Page)	Issue/Concern	Recommendation or Suggestion
CR #1 (80)	See comments on GBL in main submission.	<ul style="list-style-type: none"> ▪ Include modified GBLMP in entirety OR include specific terms, conditions and prohibitions within the SLUPB's mandate ▪ Remove CR#1 a-h from the SLUP and include in updated GBLMP or integrate into revised CRs, Actions and Recommendations pertaining to GBLMP.
CR #3 a (89)	It is unclear who is responsible and what the process is to identify "sensitive ecological and cultural areas."	<ul style="list-style-type: none"> ▪ It is recommended that "known or suspected" be inserted in between "avoid" and "sensitive." ▪ It is recommended that the SLUP Board determine who will or what the process is to identify "sensitive ecological and cultural areas."
CR #3 b (89)	Industry may be resistant or require specific direction to use "best available technology" to minimize environmental impacts. Often best available technology is ruled out based on additional cost.	<ul style="list-style-type: none"> ▪ It is recommended that "best available technology" be defined.
CR #4 (90) and CR #16 (97)	There is limited site-specific information available on critical habitat for species at risk and significant habitat features (respectively). Currently, there are very few recovery strategies or action plans for species in the NWT ¹³ , and NWT SARA will require several years to consider and possibly draft these. In the mean time, a land or water user may	<ul style="list-style-type: none"> ▪ It is recommended that the 'precautionary approach' be required by land and water users, with respect to critical habitat. ▪ In the absence of critical habitat information identified in future recovery strategies or action plans, CPAWS-NWT recommends that the SLUP identify an Action for responsible authorities to assist land and water users in identifying possible critical habitat during the development phases of a recovery strategy or

¹³ Currently the GNWT is developing a Conservation Action Plan for woodland caribou under the federal SARA.

SLUP Reference (Page)	Issue/Concern	Recommendation or Suggestion
	inadvertently destroy critical habitat that has yet to be identified or delineated.	<p>action plan.</p> <ul style="list-style-type: none"> ▪ Likewise, it is recommended that Applicants should also be required to conduct a site-survey to proactively identify significant habitat features in the vicinity of the proposed land or water use.
CR #5 (91)	Given that karst formations are vulnerable to disturbance ¹⁴ and sensitive to contamination, CPAWS-NWT believes it would be preferable to first avoid karst habitat, and if not possible to avoid, then to mitigate potential impacts.	<ul style="list-style-type: none"> ▪ It is recommended that new suggested wording be, “Applicants will design their land use activities to avoid karst topography, or if avoidance is not possible, impacts will be mitigated according to best available technology.”
CR #6 (91)	While community members are represented by various community organizations, they can bring not all information and views forward.	<ul style="list-style-type: none"> ▪ It is recommended that “and potentially affected community members” also be included after community organizations.
CR #7 (91)	Is this CR already covered under the Northwest Territories Archaeological Sites Regulations?	<ul style="list-style-type: none"> ▪ It is suggested that the wording include a reference to the regulations, such as, “Applicants will not interfere with burial sites and/or other important Archaeological sites, as per the Northwest Territories Archaeological Sites Regulations.”
CR #12 (96)	Not all water licenses and land use permits have required the ‘treatment’ of waste or waste water before it is deposited. For example, waste water from mineral exploration drilling currently does not require treatment before it is deposited. The current regulations only require that the deposition is located a certain distance away from waterbodies.	<ul style="list-style-type: none"> ▪ It is recommended that treatment of waste and waste water (such a creating a sump with a plastic liner, tailings pond, addition of chemicals, etc.) be defined.
CR #16 (97)	The list does not contain reference to minimum	<ul style="list-style-type: none"> ▪ It is recommended that the SLUP Board (in coordination with SRRB,

¹⁴ Government of British Columbia. Karst in British Columbia. www.for.gov.bc.ca/HFP/publications/00192/Text.htm

SLUP Reference (Page)	Issue/Concern	Recommendation or Suggestion
	setbacks for caribou during calving and post-calving, nor the timing of these sensitive life-cycles stages.	local RRCs and the GNWT) consider including minimum setbacks for caribou during calving and post-calving and the estimated timing of these sensitive life-cycle stages.
CR #18 (98)	CPAWS-NWT strongly supports the gathering of site-specific research and monitoring information and the subsequent distribution of this information.	<ul style="list-style-type: none"> ▪ It is suggested that this information be provided publicly (such as the public record for the LUP or water license) and on a regular basis for longer-term projects or during the project for short-term projects
CR #19 (98)	CPAWS-NWT strongly supports this CR as current permitting, licensing, and/or regulations do not identify pre-site conditions as an abandonment or reclamation goal. However, in some cases, it may not be possible to restore a site to pre-site conditions.	<ul style="list-style-type: none"> ▪ It is recommended that “to the greatest extent possible” be inserted after the word “condition.” ▪ It is recommended that the SLUP Board consider additional specific requirements for abandonment and reclamation. Excerpts from the Final Draft Dehcho Land Use Plan have been included after this table as an example.
CR#23 (100)	The shortest route may not be the most ecologically sensitive.	<ul style="list-style-type: none"> ▪ It is recommended that the Applicant submit an access route study for proposed transportation corridors within CZs or PCIZs, for consideration by the SLUP Board.
Additional CR consideration related to wetlands and shorelines	As per goal 1 (keep the land and water clean and healthy for future generations), an additional protective CR could be added to ensure protection of wetlands and shorelines.	<ul style="list-style-type: none"> ▪ It is recommended that the SLUP Board consider adding, “Applicants will not negatively impact wetlands and shorelines; when impacts are unavoidable, mitigative measures will be undertaken to ensure that there is no net loss to wetlands and shorelines.”
R #1 and Page 10	As there is a much higher level of existing use in the Sahtu, the exemptions and grandfathering clauses are of concern. R #1, whereby the applicant of the Mackenzie Valley Pipeline is “encouraged to consider the values and intent of the Plan’s underlying zones and harmonize its land use	<ul style="list-style-type: none"> ▪ In addition to R #1¹⁵ and the details described in existing uses in 2 b) on page 10, it is recommended that the SLUPB consider a separate general recommendation for existing developments that require a new or renewed permit or license, or a significant alteration be “encouraged to consider the values and intent of the Plan’s underlying zones and harmonize its land use activities with

¹⁵ R#1 The applicant for the Mackenzie Valley Pipeline is encouraged to consider the values and intent of the Plan’s underlying zones and harmonize its land use activities with the intent of those zones wherever possible.

SLUP Reference (Page)	Issue/Concern	Recommendation or Suggestion
	activities with the intent of those zones wherever possible” is a good start for transitioning land and water uses undergoing the environmental assessment or regulatory processes towards the intent of the SLUP.	the intent of those zones wherever possible, including the use of best available technology.”
Additional Recommendation consideration related to climate change	As per goal 4 (page 78) and section 2.4.2, (page 31), climate change is a serious northern, national and global issue.	<ul style="list-style-type: none"> ▪ It is recommended that the SLUP Board consider recommending that applicants evaluate and consider adopting climate change mitigation strategies and measures to minimize greenhouse gas emissions in their operations. ▪ In addition to CR#11¹⁶, it is recommended that the SLUP Board consider recommending that adaptive management strategies be considered to eliminate or minimize risks to infrastructure and permafrost. ▪ It is recommended that the SLUP Board consider including a recommendation for additional research on the impacts of climate change on a regional level in relation to land use planning.
A #2/#3 (92)	There is no guiding principle in the SLUP for consultation.	<ul style="list-style-type: none"> ▪ In the absence of finalized consultation protocols or guidelines, it is recommended that a guiding ‘consultation’ principle be included. ▪ For example, a recommendation to the effect of, “Applicants and/or governments shall undertake community consultation efforts and follow consultation protocols or guidelines. Consultation efforts should correspond with the breadth and depth of the proposed development activities” could be included.

¹⁶ CR #11: Applicants will design their land use activities to prevent and/or mitigate adverse environmental impacts resulting from the degradation or aggradation of permafrost.

From the NDÉH TS'EDĪCHÁ: Dehcho Ndéh T'áh Ats'et'ī K'eh Eghálat's'ênda/ RESPECT FOR THE LAND: The Dehcho Land Use Plan, Final Draft Dehcho Land Use Plan (June 2, 2006) by the Dehcho Land Use Planning Committee. Page 31-34.

Mine Reclamation Planning and Security

The north has a long history of abandoned mines that have never been properly cleaned up. Some of these have left an environmental legacy that continues to pose a hazard to environmental and human health, and has led to considerable mistrust between communities, government and the mining industry. Government policy currently requires applicants to submit closure and reclamation plans and a security deposit for mine reclamation, but there has been substantial debate over the level of cleanup required, and consequently, the amount of funds required for security. In addition, older mines were authorized before these requirements existed so are not in compliance with current standards. The MVLWB currently requires a security deposit on all activities incurring greater than \$5000 in reclamation costs.⁴⁸ DIAND collects and manages all security deposits/instruments and DIAND inspectors determine when a site has been adequately reclaimed and issue a Letter of Clearance.

In order to minimize the impacts of mine development on the environment and human health in the Dehcho territory, rebuild community trust, and reduce the financial liability to both the Canadian public and Dehcho residents, the Plan identifies conditions for reclamation planning and security deposits for new mines within the Dehcho territory. A recent regulatory review completed by CARC (Canadian Arctic Resources Committee) and CIRL (Canadian Institute for Resource Law)⁴⁹ identified several flaws in the current system consistent with community concerns, and proposed ways to improve security and reclamation of mines within the NWT. DIAND has also begun an annual review of the Mine Site Reclamation Guidelines for the NWT. The most recent version, released in January 2006 emphasizes the importance of building consensus with affected communities and parties in designing mine reclamation plans. Many of the conditions below are consistent with recommendations made in these two documents.

CR #17: (1) Responsible Authorities will not issue a permit, licence or authorization for the construction, operation or closure of a new mine unless an accepted, updated Closure and Reclamation Plan (CRP) that meets the Reclamation Planning and Security Conditions in (5) and (6) is on file and security has been posted in a sufficient amount and type to cover the full costs of closure and reclamation as described in the CRP.

(2) Responsible Authorities will not authorize any mining activity unless the Reclamation Planning and Security Conditions that apply before authorization have been met and unless authorization requires, as a condition of approval, that the remaining Planning and Security Conditions will be met.

(3) For clarity, this Conformity Requirement only applies to the construction, production and post production phases of mining; it does not apply to those activities that fall below the threshold for land use permits or water licences, such as mineral prospecting activities.

(4) For clarity, this Conformity Requirement does not apply to the construction, operation or closure of a mine arising from existing uses or rights in the Dehcho territory on the day prior to Plan approval.

(5) The Reclamation Planning Conditions are:

a) the reclamation goal to be achieved at the end of the activity will be clearly defined;

b) the reclamation goal and closure criteria will be defined in advance of mine development in cooperation with affected communities and will be consistent with the

intent and objectives of the surrounding Land Use Zone as described in the Dehcho Land Use Plan;

c) any mine component, including wastes, that remains after mine closure should be chemically stable; chemical constituents released from the mine components should not endanger public, wildlife, or environmental health and safety, should not result in the inability to achieve the water quality objectives in the receiving environment, and should not adversely affect soil or air quality into the long term;

d) affected communities and First Nations must be fully informed of any mine component that will remain after mine closure which has the potential to impact their health or well-being, and be involved in identifying appropriate mine closure criteria;

e) the reclamation goal will be a key consideration in mine site design and operations to reduce the impacts and need for reclamation at all stages of mine development, and this will be demonstrated through the consideration of alternative methods and best available technology in mine site design and operations;

f) all activities necessary to achieve the reclamation goal will be clearly described, including itemized cost estimates;

g) progressive reclamation (phased reclamation) will be provided for wherever possible;

h) best available technologies will be employed wherever feasible to reduce the time required to complete reclamation (not including post-closure monitoring);

i) parameters for long-term post-closure monitoring will be provided as required (and as determined by risk analysis) to ensure no unanticipated impacts will result from mine construction, operation and closure;

j) reclamation plans will be reviewed and updated every five years, with a Final Reclamation Plan being submitted and accepted in the final year of operations;

k) Interim and Final Plans will consider the use of new technologies to improve the reclamation goal;

l) amendments to reclamation plans will meet or exceed the initial reclamation goal, but will not lower it; and

m) failure to submit reclamation plans will result in a suspension of operations until the plans are submitted and accepted.

(6) The Reclamation Security Conditions are:

a) security will cover the full cost of all required categories of work as described in the accepted reclamation plans, including:

- (i) compliance with environmental and public health/safety requirements during operations,
- (ii) reclamation,
- (iii) closure and interim operations until reclamation is complete,
- (iv) cleanup,
- (v) post-closure, including short and long-term monitoring and site maintenance,
- (vi) responding to worst case scenarios, and
- (vii) any special or supplementary costs deemed necessary for activities that use cyanide leaching or other toxic chemicals to extract minerals from the ore;

b) costs will be determined by Responsible Authorities and be based on costs for the

government or a third party to do the reclamation work;

c) costs will factor in inflation for the life of the mine construction, operation, closure and post-closure periods;

d) security will be in a form specified through section 17 (1) of the Northwest Territories Waters Act and section 12 (3) of the Northwest Territories Waters Regulations (for water licences), or through section 32 (4) of the Mackenzie Valley Land Use Regulations (for land use permits);

e) the security deposit must be secured and should be held by DIAND in trust for the applicant as a guarantee that accepted closure and reclamation activities pursuant to an accepted Final Reclamation Plan are performed, whereupon it will be refunded as per section 17 (5) of the Northwest Territories Waters Act (water licences) or section 32 (5) of the Mackenzie Valley Land Use Regulations (land use permits);

f) failure to post additional security required as a result of revisions to reclamation plans, or failure to maintain adequate security (e.g. where a surety bond or other financial security instrument expires), will result in an immediate suspension of operations until sufficient security is posted; and

g) for existing mines exempt from the Plan and in operation prior to existing regulatory mechanisms on mine closure, reclamation and security, and where existing financial security is not 100% of the closure and reclamation obligations, security should be increased in increments to 100% over the length of the mine. Only when an operator of such an existing mine can demonstrate that it is incapable of doing so without causing bankruptcy, would other options relating to form, amount or schedule for provision of financial security be considered.

Revegetation

The use of non-native and invasive plant species for revegetation may impact native plant communities and in some cases, alter the distribution of wildlife species which depend on these communities. For instance, the use of non-native seed mixes along highways provides higher quality forage for wood bison than native habitat so the bison concentrate along the highway, increasing the likelihood of bison-vehicle collisions.

CR#18: (1) Subject to (2) below, where a land use requires revegetation, Responsible Authorities will not authorize the land use unless the seed mixes used:

a) do not include invasive plant species as determined by ENR, and

b) include plant species indigenous to the site as such seed mixes become available.⁵²

(2) The requirement in (1) may be waived or altered with the agreement of the Responsible Authorities, the affected First Nation(s) and the applicant.

Appendix C

Other Comments on SLUP Draft 2

SLUP Reference (Page)	Issue/Concern	Recommendation or Consideration
Primary concerns/comments		
Vision and Goals (77-78)	It is unclear how the communities and the SLUP Board define “maintaining a balancing between conservation and development”	<ul style="list-style-type: none"> ▪ It would be helpful to define what ‘maintaining a balance between conservation and development’ means. ▪ For example, how do renewable and non-consumptive resource development fit into this vision? How will priorities be decided? Would it be helpful to focus on ensuring resources are developed in a sustainable way with Sahtu participation and the use of best practices encouraged?
Goal 4 (78)	Climate change adaptations could also be included as a consideration.	<ul style="list-style-type: none"> ▪ It is recommended that “and adaptations to” be inserted after “of.”
Goal 6 (78)	Responsible development could be further defined.	<ul style="list-style-type: none"> ▪ It is recommended that sustainable and/or community-oriented development be also considered a goal in addition to “responsible” development
Goal 12a (78)	Sahtu communities are at various stages of self-government	<ul style="list-style-type: none"> ▪ It is recommended that “advance and” complete self-government negotiations be considered.
Goal 13 (78)	The SLUPB has a contributing role in achieving this goal. However external organizations and governments take a leading role.	<ul style="list-style-type: none"> ▪ It is suggested that “in conjunction with the federal regulatory reform efforts and regulatory authorities” be included at the end of this goal.
Grandfather-ing Existing Uses/ Rights (10)	As there is a much higher level of existing use in the Sahtu, the exemptions and grandfathering clauses are of concern. CPAWS-NWT notes the legal limitations on requiring compliance with new terms and conditions to existing developments. However, some additional clarification on how existing rights should transition towards full compliance could be provided in the SLUP. It is	<ul style="list-style-type: none"> ▪ It is recommended that a definition of ‘significant alteration’ be provided. ▪ It is recommended that ‘adversely’ be inserted in the 1st sentence of 2 b) between ‘without’ and ‘restricting.’ ▪ Will there be a process for applying for an exception for terms? How will the Board decide? ▪ See Appendix B (R#1 and page 10) for more details.

SLUP Reference (Page)	Issue/Concern	Recommendation or Consideration
	also unclear "...to the extent possible without restricting the authorized use." "...activities necessary for the exercise of their rights..."	
2.4.5 Ecoregions and Wildlife Areas	<p>As noted in our previous submission, Canada has international commitments as signatory to the Convention on Biological Diversity to achieve a significant reduction of the current rate of biodiversity Loss by 2010¹⁷. Effective and efficient regional planning should consider a network of ecologically representative and connected protected areas. Ecological representation has the goal of ensuring that a wide range of wildlife species and their habitats survive over time. Although one of the NWT-PAS' goals is to protect core representative areas within each NWT ecoregion, it will not be able to be accomplished solely through the NWT-PAS process¹⁸. CPAWS-NWT views land use planning as an essential tool in working towards NWT ecoregion representation and connectivity, while recognizing and respecting that community interests are the foundation for zone designations.</p> <p>As the SLUP Board is aware, the NWT-PAS Science Team has been working for several years with an analytical computer model to study conservation planning</p>	<ul style="list-style-type: none"> ▪ It is recommended that the SLUP Board consider the most recent ecoregion representivity analysis completed by the NWT-PAS Science Team in drafting the next version of the Plan. ▪ Should there be additional community consultations by the SLUP Board on the zoning in the districts where ecoregion representivity or connectivity is limited, CPAWS-NWT would see value in the results of the most recent analysis being presented for community consideration.

¹⁷ <http://www.biodiv.org/convention/convention.html>

¹⁸ This is primarily due to limited time, capacity and funding at the community and government levels.

SLUP Reference (Page)	Issue/Concern	Recommendation or Consideration
	<p>initiatives in the NWT, including areas identified for conservation through the NWT-PAS and other initiatives. The most recent analysis has identified additional areas for potential CZ designation to improve ecoregion representivity in the Sahtu. CPAWS-NWT considers this information as an additional resource for community consideration.</p>	
<p>2.6.6 Protected Areas and Conservation Initiatives</p>	<p>The NWT-PAS process can require many years to work through. As such, land use planning can act as a complimentary tool for land protection, until final protective designations are secured. Additionally, some legislative protection mechanisms may only provide for management of protected areas, leaving CZ designation the only option for temporary land withdrawals.</p> <p>In the past, not all northern protected areas were developed with full consultation and involvement of local communities. Today, there are strong policies and entrenched legal rights that ensure Aboriginal peoples are not only part of the management of protected areas, but form the foundation of these conservation efforts.</p> <p>CPAWS-NWT supports efficiencies for protected area and land use plan designations.</p> <p>CPAWS-NWT understands the SLUP Board is working with the NWT PAS to ensure</p>	<ul style="list-style-type: none"> ▪ CPAWS-NWT recommends that the SLUP Board support dual designation for some proposed conservation initiatives as conservation zones, at least until final boundaries and protective designations area secured. ▪ It is recommended that the definition of protected area on page 70 include a reference to co-operative management. Specifically, third sentence, “A co-operative management plan (how the area is governed and how important values are protected) is developed and implemented in coordination with the local community and region.” ▪ Once final boundaries for a PCIZ are identified, it is recommended that the PAS working group for that area work in coordination with the SLUP Board to choose the designation for any areas not included in the final protected area, to be recommended at the next possible 5-year Plan review. ▪ It is recommended that the SLUP Board continue to ensure consistent shapefiles for all PCIZs.

SLUP Reference (Page)	Issue/Concern	Recommendation or Consideration
	consistency in shapefiles for all proposed protected areas.	
4.5	The Proposed Conservation Initiative, Edajjla, is not designated as a PCIZ or CZ. Although it is referred to in the GBLMP, it should be designated in the SLUP for consistency.	<ul style="list-style-type: none"> ▪ It is recommended that the SLUP Board designate Edajjla as a PCIZ, and remain open to the option of dually designating it as a CZ after legislative protection is achieved, if required to protect community values.
Secondary Comments		
Plan Title		<ul style="list-style-type: none"> ▪ It is recommended that a Dene name for the SLUP also be considered.
2.1 (14)		<ul style="list-style-type: none"> ▪ The numbering of the footnotes in first paragraph should be corrected.
2.3.2 (16)		<ul style="list-style-type: none"> ▪ Given that 45% of the Sahtu population is under 25 years old, has the SLUP Board considered a recommendation for future youth involvement in Plan development and consultations?
2.3.2 (17)		<ul style="list-style-type: none"> ▪ Saoyú - ʔehdacho status should be updated (April 2009 designation as fully protected National Historic Site)
2.3.2 (16) and 2.3.3 (18)		<ul style="list-style-type: none"> ▪ There are minor inconsistencies between population numbers on pages 16 ad 18.
2.3.3, Table 2 (19)		<ul style="list-style-type: none"> ▪ It would be helpful to have the most recent information integrated as it becomes available. If new information is available for Draft 3, will it be able to be incorporated?
2.3.4 Table 3 (27)		<ul style="list-style-type: none"> ▪ This table is difficult to read. ▪ It is recommended that zone numbers so that it can be easily read in conjunction with Map 5.
2.5.1 Commercial Fishing (50)	What about the past or future?	<ul style="list-style-type: none"> ▪ Additional context on commercial fishing here would be helpful.
2.5.3 Tourism /Outfitting (50)		<ul style="list-style-type: none"> ▪ It is recommended that the importance of protected areas in maintaining the wilderness aspect of the Sahtu (that is so desirable from a tourism perspective) be added. ▪ The last paragraph under 2.5.3 on page 53 notes some of the employment benefits of outfitting. It would be interesting to note how

SLUP Reference (Page)	Issue/Concern	Recommendation or Consideration
		many of these opportunities are enjoyed by Sahtu residents.
2.5.4 Power Development (53-54)		<ul style="list-style-type: none"> It is recommended that information on proposed mini-hydro projects be included.
2.5.5 Mining (57-59)	Like many other places in the north, the Sahtu Settlement Area has several abandoned contaminated mine sites. For example, the Port Radium project and its clean up has had a significant socio-economic impact for Déljine.	<ul style="list-style-type: none"> It is recommended that a reference to contaminated mine sites be included in this section.
2.6.6 Transboundary Planning (69)		<ul style="list-style-type: none"> It is recommended that the SLUP Board consider seeking opportunities to connect and coordinate with adjacent land use planning boards/committees. For example, the SLUP could include an Action to hold a regular side meeting with other land use planning boards/committees as part of the annual NWT Boards Forum.
3.3.3 table 10 (85)		<ul style="list-style-type: none"> It is recommended that zone numbers to be added to this table, and to link it with Map 5 so that LUP zones are more clearly represented in both table and map.
R#5 (99)	The NWT PAS may only be of many contributing partners in further karst research.	<ul style="list-style-type: none"> It is recommended that the NWT-PAS be removed from R#5 and be replaced with "Dr. Derek Ford and other partners."
Throughout	Consistent wording of Nááts'ihch'oh needed.	<ul style="list-style-type: none"> It is recommended that Nááts'ihch'oh be used consistently.
Throughout	Consistent wording of Métis needed.	<ul style="list-style-type: none"> It is recommended that Métis be used consistently.
Throughout	Consistent wording Dene/English names needed.	<ul style="list-style-type: none"> Should there be a standard naming designation such as a Dene name followed by English name in brackets?
Throughout	Consistent reference to Saoyú - ?ehdacho National Historic Site of Canada	<ul style="list-style-type: none"> Suggest using reference: 'The Land Use Plan does not apply to Saoyú - ?ehdacho National Historic Site of Canada
Next Version of		<ul style="list-style-type: none"> It is recommended that the SLUP Board consider including a draft

SLUP Reference (Page)	Issue/Concern	Recommendation or Consideration
Plan		'checklist' or summary table for applicants to review to ensure compliance with the SLUP.
Next Version of Plan	<p>Natural capital is not described or evaluated within the SLUP. Natural capital is the ecological services provided by nature including water filtration, carbon storage, climate regulation, pest control, cultural benefits, recreational benefits and opportunities for a wide range of land uses. These goods and services would otherwise have to be provided by local governments.</p> <p>A recent report found that the ecological goods and services provided by nature in the Mackenzie Valley contribute over 10 times more societal economic value than the GDP generated by natural capital extraction industries¹⁹. Natural capital accounting challenges us to make land use decisions within a context of the full costs and benefits of drawing down natural capital.</p>	<ul style="list-style-type: none"> ▪ It is recommended that the SLUP Board consider evaluating the natural capital of the SSA (and in particular, the contributions that conservation makes toward maintaining or improving natural capital) either in the next version of the Plan, or as a recommendation for future research.

¹⁹ The Real Wealth of the Mackenzie Region: Assessing the Natural Capital Values of a Northern Boreal Ecosystem. www.borealcanada.ca/documents/MackenzieReport_09_enFINAL.pdf