



Sahtu Land Use Planning Board

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***Disclaimer**

These summary notes were recorded by SLUP staff. They are subject to errors of interpretation or omission. This document presents a summary of key discussion points. It is not intended to serve as transcripts of the meetings.

Requested changes documented in these notes do not mean that the Board will make these changes. Some requests are beyond the Board's mandate or jurisdiction to address. The Board must consider all comments and requests and balance the interests of multiple parties. The Board will revise the Plan as it deems appropriate to achieve the right balance.

Parks Canada, PAS, DUC, CPAWS Comment Follow-Up

Date: November 19, 2010, 1:30 pm – 5 pm

Location: Scotia Building, 5th Floor Boardroom

Participants:

Lee Montgomery, Parks Canada

Shannon Haszard, Ducks Unlimited Canada

Karen Hamre, PAS Science Team

Evelyn Gah, PAS Science Team, GIS

Mike Palmer, PAS Science Team, The Nature Conservancy

Lindsay Armer, INAC, PAS Secretariat

Start Time: 1:40 pm

Parks Canada comments

Parks Canada Involvement in the zoning of Excised Areas

Lee: Parks will only have legal jurisdiction within the park boundaries so we do not have any decision-making role in the zoning of excised areas – although we are certainly interested.

Heidi: Our thinking is that you may have a clear understanding of why those areas were left out and could provide that information to the SLUPB for our consideration. This is intended to be an informal information exchange so we can make decisions based on a fuller knowledge of park



establishment, because we are not involved in your process. That said, at one of our consultation meetings, someone raised a concern about the possibility of Parks Canada asking us to establish buffers around National Parks so it is good that you are cautious regarding the extent of your jurisdiction.

Lee: We don't have a jurisdictional role but we would certainly like to participate in discussions.

National Historic Sites

Lee: I have no role in National Historic Sites and I believe that the comments in this section came from Ottawa.

Heidi: We are not concerned about designations that are not attached to parcels of land. Can you give us a contact name please?

Lee: Helen Dunlop was I believe, the person who wrote this section. I can go back and get some responses from her if you can give me specific questions or points for clarification.

Action: Lee took notes of Heidi's questions and agreed to follow-up with Helen and Heidi via email so they could discuss them further.

Comment that the Plan should not prohibit the commemoration of a NHSC in any zone.

Heidi: Have you seen something in the plan that would prohibit this? The Plan is not intended to prohibit this.

P 19, S. 2.1

Heidi: Recommended wording is clearer but we are quoting the MVRMA directly here and will continue to do so.

pg. 21, Table 3, Port Radium

Heidi: We know that there is no land attached to Port Radium but it was very prominent in the Great Bear Lake Plan (which was incorporated into the SLUP) and is important to Deline, so we have included mention of the event for clarity of how the Plan applies here. We would like to keep it in the Plan but are happy to discuss wording revisions to ensure we reflect it accurately.

p. 21, Table 3, Deline Fishery and Fort Franklin National Historic Site.

Heidi: We will remove it from the table now that we know no lands will be acquired. [Correction note: I was thinking of a different table when we had this discussion. It would be better if we



correct the status of this site but leave it in so people understand that the Plan applies here. Heidi will follow-up with Helen to find something that works.]

p. 21 Application of the Plan to DLC settlement lands in Saoyú-?ehdacho National Historic Site.

Lee: Parks Canada acquired the 80% that was Crown land but Deline retains 20% of the area as their settlement lands.

Heidi: We hadn't considered this before. I think the MVRMA would apply to the 20% DLC lands, but not PC lands. We will have to check this with our legal counsel and get back to Parks Canada on this.

pg. 36, Table 5.

Heidi confirmed that Table 5 has never included and will not include the Deline Fishery and Fort Franklin NHS.

Meeting Note: Shannon had to leave for an appointment at 2:00 pm. Heidi and Shannon agreed to follow-up by phone at a later time on DUC comments.

pg 49, 500m buffer

Lee: Some of these sites or designations like Port Radium are just a plaque. They don't need a 500 m buffer.

Heidi: Others have raised this as an issue stating the 500 m may be too large. Perhaps for a plaque it is too large. Is Parks Canada only commenting in relation to "plaque" designations or in relation to burial sites and the other classes of area captured by this CR (archaeological sites)? Are there different setbacks that Parks Canada would feel is appropriate for each of the different site designations? If there is consensus from many parties that the buffer is too large the SLUPB may consider reducing it, or splitting and providing different buffers for different types of sites (e.g. larger buffer for burial sites).

Lee: All of these buffers would apply under the Parks Canada administration.

Update on Tulita District Meetings

Lee: We're meeting December 1-2 in Norman Wells and Tulita. We're going to speak to the whole membership about the benefits of the Park.

Lee Montgomery left at 2:10 pm.



Karen Hamre from the PAS Science Team arrived at 2:10 pm.

Karen: Blake Bartzen is now the CWS lead for SGN and Paul Latour has retained the Ramparts.

Karen: Mentioned that the settlement lands had never been included in the SGN boundaries. The application for a land withdrawal was submitted but the application was rejected at the Yellowknife Office. However, the application is not dead. There has been a lot of misunderstanding regarding the land withdrawal. There was some discussion about the mining protocol in SGN.

Evelyn Gah arrived at 2:20 pm.

Mike Palmer arrived at 2:30pm.

PAS Science Team comments

Discuss Differences in Understanding (P3 comments)

Heidi: We understood the PAS Science Team report that was submitted after the release of Draft 2 of the SLUP but we could not zone the areas identified in the ecological representation analysis as conservation due to community feedback we received. There was no appetite for it. There was some discussion about the Ecological Representation analysis done by the PAS Science Team and some of the details about the Marxan model that was used were elaborated upon. The PAS Science Team emphasized a number of points:

1. The Marxan model locked in the areas that were already identified as Conservation Zones in Draft 2. This did not seem to be clear to the Board since the Zone Descriptions mentioned that there were areas important for Ecological Representation in Conservation Zones (CZs). Locking conservation zones in doesn't allow for the identification of ecological representation within them. The zone descriptions for Special Management zones also mentioned important areas for ecological representation. Since Special Management Zones were not locked in, these descriptions are correct.

Ida: The staff did understand this distinction but chose to illustrate the significance of areas outside but immediately adjacent to CZs, which is why they appear in the zone descriptions. This was likely not clear in the text and will have to be clarified.

2. The definition of "very important" and "important" areas for ecological representation (based on the percentages of the times that the Marxan model selected an area) depicted in the SLUP Draft 3 were not those given in the Science Team's report

Heidi: The SLUPB staff changed the percentages given in the report during their analysis of the zoning and failed to communicate this properly in the text. This will need to be corrected in the report.

3. The Marxan model can be used to run a number of different scenarios. For example, it can lock in different areas or it can lock out (exclude from selection) areas such as areas of



development interest.. It is important for the Board to understand that locking areas in or out influences the results. Often the model selects areas directly around locked in areas a high percentage of the time because it is efficient to build on to these areas (uses less space). This means that features in those areas could also be found elsewhere, but it would require more space. The model tries to achieve ecological representation using as little space as possible.

The areas identified around locked in areas might not necessarily be selected as frequently if the factors for consideration were changed (e.g. if other areas were locked in or additional information were included). It is important for the Board to realize that irrespective of which areas are locked into the model or whether any areas are locked in at all, there are certain areas that appear as being very important or important for ecological representation each time the model is run. These areas indicate that specific features can only be found at those locations and they should be given extra consideration

Evelyn: If for example, we included information about the values important to communities in the model the analysis results would look different and perhaps be more supported by communities.

Heidi: We did change the percentages in the maps a bit and we didn't explain that in the text so we need to go back and do that.

Evelyn: That's fine. You can play with the percentages a bit in terms of defining "very important" and "important". We did want to make sure that when you state that conservation zones are "very important or important for ecological representation" because areas around or directly adjacent to conservation zones get selected a high percentage of the time, that you are aware that those areas may not necessarily be selected because features within them can only be found there, but rather because the Marxan model tends to build onto what is already there as the most efficient means of achieving ecological representation. Such areas identified in red might not necessarily be very important but they could be. For those areas that appear as being very important or important for ecological representation regardless of which areas are locked in, we can provide you with more information on which features drive the selection. I may not always be able to determine which specific feature(s) drive the selection because sometimes there can be a combination of many features in an area, which indicates that biodiversity can be protected in a very efficient way there. .

Heidi: If you can give us more information by January 2011 that would be great.

Action: Evelyn agreed to give the SLUPB more information on the reasons for why some areas appear as very important or important for ecological representation in every Marxan scenario, regardless of which areas are locked in by January 2011.

Suggested new CR and Recommendation (P8)

Heidi: Why wouldn't PAS undertake this research? I expect that developers will ask us why they have to ground-truth someone else's data.



Karen: Perhaps the wording can be changed to a suggestion that when proponents submit an application that they also do an aerial vegetation survey to confirm the presence of vegetation classes that drive the selection of those areas. It is usually land cover data that drives the selection and PAS does not have the funds to ground-truth the land cover data.

Heidi: This would be easier to include as a Recommendation. That way we could suggest that proponents undertake this kind of activity. It is late in the process so nobody will have seen this comment and as a result, will not know to comment on it. We would have to check with our lawyer to see whether it is within procedural fairness limitations to introduce a new CR this late in the process. A recommendation, however, would be less problematic because it is not mandatory.

Heidi: Who is the Recommendation to conduct the research directed at?

Karen: The CR is directed at proponents. The Recommendation is for government. This way someone might get it done.

Heidi: Is PAS on the referrals organization list? If so, you could suggest that proponents consider the results of the ecological representation report when the land and water boards do their preliminary screening. Then proponents will start looking at your data and familiarizing themselves with it. It would also open the door to proponents doing ground-truthing and other related research.

Karen: The PAS Science team is not currently involved in preliminary screening but this could be considered.

Heidi: Are you using the federal or territorial ecoregion classification system?

Evelyn: We are still using the federal classification system to assess how well we are meeting the PAS goal of protecting biodiversity in each of the NWT's 42 ecoregions. But we are also using the finest level of the territorial classification which are the level IV regions as one of the inputs for the Marxan model.

Transboundary Work

Heidi: Do you have a chart that shows what percentage of each of the 42 ecoregions in the NWT is protected? And do you have a target percentage protection for each of these ecoregions?

Karen: We don't have target protection percentages.

Evelyn: Rather than looking at what percentage of an ecoregion to protect, we set goals for how much of the individual input features to protect.

Heidi: Can you provide us with goals and priorities to work towards? You could identify ecoregions or landscape features that need the most protection and the ones that are most under-represented. Can you run the Marxan model for the entire NWT and give us the priority ecoregions to work on in the Sahtu and transboundary regions?



Karen: We have maps that show how well current and proposed protected areas, including approved and draft LUP conservation zones, contribute to ecological representation. These maps show what percentage of the protection goal set on input features has been met. We don't have this for all of the regions but we have it for certain parts of the NWT.

Action: Evelyn agreed to provide tables with more details. It is difficult to map and will take some time but she can do it.

Mike: We're still working on a freshwater classification and will be developing an approach for how to use the classification in our representation analyses. Once we figure that out we will be able to provide you with freshwater data.

Heidi: So this would come up in the next plan review because the information will not be available for the next few years? We can consider it then.

Karen: Yes. We'll be working on it over the next few months.

Making ecological representation a Sahtu Working Group (SWG) goal and including the PAS Science Team as a resource of the SWG

Heidi: I think that including the group as a resource is great. We would have to consider your request to make ecological representation an additional goal because we're already getting feedback that our goals are too broad and that they will not be achievable.

Evelyn: Is there something that we could do that would make the ecological representation analysis information more palatable?

Heidi: Building in more community communication and dialogue would be helpful because we can't go into a community and explain the report. If people have never been exposed to the information, going in with a map will not necessarily generate discussion either. People sometimes will just glaze over at the maps because it becomes information overload. You have to draw linkages to community values to advance overlaps in important area. Finding common ground interests might give you a place from which to begin discussions.

Additional Information (p10):

- i. Aquatic Special Features**
- ii. Freshwater Classification**
- iii. Climate Change**

Heidi: Asked what was captured under "aquatic special features"?

Mike: This is similar to terrestrial features, but aquatic features – waterfalls, rapids, deltas, estuaries. The data still needs to be evaluated, but we could provide some features and basic description of significance in the next few months. The Science Team is working on a write-up that will explain why the aquatic special features are important for ecological consideration.



Action: Mike to provide aquatic features data and write-up regarding the significance of these features.

Heidi will speak with the SLUPB's legal counsel to see whether or not new data will have to go on the public record. Depending on when we receive the new aquatic special features data, it may be taken into consideration.

Mike: The freshwater classification data is still raw and methods for use need to be worked on. The analysis will come later next year.

Mike: RE: Climate Change – TNC contracted SNAP (Scenarios for Network Analysis and Planning) to evaluate a number of climate models for climate projections. I have distilled the data into some maps that I can send you. We have forecasts for a number of different time periods. TNC has also secured funding from various sources (including GNWT and DUC) to complete a biome shift analysis based on the temperature shift analysis. So that will show changes in vegetation as temperatures shift.

Heidi: Can you send us something in writing, including maps so that we can put it on our public record?

Action: Mike agreed to send maps, and if necessary, a more formal write-up.

Evelyn and Mike left at 3:40 pm.
Lindsay Armer arrived at 3:45 pm.

January 6-7, 2011 Tulita Meeting Preparation

Heidi updated Karen and others on Nááts'ihch'oh meetings (based on what Lee said earlier in the meeting). On December 1-2 Parks Canada will be meeting with Tulita and Norman Wells. The IBA should be signed in January 2011. The SLUPB has asked Parks Canada to bring visuals of the boundaries to the January 6-7 SLUPB meeting for the Board to see.

Heidi talked about agenda items for the January 6-7, 2011 Tulita follow-up meeting. There will be 3 main topics for discussion: 1) Nááts'ihch'oh, 2) SGN, 3) re-zoning.

CWS, INAC and GNWT reps will attend the January 6-7 meeting. Karen will not be attending.

Karen: Is there a possibility for a PAS representative to go and talk to the community before the January meeting?

Lindsay: It's a possibility.

Heidi: The Board will produce a map to give a visual representation of Tulita's requested zoning changes in the settlement land parcels.



Karen: RE: SGN Land withdrawal request: The original land withdrawal did not include the settlement lands. Where is the request in the system now? What exactly did the application request? According to the land directive, Yellowknife cannot deny a withdrawal but we heard that the denial for the request came from the Yellowknife office. It is very confusing. We've been told that the application is still in the system but that it has not even reached Ottawa yet. The final decision comes from Ottawa. So to clear up any misconceptions about SGN, is the withdrawal still being discussed between CWS and INAC?

Lindsay: The original application for the withdrawal did not include settlement lands. We don't actually know where it is in the system or what is happening with the application right now. I'll figure out what is happening and report back.

Meeting ended at 4:22 pm

Update from Lindsay Armer provided on December 6th: CWS sent out an email to the SGN working group confirming their support for SGN and the PAS. They confirmed that the next SGN working group meeting will be in February. The Interim Land Withdrawal (ILW) was not granted and the application was returned to CWS from DIAND. More information regarding this decision will be available at the Jan 6-7 meeting in Tulita. ** Note that CWS sent a note on 25 November to the SGN working group that the ILW was not granted and that they will discuss it at the next working group meeting in February. CWS also stated that they will reapply for the ILW.**