



Ms. Heather Bourassa, Chairperson  
Sahtu Land Use Planning Board  
BOX 235  
FORT GOOD HOPE NT X0E 0H0

Dear Ms. Bourassa:

### Rescheduling of the Tri-Partite Meeting

Thank you for your invitation to a tri-partite meeting of the Sahtu Land Use Planning Board and the approving parties scheduled for September 6<sup>th</sup> and 7<sup>th</sup> in Yellowknife. An open dialogue about the current Plan will increase the likelihood that current concerns of approving parties could be met. However, we would like to be clear that while we expect that our upcoming discussions will move us towards a Plan that all may be able to approve, a final Government of the Northwest Territories (GNWT) approval is a decision of Executive Council.

The GNWT is prepared to send three or four senior members, including a representative from our Department of Justice to this meeting so that constructive dialogue can occur and approving parties can provide insight into what would be necessary for their interests to be met.

The Board has indicated that the District Land Corporations and Mackenzie Valley and Sahtu Land and Water Boards may also participate. While the GNWT recognizes the primary interests and expertise of these agencies, we suggest that first high level dialogue is required amongst all approving parties to reach some common understandings on the matters identified in the attached list. Meeting outcomes could then give oversight to approaches that could be taken to ensure that the Plan is clear and could be readily implemented by all concerned.

As we've done in the past, attached are repeated our longstanding concerns with respect to approving the plan. Underlying these concerns is the need for the plan to fully respect the authorities, roles and responsibilities set out in the Sahtu Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA) and the Mackenzie Valley Resources Management Act (MVRMA).

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The GNWT recognizes that the Board, the Sahtu Secretariat Incorporated (SSI) and the Government of Canada also share this goal. It is possible that there may be differing interpretations of current wording and this underscores the importance of having all approving parties talk together freely.

We trust that the attached annotated list will assist your staff in setting the Agenda for the proposed meeting. Currently the GNWT has a detailed interdepartmental analysis underway on these matters so that results can provide more context for our meeting discussions. We hope to have this information to you by August 24<sup>th</sup>.

Based on outcomes of discussions at our tri-partite meeting, follow-up meetings or workshops may be necessary with others so that the plan, once approved, can be implemented accordingly.

If you have any questions please do not hesitate to contact Michelle Swallow, Manager of Lands, at 920-6485.

Sincerely,



Ernie Campbell  
Deputy Minister

**Attachment**

- c. Ms. Zoe Raemer, A/Regional Director  
Aboriginal Affairs and Northern Development Canada, NT Region
  
- Ms. Ethel Blondin-Andrew, Chair  
Sahtu Secretariat Incorporated
  
- Mr. David Little, Executive Director  
Sahtu Secretariat Incorporated

## **Key GNWT Issues that require discussion at the September 6 & 7 tripartite**

### **Application of and Relationship of the Plan to Proposed Protected Areas**

Currently, the study areas for Ts'ude niline Tu'eyeta proposed protected area and the Naats'ihch'oh are identified as Proposed Conservation Initiatives (PCI) in the draft land use plan. We need to reach a common understanding with other approving parties about what zoning or management rules will or will not apply in a PCI, both now and when part of the PCI is established under the legislation of the sponsoring agency (in this case as a National Wildlife Area and a National Park Reserve under Environment Canada's legislation).

### **Authorizations that Implement the Plan**

Some authorizations are able to implement all or parts of the requirements of the Plan, while others cannot. Therefore the GNWT believes that a process must be in place that can identify what parts of the plan apply through various authorizations. Underlying this matter is the need to ensure that the correct agency to implement that component is agreed upon by the approving parties and that that agency's role is consistent with both the SDMLCA and the MVRMA. Without this common understanding, there is risk that an approved plan would not be implemented fully.

### **Circumstances in which Specific CRs would be Applied**

The GNWT wants to discuss with the approving parties possible approaches to be sure that the plan components are practical and reasonable to the scale or other commonly agreed dimension of the project. If plan conditions (CRs primarily) cannot be generally applied or are not workable and enforceable broadly, it may be more appropriate for that specific matter to best be addressed solely through the regulatory process. The Plan could still highlight that particular planning objective in some way.

### **Conformity Determination Process**

The GNWT wants to be sure that all approving parties have a common understanding of how and when it is determined that activities are carried out in accordance with the plan. The GNWT see this "conformity check" role as a primary function that occurs early in the process in the manner identified in the SDMLCA and the MVRMA.

### **Actions and Recommendations**

The GNWT wants to be sure that approving parties have a common understanding on expectations as to what commitments are being made if a party approves the plan with respect to those plan components identified as Actions or Recommendations. The GNWT believes that agreement on the overall approach to the above matters will result in the ability for specific work to occur on aspects of the draft plan such that, for the most part, final plan wording would be interpreted by all implicated in the same manner. Then an approved Plan could be implemented effectively through those bodies with relevant authorities, roles and responsibilities.