



# **Sahtu Land Use Planning Board**



## **Sahtu Land Use Plan - DRAFT 3** **Plain Language Summary**

**August 2010**

#### Disclaimer

This summary is not a legal document. It can only be used as a guide. Where there are differences between the Plain Language Summary and the Sahtu Land Use Plan (SLUP), the SLUP is considered the legal authority.

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# Chapter 1 – Introduction

The Sahtu Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA) is a modern treaty between the Sahtu Dene and Métis and Canada.

The land claim's goal is to give the Sahtu Dene and Métis the right to participate in decisions on the use, management, and conservation of land, water and resources.

The Mackenzie Valley Resource Management Act (MVRMA) implements the SDMCLCA's land use planning requirements.

## The Sahtu Land Use Plan (the Plan)

The Sahtu Land Use Planning Board (SLUPB) was established under the MVRMA in 1998 to develop a land use plan for the Sahtu Settlement Area (SSA).

Land use planning means making choices about how the land, water and resources are used. The Plan balances conservation and development to ensure that important ecological and cultural values are protected. At the same time, land use planning allows economic development to provide jobs and revenues needed to meet other goals.

The Sahtu Land Use Plan outlines **what** land uses are allowed, **where** they are allowed, and under what **conditions**.

**The Plan does not limit or affect subsistence use or harvesting activities of the Sahtu Dene and Métis.**

The Sahtu Land Use Plan (the SLUPB or "the Plan"), brings together the different world views and systems of laws and beliefs of the Sahtu Dene and Métis, government and others. Everyone must work together to integrate their values and create one plan ("One Law") for the SSA.

The SLUPB works with other co-management boards and regulators to regulate "all land and water uses, including deposits of waste". The Plan guides all land use decisions in the Sahtu Settlement Area.

The SLUP has included information and direction from the Great Bear Lake Watershed Management Plan as much as possible.

## Guiding Principles

Under the SDMCLCA, land use planning will:

- (a) “protect and promote the existing and future well-being of the residents and communities of the settlement area” having regard to the interests of all Canadians;
- (b) pay special attention to
  - i) protecting and promoting the existing and future social, cultural and economic well-being of participants;
  - ii) lands used by participants for harvesting and other uses of resources; and
  - iii) the rights of participants;
- (c) include water resources planning;
- (d) involve communities and designated Sahtu organizations in planning;
- (e) provide for the conservation, development, and the use of land, waters and other resources.

## Plan Approval and 5-Year Review

When the Plan is completed it will be given to SSI, the GNWT and the federal government for approval. Once all three parties agree to it, the Plan will become law. Upon approval of the Plan, any department or organization that issues licences, permits or other authorizations for land or water use or the deposit of waste will need to follow the land use plan.

Every five years after it is approved, the Board will review the Plan to keep it up to date.

## Supporting Documents for the Plan

Three documents were developed to support Draft 3 of the SLUP:

- 1) **Background Report** - All background information on the people and communities of the SSA, mapping on the natural environment and economic opportunities, and information on the regulatory environment is included.
- 2) **Draft Implementation Guide** – Describes how the Plan’s Rules will be implemented.
- 3) **Table of Comments and Responses** - All comments (oral and written) received on Draft 2 were included in the table and the Board has explained how it has responded to each comment.

# Chapter 2 – How the Plan Applies

## Where the Plan Applies

The Plan applies everywhere in the Sahtu Settlement Area (SSA) except in:

- a) National Parks, Historic Sites and Monuments; and
- b) Within community boundaries.

## Protected Areas

The Plan gives protection to areas that are going through the Protected Areas Strategy (PAS), until they have been completed. Once they have been completed, the SLUPB will work with the Working Group to determine if the Plan still needs to apply those locations.

## Land Ownership

The Plan applies to all land - Crown Land, Commissioner's Land, and Sahtu Settlement Lands.

## Uses and Users

Except where a land use is exempted under section 2.3.2, **the Plan applies to all land uses that requires any kind of permit, licence or authorization.**

Activities that do not require an authorization (licence, permit or other) or disposition are not subject to the Plan (example: hiking, canoeing, and subsistence harvesting activities).

**The SDMCLCA provides the Sahtu Dene and Métis participants the right to gather, hunt, trap and fish throughout the Sahtu Settlement Area at all seasons of the year.**

The Plan applies the same to all land users, whether they are a private individual, a company, government, or a First Nation.

## Exempt Uses

Any land use allowed before the Plan is approved must be allowed to continue, even if it is in an area where this isn't allowed under the Plan (e.g. looking for minerals or oil and gas in Conservation Zones). Once the land use is renewed or changed, it can still continue, but it has to follow the rules in the Plan.

The following land uses are also allowed to continue after the Plan is approved:

- Expanding communities, and building new roads or infrastructure to support the communities outside of their boundaries;
- Any land use needed to clean up contaminated sites;
- Any land use needed to deal with an emergency; and
- Going out on the land and harvesting wildlife or trees.

## Effect of the Plan

Once the Plan is approved, under the MVRMA, “every body having authority under any federal or territorial law to issue licences, permits, or other authorizations” will have to follow the Plan. This includes “the Sahtu First Nations” and “departments and agencies of the federal and territorial governments”.

Even when an application conforms with the development rules and conditions of the Plan, it still needs to satisfy the requirements of other land, water, and resource requirements of regulators and First Nations.



# Chapter 3 – Vision & Goals

The Dene and Métis people's vision and goals are holistic, covering all aspects of their future aspirations. The land use plan cannot address all aspects of the vision and goals but the Board encourages other organizations, departments and agencies to consider the vision and goals as they carry out their mandates.

## Vision

The SLUPB asked participants to identify their vision for the land five years and 100 years in the future. The results were compiled in "Building a Vision for the Land". A Vision was also developed for the Great Bear Lake Watershed Management Plan. It was integrated into the Vision below. The Vision has been simplified here. See the Plan for the complete Vision.

*The region has cultural integrity. People use the land as they always have for hunting, trapping, fishing, gathering, spiritual renewal and healing. Elders play a central role in passing down the culture to younger generations. The youth learn both traditional and modern skills in schools to thrive and adapt in a changing environment.*

*The ecological integrity of the region is maintained. The land, water and natural resources on which people depend are clean, healthy and abundant. There is a balance of industrial development and vast wilderness areas. The most important places and values are protected for future generations, while careful management allows development to proceed in other areas.*

*Strong renewable and non-renewable industries ensure economic self-sufficiency, stability and employment. Good access and infrastructure reduces the cost of power, goods and services. Training maximizes employment and business opportunities.*

*Communities work with land and resource managers, co-management boards, and regulators to manage and monitor land use. Together, they provide an effective regulatory system for sustainable development. Land use activities are carried out in a way that respects the values and characteristics of the people and the region. There is trust and respect amongst participants in land and resource management.*

## Goals

1. Maintain the ecological integrity of the Sahtu Settlement Area.
2. Maintain or enhance the cultural integrity of the Sahtu Settlement Area.
3. Increase the economic self-sufficiency of the region through sustainable development.
4. Increase community capacity and decision-making authority in land and resource management.

# Chapter 4 – Zoning and Conditions for Development

## Land Use Zoning

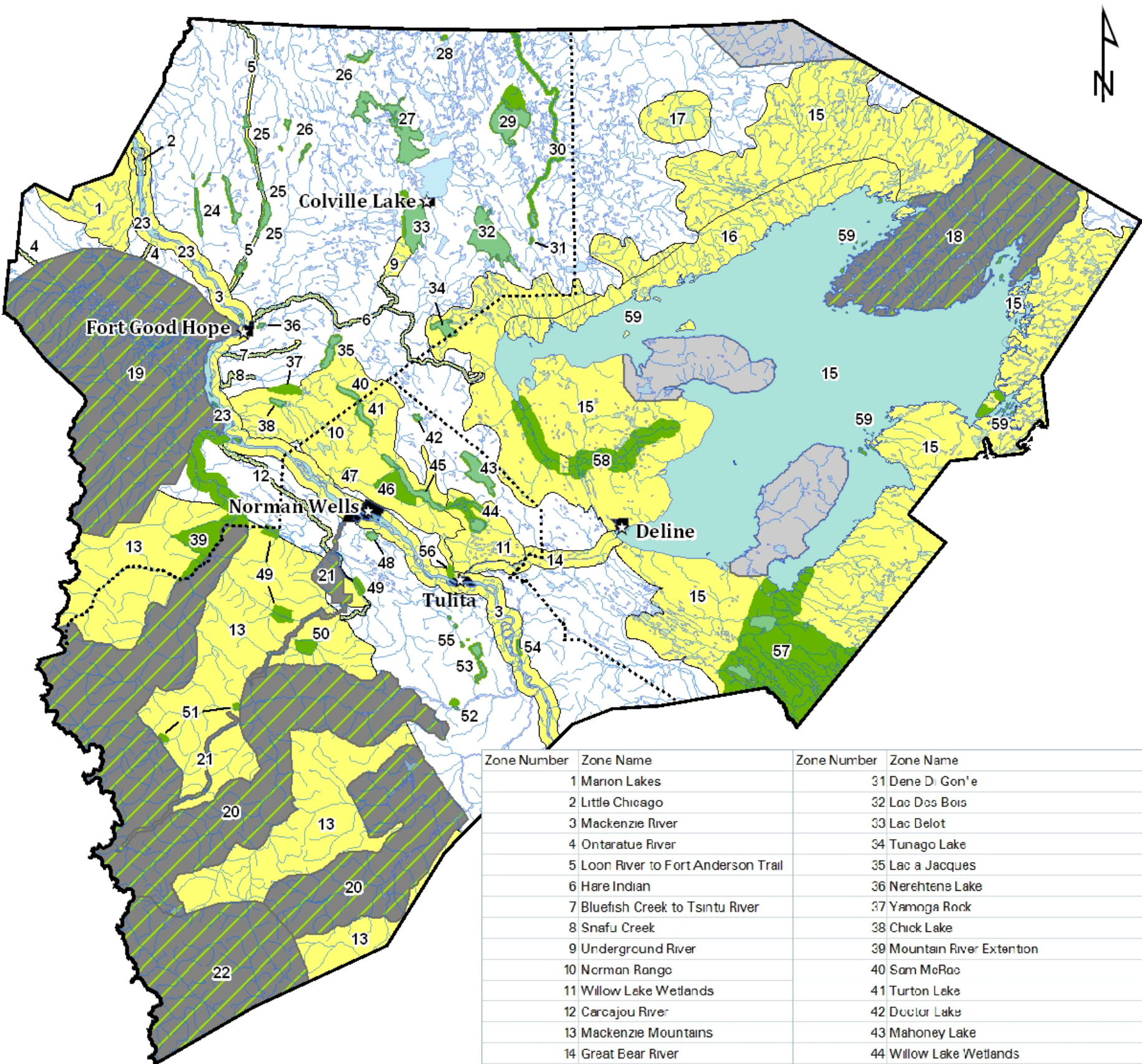
The Plan has four types of land use zones. In these zones, developers have to follow new rules for development.

Zone Type	# of Zones	% of SSA	Description	Rules that Apply
<b>General Use Zones (GUZs)</b> (White Areas)	No #s	30.8%	<ul style="list-style-type: none"> <li>Most types of land use are allowed except bulk water removal (taking very large quantities of water to use somewhere else).</li> <li><b>These are the main areas for development.</b></li> </ul>	<ul style="list-style-type: none"> <li>All existing laws and conditions</li> <li>General rules in the Plan</li> </ul>
<b>Special Management Zones (SMZs)</b> (Yellow Areas)	17	41.5%	<ul style="list-style-type: none"> <li>Most types of land use are allowed except bulk water removal.</li> <li>In these areas, communities want to protect water, wildlife, and cultural values but still want development.</li> <li><b>Special rules exist to make sure that development does not hurt those values.</b></li> </ul>	<ul style="list-style-type: none"> <li>All existing laws and conditions</li> <li>General Rules in the Plan</li> <li>Special Rules in the Plan</li> </ul>
<b>Conservation Zones (CZs)</b> (Green Areas)	37	4.4%	These are very important areas for communities. The following types of development are not allowed. <ul style="list-style-type: none"> <li>– mining,</li> <li>– oil and gas,</li> <li>– forestry,</li> <li>– power development,</li> <li>– quarrying (taking sand, rock and gravel) and</li> <li>– bulk water removal.</li> </ul>	<ul style="list-style-type: none"> <li>All existing laws and conditions</li> <li>General Rules in the Plan</li> <li>Special Rules in the Plan</li> </ul>
<b>Proposed Conservation Initiatives (PCIs)</b> (Grey Areas)	5	20.4%	<ul style="list-style-type: none"> <li>These are areas that communities are working with the Protected Areas Strategy or Government to protect permanently.</li> <li>The Plan protects them like Conservation Zones (no development allowed) until they are completed.</li> </ul>	<ul style="list-style-type: none"> <li>All existing laws and conditions</li> <li>General Rules in the Plan</li> <li>Special Rules in the Plan</li> </ul>



Sahtu Land Use Plan - Draft 3

Map 4: Land Use Zones



Zone Number	Zone Name	Zone Number	Zone Name
1	Marion Lakes	31	Dene Di Gon'e
2	Little Chicago	32	Lac Des Bois
3	Mackenzie River	33	Lac Delot
4	Ontaratie River	34	Tunago Lake
5	Loon River to Fort Anderson Trail	35	Lac a Jacques
6	Hare Indian	36	Nerehtene Lake
7	Bluefish Creek to Tsintu River	37	Yamoga Rock
8	Snafu Creek	38	Chick Lake
9	Underground River	39	Mountain River Extention
10	Norman Range	40	Sam McRae
11	Willow Lake Wetlands	41	Turton Lake
12	Carcajou River	42	Doctor Lake
13	Mackenzie Mountains	43	Mahoney Lake
14	Great Bear River	44	Willow Lake Wetlands
15	Great Bear Lake Watershed	45	Kelly and Lennie Lake
16	Neregah (NorthShore) Heritage	46	Kelly Lake Protected Area (Land Claim)
17	Horton Lake	47	Oscar Lake
18	Edajjila	48	Three Day Lake
19	Ts'ude nline Tu'eyeta	49	Mountain Lakes
20	Shúhtagot'ine Néné	50	Plains of Abraham
21	Canol Heritage Trail	51	Mountain Hot Springs
22	Nááts'ihch'oh	52	Red Dog Mountain
23	Mackenzie River Islands	53	Stewart and Tate Lakes
24	Travaillant Uplands	54	Mio Lake
25	Fort Anderson Trail Lakes	55	Mackay, Rusty and Yellow Lakes
26	Colville Upland Lakes	56	Dear Rock
27	Aubrey Lake & Dunedelatue Lake	57	Johnny Hce River (Teh Kaicho Dé)
28	Ts'uga Tué	58	Whitefish River
29	Maunor Dome	59	Sentinel Islands
30	Anderson River		

- ☆

Sahtu Towns
- District Boundaries
- Rivers and Streams
- Lakes and Large Rivers
- Sahtu Settlement Area Boundary
- Community Boundary
- Conservation Initiatives
- General Use Zones
- National Park/Historic Sites
- Proposed Conservation Initiatives
- Special Management Zones

Zone #	Zone Name	Area (km <sup>2</sup> ) Canada Equal Areas Projection	% of SSA	Prohibited Uses*						Conditions							
				Bulk Water Removal	Mining	Oil and Gas	Power Dev't	Forestry	Quarrying	General Conditions	Special Mgmt Cond'ns	CR #16	CR #17	CR #18	CR #19	CR #20	
General Use Zone																	
		Total	87,585	30.82	x							✓					
Special Management Zones																	
1	Marion Lakes	1,780	0.63	x								✓	✓				
2	Little Chicago	116	0.04	x								✓	✓				
3	Mackenzie River	6,335	2.23	x								✓	✓				
4	Ontaratue River	66	0.02	x								✓	✓				
5	Loon River to Fort Anderson Trail	329	0.12	x								✓	✓				
6	Hare Indian	501	0.18	x								✓	✓				
7	Bluefish Creek to Tsintu River	121	0.04	x								✓	✓				
8	Snafu Creek	74	0.03	x								✓	✓				
9	Underground River	308	0.11	x								✓	✓				
10	Norman Range	6,134	2.16	x								✓	✓				
11	Willow Lake Wetlands	1,347	0.47	x								✓	✓				
12	Carcajou River	369	0.13	x								✓	✓				
13	Mackenzie Mountains	23,639	8.32	x								✓	✓				
14	Great Bear River	910	0.32	x								✓	✓				
15	Great Bear Lake Watershed	70,045	24.65	x								✓	✓	✓	✓	✓	
16	Neregah (NorthShore)	4,792	1.69	x								✓	✓	✓	✓		
17	Horton Lake	1,178	0.41	x								✓	✓				
		Total	118,044	41.54													
Proposed Conservation Initiatives																	
18	Edaǰíla	8,840	3.11	x	x	x	x	x	x	x	✓	✓	✓	✓			
19	Ts'ude niline Tu'eyeta	15,136	5.33	x	x	x	x	x	x	x	✓	✓					
20	Shúhtagot'ine Néné	25,574	9.00	x	x	x	x	x	x	x	✓	✓					
21	Canol Heritage Trail	940	0.33	x	x	x	x	x	x	x	✓	✓					
22	Nááts'ihch'oh	7,576	2.67	x	x	x	x	x	x	x	✓	✓					
		Total	58,066	20.44													
Conservation Zones																	
23	Mackenzie River Islands	57	0.02	x	x	x	x	x	x	x	✓	✓					
24	Travaillant Uplands	187	0.07	x	x	x	x	x	x	x	✓	✓					
25	Fort Anderson Trail Lakes	218	0.08	x	x	x	x	x	x	x	✓	✓					
26	Colville Upland Lakes	113	0.04	x	x	x	x	x	x	x	✓	✓					
27	Aubrey Lake & Dunedelatue Lake	611	0.21	x	x	x	x	x	x	x	✓	✓					
28	Ts'oga Tué	13	0.00	x	x	x	x	x	x	x	✓	✓					
29	Maunoir Dome	563	0.20	x	x	x	x	x	x	x	✓	✓					
30	Anderson River	415	0.15	x	x	x	x	x	x	x	✓	✓					
31	Dene Di Gon'e	11	0.00	x	x	x	x	x	x	x	✓	✓					
32	Lac Des Bois	520	0.18	x	x	x	x	x	x	x	✓	✓					
33	Lac Belot	406	0.14	x	x	x	x	x	x	x	✓	✓					✓
34	Tunago Lake	108	0.04	x	x	x	x	x	x	x	✓	✓					
35	Lac a Jacques	123	0.04	x	x	x	x	x	x	x	✓	✓					
36	Nerehtene Lake	12	0.00	x	x	x	x	x	x	x	✓	✓					
37	Yamoga Rock	92	0.03	x	x	x	x	x	x	x	✓	✓					
38	Chick Lake	36	0.01	x	x	x	x	x	x	x	✓	✓					
39	Mountain River Extension	1,393	0.49	x	x	x	x	x	x	x	✓	✓					
40	Sam McRae	59	0.02	x	x	x	x	x	x	x	✓	✓					
41	Turton Lake	79	0.03	x	x	x	x	x	x	x	✓	✓					
42	Doctor Lake	21	0.01	x	x	x	x	x	x	x	✓	✓					
43	Mahoney Lake	232	0.08	x	x	x	x	x	x	x	✓	✓					
44	Willow Lake Wetlands	245	0.09	x	x	x	x	x	x	x	✓	✓					
45	Kelly and Lennie Lake	205	0.07	x	x	x	x	x	x	x	✓	✓					
46	Kelly Lake Protected Area (Land Claim)	273	0.10	x	x	x	x	x	x	x	✓	✓					
47	Oscar Lake	67	0.02	x	x	x	x	x	x	x	✓	✓					
48	Three Day Lake	32	0.01	x	x	x	x	x	x	x	✓	✓					
49	Mountain Lakes	210	0.07	x	x	x	x	x	x	x	✓	✓					
50	Plains of Abraham	105	0.04	x	x	x	x	x	x	x	✓	✓					
51	Mountain Hot Springs	45	0.02	x	x	x	x	x	x	x	✓	✓					
52	Red Dog Mountain	27	0.01	x	x	x	x	x	x	x	✓	✓					
53	Stewart and Tate Lakes	121	0.04	x	x	x	x	x	x	x	✓	✓					✓
54	Mio Lake	19	0.01	x	x	x	x	x	x	x	✓	✓					
55	Mackay, Rusty and Yellow Lakes	18	0.01	x	x	x	x	x	x	x	✓	✓					
56	Bear Rock	33	0.01	x	x	x	x	x	x	x	✓	✓					
57	Johnny Hoe River (Teh Kaicho Dé)	4,184	1.47	x	x	x	x	x	x	x	✓	✓	✓	✓			
58	Whitefish River	1,443	0.51	x	x	x	x	x	x	x	✓	✓	✓	✓			
59	Sentinel Islands	211	0.07	x	x	x	x	x	x	x	✓	✓	✓	✓		✓	
		Total	12,510	4.40													
National Park/Historic Site		7,477	2.63	Sahtu Land Use Plan Does Not Apply In These Areas													
Community Boundaries		460	0.16	Sahtu Land Use Plan Does Not Apply In These Areas													
Total Area of SSA		284,142	100.00														



The rules in the Plan are called “Conformity Requirements” or “CRs”. The first CR makes it law for developers to follow the zoning and the rules.

### **CR #1 – Land Use Zoning**

Land can only be used in the way that is shown in map 4 and the table. Where the map prohibits development, regulators cannot allow development there.

Developers have to follow the rules for the zone they are in. Some water use, quarrying, and construction of roads or infrastructure may be allowed in Conservation Zones and proposed Conservation Initiatives if it is needed to carry out development outside the zone.

If a developer already had the right to work in an area before the Plan was approved, they can continue their work, even if the Plan does not allow that type of development.

## **General Conditions**

The following conditions apply in all zones.

### **CR #2 – Community Engagement and Traditional Knowledge**

Community organizations must be able to meet with the developer in person to:

1. learn about the project,
2. identify locations and issues of concern, and
3. provide relevant traditional knowledge.

Regulators must ensure the project is developed based on this information and must address community concerns.

### **CR #3 – Community Benefits**

Regulators must make sure that communities benefit from development.

### **CR #4 – Archaeological Sites, Historic Sites and Burial Sites**

Development cannot take place within 500 m of suspected or known burial sites, historical sites or archaeological sites. See Map 5.

### **CR #5 – Watershed Management**

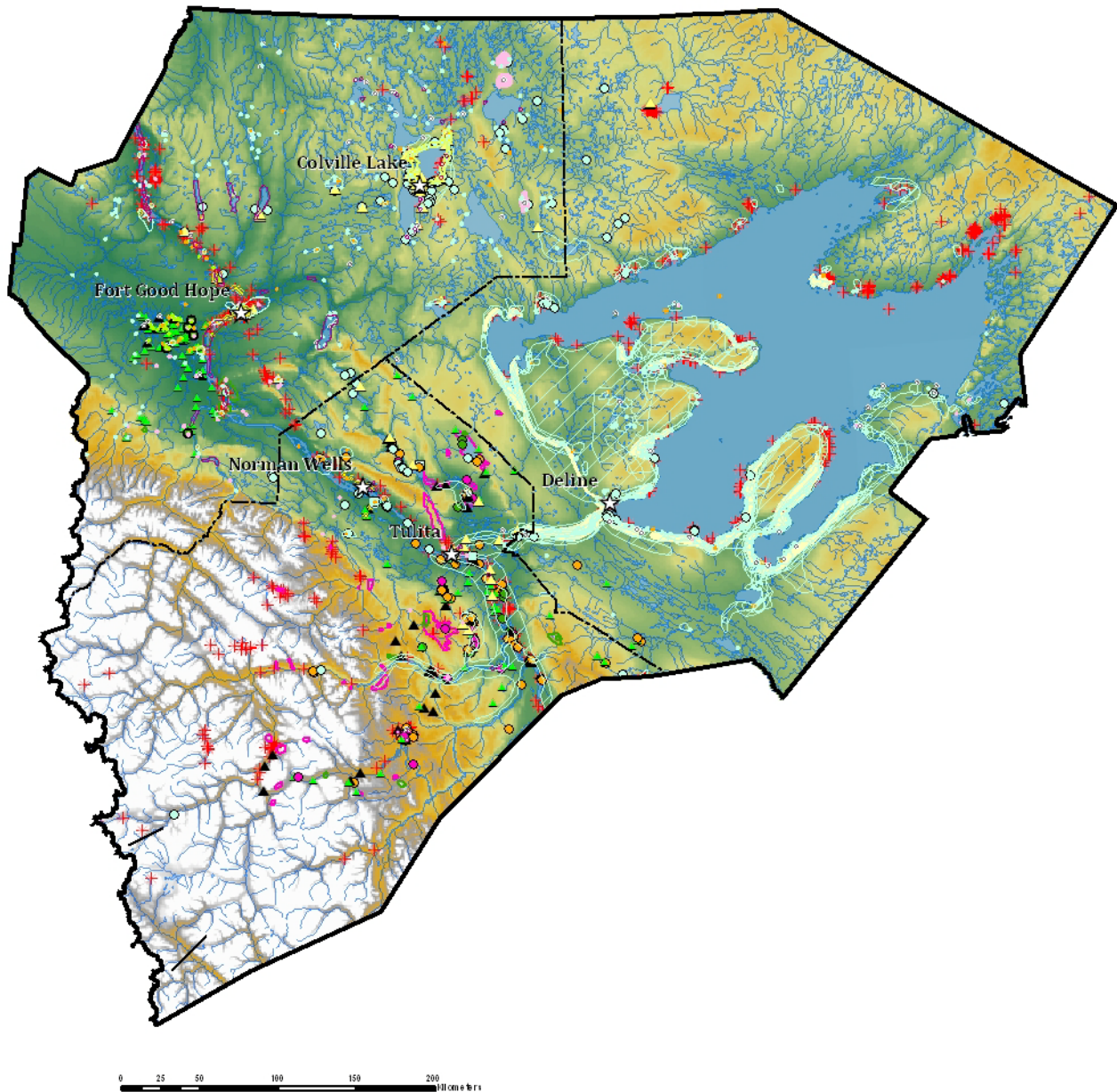
Regulators shall make sure that new developments, together with other past, present or future developments will not change the water quality, quantity or rate of flow within any Special Management Zone, Conservation Zone or Proposed Conservation Initiative.

### **CR #6 – Drinking Water**

Regulators shall assess the impacts of development on drinking water sources. Regulators will not allow any activity that will contaminate community source catchments. See Map 6.

# Sahtu Land Use Plan - Draft 3

## Map 5: Significant Cultural Sites



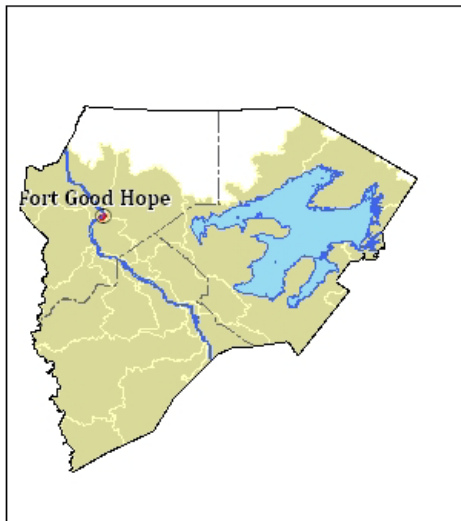
- |                        |                         |
|------------------------|-------------------------|
| ● Cabins               | + Archaeological Sites  |
| □ Traditional Camps    | ▲ Graves                |
| ▲ Camps and Tent Sites | □ Berry Picking         |
| □ Cultural Sites       | ▲ Plants                |
| ● Historical Site      | □ Log Timber & Firewood |
| ● Sacred Site          | □ Recreational Areas    |

\* For Map References please consult the Appendix

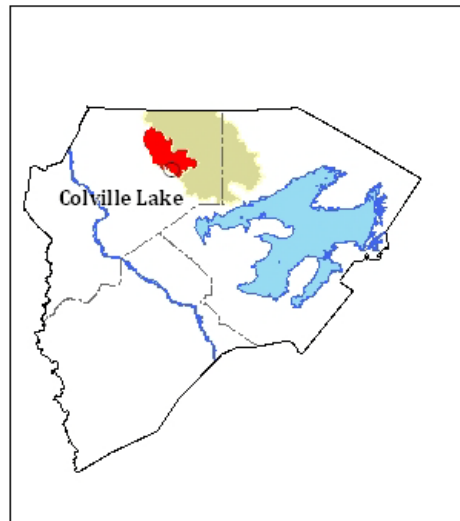
# Sahtu Land Use Plan - Draft 3

## Map 6: Community Source Watersheds

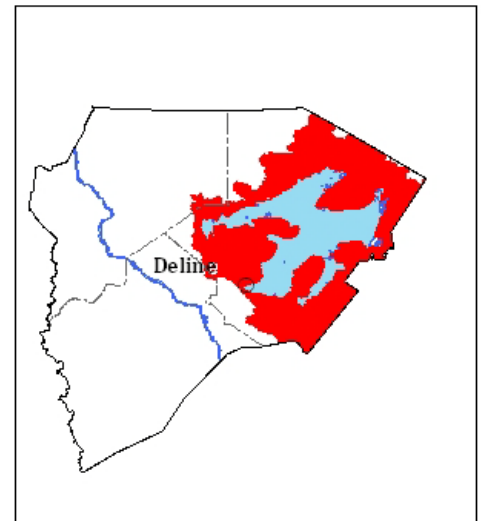
**Fort Good Hope**



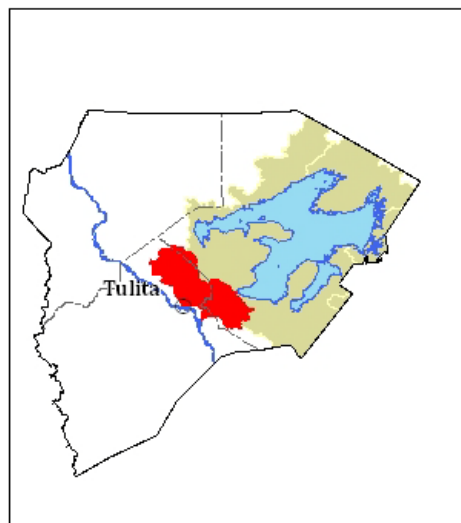
**Colville Lake**



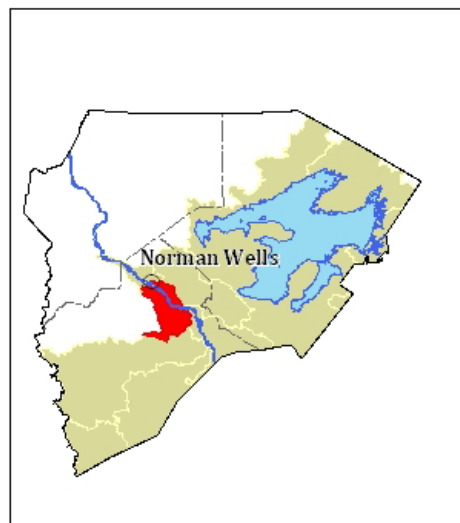
**Deline**



**Tulita**



**Norman Wells**



- Sahtu Community
- District Boundary
- Sahtu Boundary
- Major Water Bodies
- Source Catchement
- Upstream Catchments

## **CR #7 – Wildlife**

- 1) Developers must design their projects based on the most current wildlife information from wildlife authorities.
- 2) Regulators must apply conditions to development to prevent impacts to wildlife from the project.
- 3) Special conditions will be used to manage impacts to boreal and barren-ground caribou on their fall/winter range from October 8-March 31 (see Map 7).
- 4) Regulators shall make sure that no development takes place around important habitat areas during sensitive periods. Regulators will enforce minimum altitudes for aircraft around the areas shown in the table below.

<b>Species/Group</b>	<b>Habitat Type</b>	<b>Period</b>	<b>Horizontal Setback</b>	<b>Minimum Altitude</b>
<b>Black &amp; grizzly bear</b>	Dens	15 Oct - 15 May	800 m	300 m
<b>Wolverine</b>	Dens	15 Oct - 15 May	800 m	300 m
<b>Wolf</b>	Dens	1 May - 15 Sep	800 m	300 m
<b>Dall's sheep</b>	Lambing areas	01 May - 15 Jun	2000 m	300 m
<b>Mountain goat</b>	Goat habitat	Year Round	2000 m	300 m
<b>Raptors</b>	Nest sites	1 Mar - 1 Aug	1000 m	650 m
<b>Raptors</b>	Nest sites	2 Aug - 28 Feb	500 m	650 m
<b>Waterfowl</b>	Nest sites	01 Jun - 31 Aug	250 m	650 m
<b>Waterfowl</b>	Staging Areas / Concentrations	10 May – 20 Jun 15 Aug – 30 Sep	250 m	650m altitude, 1500 m lateral distance
<b>Waterfowl</b>	Concentrations	Year Round		650 m

## **CR #8 – General Environmental Impacts**

Developers must reduce environmental impacts as much as possible. This includes reducing the footprint (area disturbed by development), and reusing existing roads, seismic lines and already disturbed areas wherever they can.

## **CR #9 – Climate Change**

Developers must consider climate change when designing their land use. This includes preventing impacts to permafrost and minimizing greenhouse gases.

## **CR #10 – Incidental Harvest**

If a developer has to remove trees or harvest other resources to do their work and they cannot use them, they must distribute them to communities wherever they can.

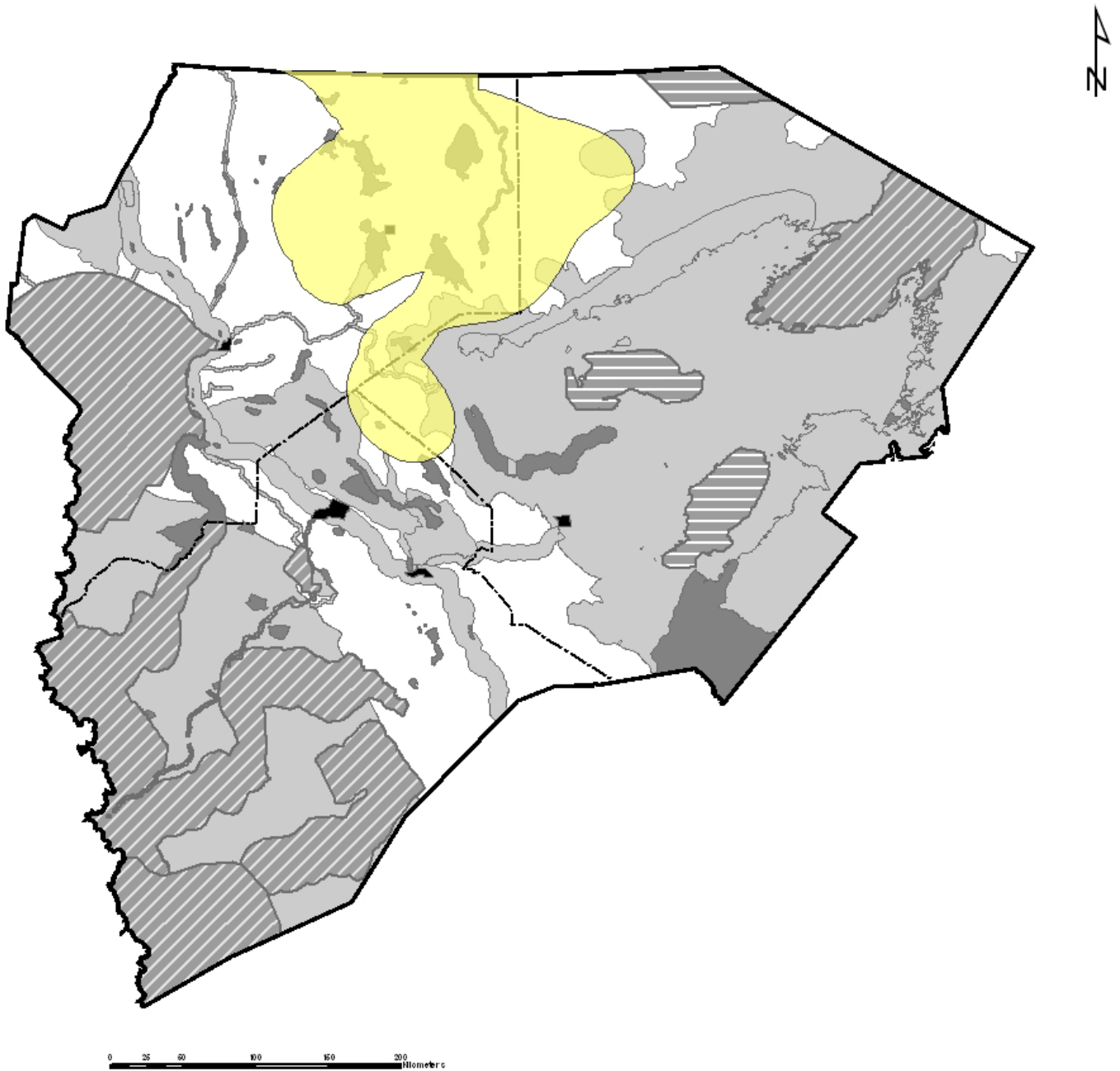
## **CR #11 – Species Introductions**

Developers must not introduce any non-native plant or animal species, or domestic animal species or subspecies without Environment and Natural Resources' (ENR) approval.









# Sahtu Land Use Plan - Draft 3

## Map 7: Fall Rut, Post-Rut and Winter Range of the Bluenose West Barren-Ground Caribou Herd



 Caribou Range

### Zoning - Draft 3

-  Community Boundary
-  Conservation Zones
-  National Park/Historic Sites
-  Proposed Conservation Initiatives
-  Special Management Zones
-  General Use Zones

### **CR #12 – Ecologically Significant Areas**

- 1) Developers must design their activities based on the most current information about the location of rare and may-be at risk plants, hot and warm springs, mineral licks and amphibians and not impact these features. See Map 8.
- 2) Development must avoid or reduce impacts to Karst areas. (Karst is made up of porous rock that is sensitive to development. Karst often leads directly to groundwater sources.)
- 3) Development must not take place within 1000 m of a mineral lick.
- 4) Developers working in a glacial refugia (where glaciers did not cover land) or within 500 m of a hot or warm spring must do a rare plant study and monitor impacts to plants.
- 5) New locations of hot or warm springs, mineral licks and amphibians must be reported to ENR.

### **CR #13 – Closure and Reclamation**

Unless the developer is a municipal, territorial or federal government, all developers must post and maintain financial security with the Minister of Indian and Northern Affairs Canada (INAC) for developments where the security total is more than \$50,000.

When the land use is finished, the developer must return the area to a healthy ecosystem that is similar to the surrounding area and that suits the intended future use of the area.

## **Special Management Conditions**

The following rules apply in Special Management Zones, Conservation Zones and Proposed Conservation Initiatives.

### **CR #14 – Assessment and Mitigation**

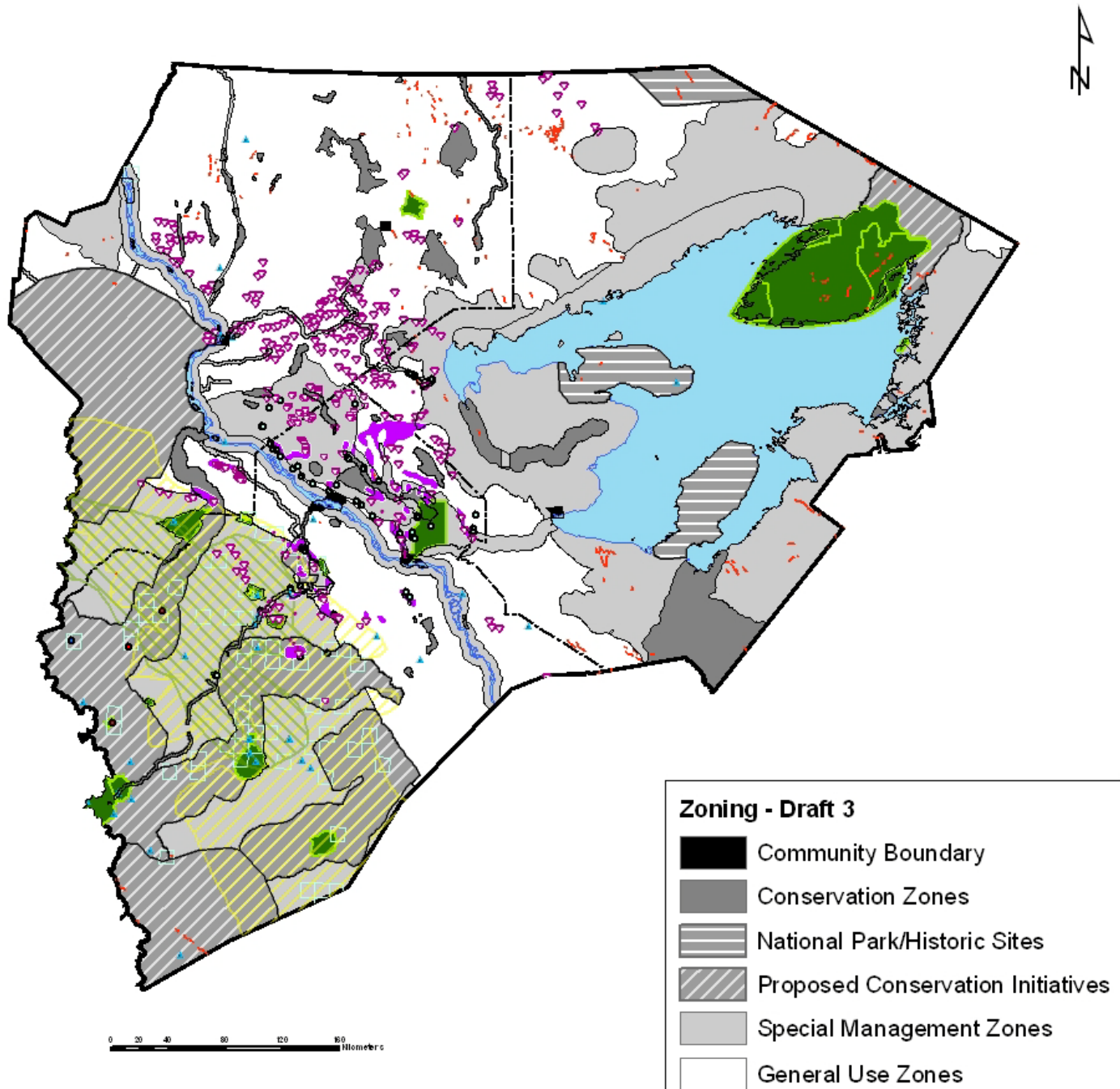
Regulators will assess the impacts of the activity on the values the zone is supposed to protect. Regulators will make sure that the development will not harm those values.

### **CR #15 – Monitoring**

Developers must have a site-specific monitoring program to make sure their activities will not harm the values that the zone is protecting.

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## Map 8: Ecologically Significant Areas



## Zone-Specific Special Management Conditions

The following rules only apply in the zones listed.

### **CR #16 – Ecological and Cultural Integrity**

Zones #15, 16, 18, 57, 58, & 59

Regulators must make sure that all activities in the Great Bear Lake Watershed are consistent with the maintenance of ecological and cultural integrity of the watershed.

### **CR #17 – Fish Farming and Aquaculture**

Zones #15, 16, 18, 57, 58, & 59

Fish farming and aquaculture are not allowed in the Great Bear Lake Watershed.

### **CR #18 – Disturbance of Lakebed**

Zone #15

No activity is allowed to disturb the lakebed of Great Bear Lake except the installation of environmental monitoring equipment or public, private or commercial wharves and docks.

### **CR #19 – Uses of Du K’ets’Edi (Sentinel Islands)**

Zone #59

Except for research and monitoring equipment, permanent structures or land use are not allowed on Du K’ets’Edi.

### **CR #20 – Water Withdrawal**

Zones #33 and 53

Water withdrawal from Lac Belot, Stewart Lake or Tate Lake for development is only allowed from the outflow until DFO addresses community concerns related to water draw-down.

## Project-Specific Recommendations

### **Recommendation #1 – Air Quality**

The Sahtu Land and Water Board (SLWB) should apply the GNWT’s Guidelines for Ambient Air Quality Standards to all developments in the SSA.

**Recommendation #2 – Wildlife Monitors**

Developers should work with the local Renewable Resources Council to hire a qualified monitor to assess the presence of wildlife, monitor impacts on wildlife and keep the RRCs and SRRB informed of activities.

Where the monitor sees an activity that they feel could harm wildlife, the monitor should talk to the developer to try to resolve it. The monitor should report any outstanding problems to the land use inspector, RRC and SRRB.

**Recommendation #3 – Project Summary Meeting**

Developers should meet with communities after their work is done to discuss the results, any issues, lessons learned and next steps.

**Recommendation #4 – Community Research Liaison**

People or organizations carrying out research should work with a contact person in the local community.

# Chapter 5 - Zone Descriptions

## Chapter Organization

The Plan has 59 zones. Each zone is described in detail in this chapter.

The zone descriptions include information on the social and cultural, ecological, and economic values that exist in each zone. They are intended to help developers and regulators understand the values in each zone so that they can prevent or mitigate negative impacts on these values. The information sources are described in detail in the Background Report and extensive mapping was done to identify key values in each of the zones.

The sources used were a wide variety of:

- traditional knowledge reports and mapping projects,
- scientific studies and other research reports,
- reports submitted by environmental organizations,
- reports from the Protected Areas Strategy (PAS),
- oral comments from community consultations. and
- written comments from planning partners.

Please see the Background Report for all maps and resources.

# Chapter 6 - Issues, Actions and Recommendations

## Introduction

Chapter 6 includes Actions and Recommendations that address broad land use issues and further the vision and goals of the Plan.

**Actions** are new activities that SSI, the federal and territorial governments agree to do to move the Plan forward (new research, meetings, etc.) They have to be carried out.

**Recommendations** are ideas for new activities or ways of doing things to help advance the vision and goals of the Plan. They do not have to be followed.

## Plan Implementation

### Action #1 – Plan Implementation Monitoring

Regulators must give the SLUPB copies of all authorizations they approve so the SLUPB can monitor Plan implementation.

## Coordination & Collaboration

### Action #2 – Sahtu Working Group

The SLUPB will start a working group with participation from SSI and designated Sahtu organizations, the territorial and federal governments, the SRRB, the SLWB, industry, and non-government organizations to discuss and resolve key outstanding land use issues for future Plan revisions.

### Action #3 – Community Engagement Guidelines

The Sahtu Working Group will develop community engagement guidelines to define guiding principles, processes, roles and responsibilities for community consultation. This is to be done in 4 years.

### Recommendation #5 – Community Engagement Guidelines

Government and applicants should work with communities in a way that respects the principles outlined in INAC's Interim Guidelines on Aboriginal Consultation and Accommodation, or

guidelines from other jurisdictions. Communities should make use of consultation opportunities to ensure their values are considered in land use decisions.

#### **Action #4 – Best Practices**

The Sahtu Working Group will review the Plan's Conformity Requirements (rules) and revise them if necessary within 4 years.

#### **Action #5 – Sahtu Cumulative Effects Management Plan of Action**

The Sahtu Working Group will develop and start implementing a plan to manage cumulative effects in the Sahtu Settlement Area (SSA).

#### **Action #6 – Sahtu Environmental Monitoring Program**

The Sahtu Working Group will develop a monitoring program for the Sahtu Settlement Area that identifies monitoring priorities, practices and work to be carried out under the Cumulative Impact Monitoring Program (CIMP).

#### **Recommendation #6 – Communications and Coordination**

Every department, agency and organization in the SSA should have a communications person to better communicate and coordinate with communities.

## **Inspection and Enforcement**

#### **Recommendation #7 – Inspection and Enforcement Funding**

INAC is encouraged to fund its inspectors sufficiently to allow them to patrol priority areas for communities and increase inspection levels in the SSA.

#### **Action #7 – Inspection and Enforcement Priorities**

Inspectors should give priority to inspecting and enforcing activities in Conservation Zones and Proposed Conservation Initiatives, then Special Management Zones, followed by General Use Zones, where reasonable.

#### **Action #8 – Community-Government Monitoring and Enforcement Strategy**

Within 4 years, government inspectors and communities should work together to develop and implement a strategy to partner in patrols, monitoring, inspection and enforcement responsibilities.



## Building Economic Capacity

### **Recommendation #8 – Economic Development Strategy**

Communities should work with ITI to develop an economic development plan that identifies needs and opportunities for each district.

### **Recommendation #9 – Building Capacity**

Government should work with Sahtu businesses to build their capacity to be successful in winning contracts. Governments should maximize contracts for Sahtu businesses in the SSA.

### **Recommendation #10 – Maximizing Benefits**

Developers should work with communities and businesses to maximize economic benefits to communities.

### **Recommendation #11 – Community Participation Funding**

SSI and Government should work together to find ways to fund community participation in planning and regulatory processes.

## Filling the Gaps

### **Action #9 – Traditional Knowledge Guidelines**

Communities and designated Sahtu organizations will develop guidelines about collecting, using, and managing traditional knowledge in the SSA.

### **Recommendation #12 – Granular Resource Allocation Plan**

SSI, the district land corporations, Sahtu communities, and Government should develop a plan for managing granular resources (sand, rock, gravel) outside of community boundaries.

### **Recommendation #13 – Non-Renewable Resource Assessments**

The NWT Geoscience Office should work with communities to research the potential for oil and gas and minerals in Conservation Zones, where communities want this information.

### **Action #10 – Access to Wildlife Information**

Wildlife managers shall develop and maintain current information on important wildlife habitat and make this available to the public and land users.

### **Action #11 – Fish Habitat and Water Withdrawals**

DFO will work with communities to document traditional knowledge about fish and fish habitat, water levels and water quality; and to discuss solutions for water withdrawal.

### **Recommendation #14 – Mapping the Underground River**

Colville Lake should work with karst specialists to study and map the route of the Underground River.

### **Action #12 – Air Quality**

- 1) ENR will make sure that they provide paper copies of the Annual Air Quality Report to anyone interested.
- 2) ENR will continue to study whether they need to expand the air quality monitoring network in the NWT.
- 3) ENR will continue to develop air quality regulations and work with regulators to get them implemented.

### **Recommendation #15 – Contaminated Sites**

INAC should work with communities to identify, prioritize, research, monitor and clean-up contaminated sites in the SSA.

### **Action #13 – Emergency Activity Reporting**

Anyone who carries out a land use that is not allowed in order to deal with an emergency must submit a written report to the SLUPB as soon as possible. They should describe the activities and measures to be taken to restore the area.

## **6.7 Culture and Education**

### **Recommendation #16 – Strengthening Culture and Education**

Government should support community initiatives to maintain and strengthen land-based culture and its transfer from Elders to younger generations.

### **Recommendation #17 – Fisheries Management**

Great Bear Lake fisheries should be managed carefully.

All fish stocks should be maintained at sustainable levels, enough for the continuation of trophy fishing, especially for large lake trout and arctic grayling.

Baseline levels should be set using harvest studies for these species.

# Chapter 7 – Plan Approval & Implementation

## Implementation

Everyone has to implement the Plan for it to work. Communities, District Land Corporations, government, industry, and regulators will all have to carry out the Plan.

### Role of the Planning Board

Under S. 44 of the MVRMA, after the Plan is approved, the SLUPB will monitor its implementation and consider applications for exceptions to the Plan.

The Board will check that all applications conform to the Plan, whether or not the applications are referred to the Board. After authorizations are issued, the Board will monitor their terms and conditions to make sure that the Plan is being properly implemented.

The Board will continue to gather information in preparation for the 5-year reviews.

### Implementing Conformity Requirements

The Plan will be implemented through conformity determinations, the regulatory process and granting rights to the land (e.g. surface leases) and resources (e.g. oil and gas and mineral rights).

A conformity determination is when an application for a land use activity is checked against the Plan's conditions for development. A regulator, the land owner, or the SLUPB can do this check.

The Board does not have to carry out the conformity determination. Under the *MVRMA*, if an application is referred to the SLUPB, the Board's decision is final and binding.

There are three possible results of a conformity determination:

**Positive:** The activity in the application follows the plan's rules.

**Positive (subject to Plan conditions):** The activity in the application follows the plan's rules provided that regulators attach other conditions to implement the rules.

**Negative:** The activity in the application does not conform to the Plan.

Some of the Plan's rules direct regulators to do certain things before they can approve a land use. These rules must be followed in the regulatory process. The Board will identify all such rules so regulators know what steps to take in making their decisions.

If an activity does not meet the Plan's rules, the reasons why it did not pass conformity should be identified in writing and sent to the applicant, the regulator and the referring party.

An applicant may ask the SLUPB for an exception to the land use plan.

INAC, the GNWT and the district land corporations must also follow the Plan when granting rights to the land and resources. They cannot grant rights to oil and gas or minerals or use of the land in areas where such uses are not allowed.

The Conformity Determinations will be done within the timeframes currently set out in the regulatory process. The Plan will not add to the time it takes to get approval.

Government departments and communities are required to implement the Actions. They are also asked to consider and implement Recommendations wherever it is possible.

## **Implementation Roles of Other Bodies and Organizations**

The Mackenzie Valley Environmental Impact Review Board (MVEIRB) conducts environmental assessments then recommends to the Minister of INAC whether or not a project should proceed, and under what conditions. They are expected to consider the Plan in carrying out environmental assessments.

The Sahtu Renewable Resources Board reviews all land use applications. It will play a central role in implementing the Plan's conditions, Actions and Recommendations related to renewable resources.

Developers will benefit from reading and understanding the Plan, the Background Report and the Implementation Guide. They will be responsible for showing that they are following the Plan's rules. Applications that follow the Plan will be allowed to proceed through the regulatory system.

## **Enforcement**

INAC inspectors are responsible for inspecting and enforcing terms and conditions of land use permits and water licences. The GNWT has enforcement responsibilities relating to land use permits and water licences within their jurisdiction like wildlife and forestry. Other departments and agencies like Environment Canada, DFO and the NEB have their own inspectors.

All government departments will be expected to use their powers to enforce the implementation of the Plan.

## Exceptions

The *MVRMA* authorizes the Board to make exceptions to Conformity Requirements. Exceptions include waiving or limiting some of the rules for development. Exceptions do not include allowing development to occur where it is not supposed to in the Plan.

Developers may apply in writing to the SLUPB for an exception, specifying the reasons why it is necessary. The SLUPB will consider the request once the application is complete. The Board will consider each application on its own merit. Decisions will be issued in writing.

## Amendments

Under the *MVRMA*, the Board may make any changes to the Plan that it considers necessary.

Amendments will likely occur during the 5-year review of the Plan. However anyone can apply for an amendment at any time. An amendment will not be made because an application was rejected for not following the Plan or because the Board said no to an exception request. The Board will consider amendments based on their ability to improve the Plan.

Amendments may be long and expensive to carry out. The Board will consider the need, appropriateness and timing of amendments. Where the Board agrees that an amendment may be necessary, it will carry out research, prepare a draft amendment and consult with the public.

Under the *MVRMA*, the Board needs to give notice of the proposed amendment and may hold a public hearing to consider comments. If the Board adopts the amendment, it will submit it to SSI, the GNWT and Canada. The amendment comes into effect upon federal approval.

## Five Year Review

The Board has to review the Plan every 5 years to make sure it still reflects the needs of the region and is based on current information. The Plan may or may not change as a result of this review. If the review results in changes to the Plan, they must be approved by SSI, the GNWT and Canada. The current Plan remains in effect until any amendments are approved by Canada.