

# A Path Forward

GBLWMP-SLUP Integration

February 5, 2010

Deline

# Ecological Integrity Policy

## GBLWMP

4.5.2 (a): All activities in the GBLW must be consistent with the maintenance of the ecological and cultural integrity of the GBLW.

(b) Applicants...must demonstrate...that all aspects of their activities are consistent with the maintenance of ecological and cultural integrity.

## SLUP

New SMZ CR: Applicants will assess the impacts of their proposed activities against the values identified for the zones and the reasons for protection, and mitigate their impacts to those values.

Open to suggestions in wording...😊

# Adaptive Management Policy

## GBLWMP

4.5.2(c): Management must be adapted to emerging knowledge. 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.

## SLUP Draft 2

CR #8: Applicants will demonstrate that they have considered traditional knowledge, new technologies and adaptive management practices to develop appropriate mitigation measures to reduce impacts on the environment from their activities.

# Research & Monitoring

## GBLWMP

4.5.3 (a): [Regulators] shall ensure that each authorized party:  
(i): Establishes and maintains a site-specific research and monitoring program that is appropriate to the nature and scale of its proposed activity and adequate to demonstrate that all aspects of its activities are consistent with the maintenance of the ecological integrity of GBLW ecosystems.

## SLUP – Draft 2

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.

# Restoration

GBLWMP	SLUP – Draft 2
<p>4.5.3.(a): [Regulators] shall ensure that each authorized party:</p> <p>(ii) <u>Upon termination or abandonment of its activities, restores all areas affected by the activities to a condition consistent with the maintenance of the ecological integrity of GBLW ecosystems.</u></p>	<p>CR #19: <u>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.</u></p>

Draft 3 will have further changes to the wording to address comments received on Draft 2: “ecologically functional and consistent with surrounding landscape”.

# Security

GBLWMP	SLUP – Draft 2
<p>4.5.3.(a): [Regulators] shall ensure that each authorized party: (iii): <u>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.</u></p>	<p>CR#20: Applicants will <u>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.</u></p>

The SLWB has never collected security deposits on any application. They have identified this CR as an issue for them. The SLUPB is meeting with the SLWB to discuss the issue. This requirement may be revised or removed for Draft 3.

# Permafrost

## GBLWMP

4.5.3(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.

## SLUP – Draft 2

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.

# Consultation

## GBLWMP

4.5.3 (i): Applicants...shall design and implement their activities in close consultation with the appropriate Déline authorities. All bodies having authority under subsection 46(1) of the MVRMA shall consult Déline authorities prior to issuing licences, permits or other authorities under existing legislation.

## SLUP

### Draft 2

- CRs #6 and 14 require community consultation on traditional use and wildlife areas
- Actions #2 and 3 require communities and government to document consultation requirements

### Draft 3

- New requirement for enhanced consultation on identified values for SMZ
- Further work on above CRs & Actions (broaden scope?)



# Consultation (continued)

- GBLWMP 4.5.3 (i): ...For greater certainty, the Mining Recorders Office ...and the National Energy Board shall consult Déline authorities prior to issuing approvals under [their] authority in the Special Management Zone.
- INAC: “INAC does consult and request information from the Sahtu before issuing any prospecting permits in their area...the timeline...is extremely short... as prescribed in legislation.”
- NEB: “...specific responsibilities are placed on the NEB that extend responsibilities beyond the NEB’s mandate and jurisdiction...The inclusion of the above condition may cause confusion with the expectations of Crown Consultation (which the NEB does not and is not able to perform)...the NEB cannot function as a quasi-judicial tribunal and perform Crown Consultation activities.”

# Purpose of Meeting

- SLUPB has to integrate the GBWMP into the SLUP
- Conflicting comments from the Parties and other Planning Partners
- Goal: Find common ground so the Board can develop a SLUP that is acceptable to everyone

# The Path Forward

- The SLUPB has, and will continue to make best efforts to integrate the GBWMP into the SLUP in a way that captures the spirit and intent of that plan, within the constraints of our process.
- Integrate the Water Heart and Elders Teachings into the “Plan” in the most appropriate places
- Integrate the context into the “Plan” as rationale for plan requirements wherever possible and appropriate
- Open to further suggestions in wording
- Further consultations after Draft 3

# Constraints

- Timelines – Will not delay Draft 3
- Funding – SLUPB is not funded to pay for community consultation
  - INAC' s comment?
- Other Interests – 21 orgs, 30 submissions, over 750 comments to address/respond to

# Next Steps / Options

- Deline can submit specific comments, suggestions on the SLUP – Deadline is in 2 weeks
- Board will produce Draft 3 based on consideration of the information and comments received
- Opportunity for longer consultations with Deline following Draft 3
- Discussion and Closing Comments