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August 24, 2009

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Dear Ms Weibe

Subject: Review of Draft 2 of the Sahtu Land Use Plan

It was an interesting and educational opportunity reviewing Draft 2 of the Sahtu Land Use Plan. Overall, the staff and Board members, of the Sahtu Land Use Board SLUPB, are to be commended for their tireless efforts and their attempts to grasp the meanings of the inputs provided to them from so many groups and individuals.

It is in recognizing the sincere efforts that they made, that we provide the following comments. These comments are in no way to be taken as criticism, but as assistance both to the SLUPB and ourselves as we go forward. It should also be added, that some of these comments are being made by someone less familiar with some of these subjects also.

With consideration of the above, following are this reviewer's comments:

Page viii "land" means land, water and other resources. This definition could be interpreted to "land" means "water" which is confusing. Also air is not referenced. Possibly this definition should be reconsidered.

Page ix "wildlife" should also include reptiles, insects, and plants.

Page ix "regulatory authority" and "responsible authority" are confusing, and could be difficult for someone whose first language is not English.

Page 5. Figure 2. could include the following modifications in their respective boxes:

Possible Development Projects / Activities.

Add ARI (Research)

Mining Recorder's Office

Unregulated activities, (e.g. aeromagnetic surveys)

Decisions

What development / activities are appropriate

Land Use Areas

Where development / activity is appropriate

Under "No" add: "or exceed cumulative or temporal thresholds".

There are several activities that are taking place that are either unregulated or not taken into consideration with regulated activities. These may be impacting resources such as wildlife in either a cumulative effects manner, or affecting them because of the timing, (temporal circumstances under which they are taking place – i.e. "bad timing").

Page 7. 1.7 Scope and Application of the Sahtu Land Use Plan.
 1.7.1 Other areas besides Tuktut Nogait National Park may have to be added in the near future. The Plan is silent on this.
 1.7.3 The Plan should also address Trapping, Recreation, Agriculture, and Tourism. Several of these are touched on later, and while it may not be in great detail, the Plan does discuss them. Therefore, they should be mentioned up front.

Page 12. 2.2 Land Ownership and Organization

Page 14. "The lands are held by the district land corporations in trust for all beneficiaries within their respective districts." This statement should be further clarified with a specific reference to the Sahtu Master Land Agreement which, ensures that all participants benefit and share from the profits of their communal resources. [This interpretation should be further reviewed by SSI's solicitor also].

Page 15. 2.2.1 Local Leadership. This description in the Plan should be further reviewed by SSI's solicitor, as it defines the decision and policy making roles within SDC and SSI.

Page 30. 2.4.2 Climate and Temperature

We seem to be getting summer temperatures above the +10 to +15C and +1 to +2C stated in the Plan and quoted from the Sahtu Atlas 2005. Are these numbers still accurate? Are we getting snow before November also?

Page 48. Table 7. Important Wildlife Areas in the Sahtu Settlement Area. There is no mention of wolverines, grizzly or eagles. Is there a reason for this?

Page 50. 2.5.3 Tourism / Outfitting / Lodges

This topic should be expanded to address Lodges as well. These high value enterprises market solitude, requiring buffers and special consideration. The subject of these lodges, the buffers, and several other factors arising from their operation requires that they be a factor in Plan development under the category of "Formal Recreation or Tourism"

Page 53. There is reference to the potential "take" each non-resident can harvest on a trip with a Guide and Outfitter. There is also reference to horse-wranglers. This industry requires an audit function to ensure compliance that the "take" and the employment goals are compatible with the intent of the Plan. Perhaps an "Action" is required here.

Page 54. 2.5.4 Power Development

Under "Hydro-Electricity" the following sentence is provided: "Sahdae Energy Ltd., a subsidiary of the NWT Hydro Corporation, was established with a sole purpose to pursue a hydro development project on the Great Bear River to provide power to the potential Mackenzie Valley Pipeline project."

This location is described on page 114 in 4.4 Special Management Zones and specifically "8. Great Bear River Special Management Zone". It should be noted that on page 115 under "Economic Importance" oil & gas and mineral potential are mentioned for this zone, but not power development.

Page 54. 2.5.4 Biomass Energy

"A comprehensive Biofuels Strategy is to be completed for 2009 and a biomass electricity generation project is to be started in 2011." There is no reference to a forest management plan to support the harvesting of this biomass. To develop a business enterprise, or an industry, without a solid review of the long term supply of the materials required, and their correspondent environmental impacts would not be wise.

Page 58. "Sahtu communities are also entitled to royalties from any project within the Mackenzie Valley, as articulated in the terms of the SLCA." This should be cross referenced to the specific parts of the SLCA; (possibly Chapter 10 and Section 22.1.2). The SSI solicitor should review this page of the Plan.

Page 62. The Sahtu Renewable Resources Board (SRRB) should be referenced to its roles and authority related to forestry under Sections 14.1.9 and 14.1.10 of the SLCA.

The next paragraph refers to the SLWB as a "regional panel of the Mackenzie Valley Land and Water Board". It is this reviewer's understanding that the SLWB

is a full Board under the SCLA. It is suggested that the SSI solicitor review this page also.

Page 62. 2.6.3 Designated Sahtu Organizations

"The Sahtu Secretariat Incorporated (SSI) is the governing body, responsible for management of the funds and major programs; while ownership and responsibility for Sahtu lands was given to the District Land Corporations as described earlier in this chapter."

On page 14. SSI is "the coordinating body for the seven community land corporations and is the main contact for the federal and territorial governments with respect to education, health, environment and economic development".

How do these definitions compare to that for 2.2.1 Local Leadership found on page 15? The SSI solicitor should probably review these.

Page 69. Trans-boundary Planning. There is discussion regarding trans-boundary planning and there is reference to traditional trails of interest to the parties on both sides of these boundaries, but there are no recommended Actions identifying how these issues are to be resolved.

Page 95. Trans-boundary issues are further complicated on this page by mention of the provisions in two claims for "preferential considerations" along the south boundary of the SSA. This matter should be reviewed by solicitors for SSI and the Deline Land Corporation with the intent to maximize exactly what they want to see as the way to do business within this area.

Page 69-70. Protected Areas and Conservation Initiatives.

Under discussion is the fact that sites may lose their subsurface protection depending on who may sponsor a site and what type of legislation it may eventually fall under. Perhaps maintaining the sites under the protection of the Plan indefinitely is an acceptable means of ensuring protection. The sponsorship would also be in place with its level of protection also.

In the end, agreement is dependent on who accepts the responsibility, and whether or not other parties are comfortable with allowing that to go ahead. Some may feel allowing subsurface protection indefinitely is too much for some areas. This subject merits further discussion.

Page 76. 3.1 Vision

The "Vision" does not mention mining, oil & gas development, coal, or power of any kind. These subjects are all important to the region and also discussed in detail. Shouldn't they be addressed in the "Vision"?

Page 78. 3.2 Land Uses Issues and Goals

There is no reference to the use of non-renewable resources, (power, coal, oil & gas, mining, etc.), and how they may be exploited. By not planning for these issues, perhaps this adds to our difficulties in considering them. Several of these do appear under 3.3.1 Land Uses.

Page 91. A#1: "INAC will develop water quality guidelines that are applicable and enforceable within the Mackenzie Valley."

The more appropriate wording would be Standards and not Guidelines. Guidelines are simply that, and they are not enforceable. Standards would be under the Regulations for a specific Act with defined penalties.

Page 92. A#2: "The SSI and other DSOs will develop consultation protocols or guidelines that define their expectations for consultation practices for different land use activities, on Sahtu and Crown lands."

This has valuable merit, but there may be some significant legal ramifications. There should be extensive dialogue and eventually endorsement. This item should be discussed by SSI, the DSOs and all of their solicitors.

Page 93. A#4: "SSI or other DSOs will develop guidelines for the collection, use and management of traditional knowledge within the Sahtu Settlement Area."

This is an excellent proposal that could preserve culture, aid in the appropriate use of Traditional Knowledge, and eventually help in the establishment of a Sahtu Social and Cultural Institute. There could be justification for funding for those RRCs that use and collect this knowledge, as well as for a GIS position in SSI.

At this stage, there should be extensive dialogue and development of an action plan. Leadership direction is needed.

Page 94. A#5: "SSI or other DSOs, in co-operation with other co-management boards, departments and agencies of the federal / territorial governments will develop a Sahtu Environmental Monitoring Program to identify monitoring priorities, provide direction to Applicants and responsible authorities on project – specific monitoring."

This Action will require review and dialogue with the District Land Corporations DLCs, RRCs, SRRB, SSI and Aurora College.

We certainly endorse the use of monitors, their occupational training, occupational standards, and the invaluable roles they fulfill. We also have

proposed a draft Sahtu Uranium Protocol for the safe training and increased use of environmental monitors for the mining industry.

We view SSI's role as participatory in development, facilitation, or development of policy. The more implementary roles would be the RRCs, the SRRB, ITI, and Aurora College. We also wish to inform the SLUPB that SSI has and is directly involved in CIMP.

Page 98. Reclamation and Abandonment

"Once the desired resources are extracted, harvested, or developed, there is an expectation that the area will be cleaned up and returned to its former state."

This goal is often not realistic. The site can often be returned to equal or better, even though the site may not be the same. Examples of these types of reclamation are gravel pits, forestry operations, or mine sites. We believe standards for abandonment and reclamation should be developed and monitored to ensure compliance. No-one should expect that they can be relieved of their obligations after a single season of intensive land use activity.

Page 99. Introduction of Domestic Species

This section related to the introduction of domestic species, and by doing so is providing direction on agriculture, farming, ranching, game farming and aquaculture. This subject could impact several different users within the next decade, and should be reviewed in greater depth.

Page 100. Extraction of Granular Resources

Two important aspects of aggregate and quarry resources have not been addressed, site planning, and regional planning.

On-site planning requires an accurate inventory to ensure that all possible use is made of a very valuable and limited resource. These plans also are important in determining if the resource is viable for development or not, how it should be developed efficiently, and finally how it can be reclaimed correctly. The final landscape is planned and not accidental. Also, the plan assists in auditing the management of the pit and ensuring that all possible profits are realized from the pit.

A regional plan ensures that the communities are assured a continuing long term supply at a reasonable cost. We need to ensure that the communities get the best possible long term supply, rather than a relatively short term industrial venture.

Page 96. Special Management Terms

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

This should also address topsoil. The Plan should also stipulate full utilization of disturbed resources, whether it is fish harvested for research, wildlife for similar purposes or from hunts, timber cut during industrial operations. In this day and age, no resource should be wasted, if there is the reasonable opportunity to salvage them.

These are the items that came to our attention at this time. Further review and discussion will probably result in further comments over time. If you wish additional details relating to any of the items above, please contact us.

Mahsi Cho,



Freda Taneton
President