



24th NWT Board Forum

Summary Report

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Our Vision

A healthy planet. Engaged communities. A sustainable economy.

Our Mission

We work collaboratively with governments, business and civil society to address complex natural resource management and sustainability challenges.

Stratos runs its business in an environmentally and socially sustainable way, one that contributes to the well-being of our stakeholders – clients, employees and the communities in which we operate. Reflecting this commitment, we have an active Corporate Social Responsibility program. For more information about our commitments and initiatives, please visit our Web page: www.stratos-sts.com/about/



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1 Introduction

The 24th NWT Board Forum was held on September 18 and 19, 2018 to provide Forum members with an opportunity to reconnect on the matters of previous Forums, share successes, identify common challenges, and collaborate on potential solutions to those challenges. Day 1 was held in Yellowknife, NT and, on Day 2, the Forum traveled to Behchokò, NT.

1.1 PURPOSE AND OBJECTIVES

This Forum centred around the theme of “Information Required to Make Good Decisions,” which was confirmed at the February 2018 meeting. As the decision-making process itself is clearly outlined in legislation, and in the various Boards policies and Rules of Procedure, the focus of the session was on the information member organizations need to make **good** decisions; and trying to come up with solutions to some of the barriers faced in accessing this information.

The objectives of this NWT Board Forum were to:

- Learn about the activities of other organizations
- Approve the NWT Board Forum Terms of Reference and Code of Conduct
- Understand changes to the NEB and implications to the members of the Board Forum
- Be aware of the status of the Board honoraria review
- Understand what CIMP and the GNWT are doing to collect and distribute information and provide feedback on what would be most useful for NWT Board Forum members going forward
- Share experiences and lessons learned related to the availability and quality of information needed to make good decisions
- Identify solutions to members’ shared challenges
- Develop an organizational action plan to ensure that the discussions held throughout the Forum lead to improved information accessibility in each organization
- Strengthen relationships across the Boards

1.2 REPORT STRUCTURE

This report captures highlights, important points of discussion, as well as key action items from the NWT Board Forum meeting and references supporting materials found in the appendices, some of which are provided in a separate supplemental document due to size restrictions. The meeting agenda can be found in Appendix A and the participants are listed in Appendix B.

Organizational updates were provided by member organizations in advance to brief all participants (Appendix C), and space was provided for questioning on Day 1. As a follow-up to the February meeting, Appendix D represents the new 2018 Terms of Reference, which were approved during this meeting. The Code of Conduct developed following the February 2018 meeting is represented in Appendix E and was also approved. Appendix F is a one-pager guidance document on planning the NWT Board Forum developed for reference for future Steering Committees. The flip charts from the group breakout sessions are in Appendix G. All slide presentations made during the Forum can be found in a supplemental PDF document (Appendix H).

2 Day 1

2.1 WELCOMING REMARKS

George Barnaby opened the session with the Lord's prayer, prior to a welcome from the co-chair organizations. Joe Mackenzie, Chair, Wek'èezhii Land and Water Board (WLWB) gave an opening statement, where he provided a brief history of the NWT Board Forum since its initiation in 2004. He emphasized the importance of collaboration to maintain the effectiveness of the integrated resource management system.

2.2 A NOTE FROM THE RDG

Matthew Spence, Regional Director General of CIRNAC, announced that the affairs previously managed through Indigenous and Northern Affairs Canada are now represented by three ministers:

- Minister Jane Philpott, Indigenous Services
- Minister Carolyn Bennett, Crown-Indigenous Relations
- Minister Dominic LeBlanc, Northern Affairs

Minister LeBlanc will now make the decisions pertaining to northern affairs at the federal level, and funding for the Boards will be issued through his office.

2.3 ACTION ITEMS FROM PREVIOUS MEETINGS – 2017 AND 2018

Before turning to new matters, the Forum reviewed the outstanding action items that emerged from the previous meetings in November 2017 and February 2018. This review is summarized below.

1. **Distribute the November meeting evaluation feedback, the 23rd NWT Board Forum Meeting - Summary Report, and the February 2018 survey results to all member organizations** (Tina Bohnet, Manager of Indigenous and Territorial Relations, CIRNAC).
 - Completed.
2. **Develop and distribute a process and timeline checklist for agenda setting for future NWT Board Forum hosts** (Tina Bohnet, Manager of Indigenous and Territorial Relations, CIRNAC, with input from Stacey Menzies, Policy and Planning Officer, MVEIRB).
 - An NWT Board Forum agenda-setting process document has been developed and will be circulated once finalized by the BRS. Included in Appendix F.
3. **Circulate the list of research priorities identified and confirmed by the NWT Board Forum in 2009** (Mark Cliffe-Phillips, Executive Director, MVEIRB).
 - Completed.
4. **Revise the 2011 Terms of Reference to include the rewording of the purpose statement, the updated list of members as shown in the 2015 Terms of Reference, and the new process for agenda setting** (Tina Bohnet, Manager of Indigenous and Territorial Relations, CIRNAC).
 - Completed (see Section 2.4 and Appendix E).
5. **Share information about the upcoming training sessions on Board Orientation (March 19-20) and Administrative Law (March 21-22), the online training platforms, and the online regulatory mapping tool pilot with all member organizations** (Mark Cliffe-Phillips, Executive Director, MVEIRB).
 - Completed (see an update on NWT Board Forum training initiatives in Section 2.3).
6. **Develop a one-page summary of the history of the NWT Board Forum and its evolution, to be tabled at the next meeting** (Robert Holliday, Project Leader, Board Relations Secretariat, CIRNAC).

- Pending. BRS has begun to develop a document on the history of the NWT Board Forum, which is intended to be a more comprehensive summary than initially proposed. As opposed to just including information from the website and old documentation, the BRS would like to engage with Boards to include completed and ongoing initiatives.

2.4 UPDATE ON TRAINING INITIATIVES

Brett Wheler, Senior Environmental Assessment Policy Advisor at MVEIRB, provided an update on the training initiatives emerging from the last detailed discussion held in Norman Wells, NT in 2016. He stated that for the past three years, the focus has been on three training courses: Orientation for Board Members, Administrative Law, and Public Hearings. MVEIRB has been working with consultants and legal council to update the materials and make them more interactive for participants. The courses have been offered in person annually on an alternating basis and Board Orientation and Administrative Law are now hosted on an online platform (ideal for onboarding newly appointed Board members). The Board Orientation and Administrative Law courses now have “reference guides,” which lead the participants through the course material, as well as providing additional information.

The training priorities for this year are to:

- Update and host an in-person Public Hearings course in early 2019
- Update and develop new content for the Renewable Resources course, and potentially deliver an in-person course in early 2019

MVEIRB can continue to support these initiatives, and welcome others who wish to be involved to contact them. There was also a commitment to send out a scheduling request to determine the best timing for 2019 in-person training course(s) so that Board members can get it in their calendars early. All NWT Board Forum training materials are now accessible on the web at:

<https://training.nwtboardforum.com/>

2.5 TERMS OF REFERENCE 2018

At the last Forum in February, the participants at the table evaluated the potential future of the NWT Board Forum and agreed to a new version of the terms of reference. The 2011 Terms of Reference were then revised, and the new version was circulated to all members by the BRS for input. Space was provided in this session for the member organizations to present any further comments on the draft, but none were provided. The 2018 Terms of Reference were thereby approved (Appendix D).

2.6 CODE OF CONDUCT 2018

A Code of Conduct (Appendix E) was developed following February’s Forum, which commits Forum members to behaving in a professional, respectful, and courteous manner. In the session, Tina Bohnet (Manager of Indigenous and Territorial Relations, CIRNAC) emphasised the Code as a tool to encourage positive behaviour and collaboration, and to support everyone involved in the NWT Board Forum going forward. All available Board Forum Members were asked to sign the document before the end of the session. Those who were unable to attend will be contacted by Robert Holliday (Project Leader, Board Relations Secretariat, CIRNAC) with an electronic copy for signing.

2.7 PRESENTATIONS

Below are summaries of the key takeaways of each presentation from Day 1 of the Forum. The full presentations can be found in Appendix H.

2.7.1 NWT Surface Rights Board

Title: Surface Rights Board, Northwest Territories

Presenter: Louie Azzolini, Chairperson, NWT SRB



HIGHLIGHTS

What is the Surface Rights Board (SRB)?

- SRB is a quasi-judicial administrative tribunal and an institution of public government pursuant to the *Surface Rights Board Act* of the NWT



Purpose: The purpose of the SRB is set out in section 8.(1) of the *Act*;

*“to **resolve** matters in **dispute** relating to **access** to Gwich’in **lands**, Sahtu lands, and Tłıchǫ lands, and the **waters** overlying those lands, and Inuvialuit lands and **non-designated** land.” s.8(1)*

Mission: Fairly resolve disputes regarding access to lands in the NWT and waters overlying those lands in the Mackenzie Valley.

Vision: Respected and trusted to resolve land and water access disputes in a fair and timely manner.

Membership: Five permanent members, including the Chairperson, and five alternates. One member and one alternate have to be a Gwich’in, Sahtu, Tłıchǫ, and Inuvialuit resident.

SRBs Principal Role

- If the negotiations/mediation between disputing rights holders does not result in an agreement, the SRB may hold a Hearing and issue an Access Order with accompanying Reasons
- The SRBs Access Order sets out the terms and conditions of access, and the amount of compensation payable to surface rights holder(s)

<https://nwtsrb.ca>

2.7.2 Changes to the National Energy Board

Title: Regulating Energy Infrastructure in the 21st Century
Presenter: Peter Watson, Chair and CEO, NEB



HIGHLIGHTS

Current Context

- NEB has been operating in a polarizing environment, due in part to larger issues such as Canada's climate policy and views on energy development versus energy transmission.
- Challenges include low public confidence, long and uncertain energy regulatory processes, with outcomes that do not satisfy all parties.
- In the South, Indigenous participation in regulatory processes is evolving and they are playing a greater role in providing lifecycle oversight and monitoring.



Changes with Bill C-69

Comprehensive engagement with stakeholders

- Particularly, a greater emphasis will be placed on Indigenous engagement and participation.
- NEB is trying to invest time and effort outside their adjudicative processes (e.g. involving Indigenous communities in monitoring).
- It's proposed that there be an early engagement period of six months, which would be undertaken by either the Canadian Energy Regulator (CER) or the Impact Assessment Agency (IAA) with affected parties, communities and stakeholder organizations to understand the concerns/issues the assessment should focus on and to input to the design.
- The federal government has indicated that there will be minimum Indigenous participation requirements, as well as requirements for the application of traditional knowledge.

Adoption of a Performance Framework for regulatory oversight

- The new Departmental Results Framework enables the NEB to be transparent as a regulator and as an adjudicator.
- The comprehensive management system fully integrates energy adjudication, safety and environmental oversight, energy information, and engagement with stakeholders and Indigenous communities.
- The first Performance Report is available here: <https://www.neb-one.gc.ca/bts/pblctn/prfrmncsmmr/2017-18/prfrmncsmmr2017-eng.pdf>

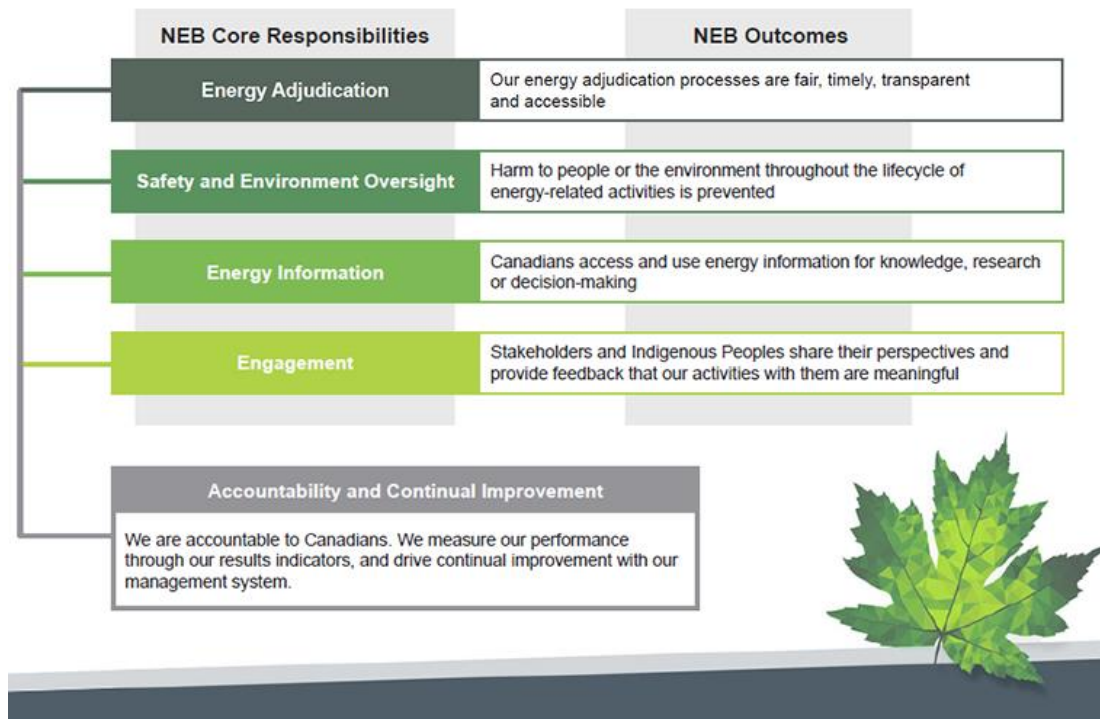


Figure 1: NEB's Departmental Results Framework (NEB, 2016).

Implementation of a Management System to Drive Results

- Currently, the NEB is comprised of one Board with a Chair/CEO.
- There will now be a Hearing Commission and a Board of Directors, each of which will have minimum Indigenous membership requirements.
- Under the changes, the Board of Directors will establish and set the strategic direction for the organization and be responsible for oversight of ongoing operations and management, whereas the Commissioners will be responsible for adjudication matters.
- The Chair and the CEO will now be separate positions, and the CEO will be the Deputy Head of CER.

Accessible data and energy information

- The NEB tracks and stores a lot of information that was not being managed very well and was not being released in a usable form.
- The organization is currently discussing with interested parties: What kind of information is needed? How could it be made more accessible?

Focusing on Safety Culture

- NEB is evaluating the effectiveness of their approaches to testing company management systems, as well as their own safety culture.
- C-69 maintains and enhances tools for pipeline safety and oversight.

- It will include features that are outlined in the *Pipeline Safety Act* of 2016 (e.g. response protocol for ruptures and spills).

Additional Changes

- **Mandate:** CER's mandate will expand to include offshore renewable energy projects. Also, CER will adjudicate compensation, through an administrative tribunal, between communities and companies in the event of a spill or rupture, where there is a dispute.
- **Assessment factors:** The greatest change is that assessments will have to include the impact of projects on Canada's ability to meet its international agreements and commitments (i.e. The Paris Agreement; UNDRIP). The IAA will consider broader socio-economic issues than they've done in the past. Lastly, current legislation was amended in 2012 to require a standing test – that has been quite controversial, so Bill C-69 proposes that there be no standing test.

Trans Mountain Expansion Update

- NEB continues oversight of Trans Mountain pipeline.
- NEB is monitoring safe halt to all construction activity on pipeline expansion.
- NEB will continue participating in the Indigenous Advisory Monitoring Committee.

Q&A

Marcelle Marion (Manager of Legislation and Legal Affairs, GNWT ENR): With respect to accessibility of data and energy information, one of the problems I had was trying to find comparative data. There's data there, but I like to have a North American perspective. If you start doing more comparative work, I think that would be helpful to the public too.

- **Response:** Good point. We haven't got a lot of that. We can and should go there, I agree. It's actually hard work to pull it together in a meaningful way. But it's useful, I understand.

James Fulford (Executive Director, OROGO): OROGO and others have existing arrangements with the NEB as it exists now. I'm wondering what the restructuring of the Board might mean for those entities' ongoing, formal relationships.

- **Response:** I don't think it changes anything. The biggest change to the organization is the change in governance I described. All of the staff remain. The work we do remains.

Ryan Fequet (Executive Director, WLWB): What will the process be for the appointment of the Hearing Commissioners?

- **Response:** It would be the same as what they do today, where the government puts out a call for people and the Privy Council Office, through their senior personnel, would run and administer the search and selection process and lead the assessment of the candidates. Then a short list of candidates would go forward to the Governor in Council for decision on appointment.

Shelagh Montgomery (Executive Director, MVLWB): Your one pager makes reference to participant funding and I know the NEB has offered participant funding. It refers to administering participant funding for hearings and any steps leading up to a hearing. What is anticipated to be any different?

- **Response:** What will be different is there will be a need to consider participant funding during early engagement periods leading up to the assessment process. There will be, in effect, a broadening of the program to allow for the participation of people throughout all stages. That's the primary change.

Louie Azzolini (Chair, SRB): In your opinion looking back, what were some of the indicators that weren't given enough attention that has resulted in some of the divisiveness that you speak to? Because, while in the North we do have systems to try to mitigate some of that divisiveness, it doesn't mean that those challenges won't be faced by these Boards as well.

- **Response:** [In the case of the Trans Mountain Expansion], we found ourselves in a debate around climate policy and whether there should be pipelines, oil and gas development or not. Our panel made what they thought were important decisions to get through a review within the given timelines. The court determined that was appropriate. I think our underlying challenge is the policy discussion. Canada hasn't achieved a consensus on the direction for that. We keep facing it in every review. C-69 is trying to introduce stronger conditions for cumulative effects assessment and strategic regional assessments and the Government of Canada said the first strategic assessment will be on climate policy and greenhouse gas emissions. The purpose is to set out the government position before it becomes an issue for other projects. C-69 is trying to make some steps forward but the debate is still far too polarized.

Ryan Fequet (Executive Director, WLWB): Could you elaborate if it was a particular court decision or just your recent experience that made you decide to change your approach to stepping away from engaging directly with affected parties?

- **Response:** It's actually the government and the bill that removed the former 'standing test' from our existing Act. It was controversial in the environmental community. Post Northern Gateway, the government brought in the standing test and this government felt they should remove it. In the future we have to manage participation in the thousands until the policy issues arrive at some consensus. We're starting to think about digital platforms for gathering comments. We're thinking about web-based mechanisms to capture and sort the input, so our panels can understand it within the timeframes they're given

2.7.3 Update on Board Honoraria Review

Title: Update on the Treaty-based Boards Remuneration Review

Presenter: Andrew Webster, Senior Policy Advisor, Implementation Sector, CIRNA



HIGHLIGHTS

Responsibilities

- The Crown-Indigenous Relations Minister sets the per diem remuneration rates for Crown-Indigenous Relations appointments (most treaty boards).
- The Department of Fisheries and Oceans (DFO) Minister is responsible for DFO appointments (e.g., FJMC).
- Privy Council Office set the rates for Order-in-Council appointments.
- The territorial governments set the rates for boards with territorial appointments / territorial responsibility.

Response

- The Minister has ordered a review of the Ministerial remuneration rate structure.
- The analysis will lead to recommendations for the CIR Minister.
- CIR is co-ordinating with DFO / PCO / GNWT / GY officials in hopes of updating all treaty board remuneration synchronously.

Approach to the Review

- Honoraria for about 36 treaty-based boards, across Canada, are under consideration, as well as a few more non-treaty boards.
- The Minister and PCO will be in a position to make informed decisions when this analysis is finished (Fall 2018).
- CIR hopes to get the necessary approvals before 31 March 2019, but this is by necessity a flexible target.
- Consultation and engagement with boards has been occurring over the past few months.

Observations from the Boards

- The Bank of Canada's inflation rate calculator shows that, since 2000 when the per diems were last calculated, per diems have lost \$100 in value.
- CIR should not assume that the current rates were adequate back then.
- The highest (about \$400) are generally adequate today, but a case can be made for \$450 per diem.
- Attracting and retaining qualified board members is problematic.
- Maintaining quorum is a constant problem, and members on multiple boards will cherry-pick the most profitable meeting to attend.
- The PCO rationale, for grouping remuneration into four classes, is out of touch with the North and it devalues traditional/indigenous/local knowledge in favour of Southern technical education.
- Many board members are employed. Some take a pay cut and use vacation days to attend board meetings.
- Per diems are often less than what members make at their jobs.

Title: Update on the Treaty-based Boards Remuneration Review

Presenter: Andrew Webster, Senior Policy Advisor, Implementation Sector, CIRNA

- Salaried jobs are scarce, so some members have little or no income and their per diems are needed to get by at a basic level; board membership is an important revenue opportunity in the North.
- Chairs are paid more, because they work more often.
- 'Equal pay for equal work' (Members and Chairs, between classes of members)
- Honoraria are considered insurable earnings so CPP, EI, Worker's Comp, etc. apply but boards are not funded for board member benefits.
- Some boards have creative workarounds to make meetings worth attending (e.g. paying a full per diem for a two-hour teleconference.)

Frequent Recommendations

1. Why not just pay fair remuneration and benefits and avoid all these problems?
2. Abandon the assumptions behind the PCO classifications and establish a uniform rate for treaty board membership that is realistic and does not involve culturally inappropriate Southern assumptions.
3. The upper end Chair honoraria are generally adequate, but lower end Chair honoraria are absurdly low and need to be raised.
4. Increase regular member honoraria to \$450 to \$500 per diem, closing or eliminating the gap with Chair honoraria.
5. Close the gaps between Chair and member remuneration.
6. Have a scheduled, periodic review of honoraria.
7. Provide boards with incremental funding for any increases in honoraria and cover the benefits at 23-25%.

Q&A

Larry Wallace (Chair, SLWB): As far as I know, they don't do EI reductions for Board members. I don't think they can collect?

- **Response:** Some boards are because it's insurable earnings. It's considered wages. That's what our legal council is telling us. There's a disconnect there. Talk amongst yourself. Especially speak with Mark Cliffe-Phillips (MVEIRB) who has been doing a lot of thinking on this.

Louie Azzolini (Chair, SRB): What are the top three principles governing the decision? Ultimately, the rationale for the Review has to be based on principles. High order principles – Why are you doing this review?

- **Response:** Fairness is one, reconciliation is another. The intent is to modernize the remuneration rate structure but using a methodology that makes sense internally and will support the business case. We are using the Treasury Board's integrated risk management framework, which requires that departments avoid risks in the following areas – operational, implementation, financial, legal, and relationship risk

Title: Update on the Treaty-based Boards Remuneration Review

Presenter: Andrew Webster, Senior Policy Advisor, Implementation Sector, CIRNA

Bob Simpson (Chair, GLUPB): Why not have the assessment more market-driven? It would be nice to tie into marketability, responsibilities, and qualifications.

- **Response:** We've considered that lightly, and a \$450 per diem is analogous with a Director (EX 1) position in the federal government.

2.7.4 CIMP Results Related to Cumulative Effects

Title: NWT Cumulative Impact Monitoring Program (CIMP) – Assisting Regulatory Decision-making

Presenter: Julian Kanigan, A/Director, Conservation, Assessment and Monitoring, GNWT ENR



HIGHLIGHTS

Presentation Objectives

- Board members and staff gain a better understanding of NWT CIMP information and its use in decision-making (with specific project examples)
- Identify areas where Boards and NWT CIMP could better collaborate

About CIMP

- CIMP is a monitoring and research program administered by GNWT-ENR, with a \$1.5M annual budget
- Purpose is to support environmental decision-making by generating baseline, cumulative impact and environmental trend information
- CIMP is part of the MVRMA co-management system
- Cumulative impacts include natural disturbance, as well as anthropogenic
- Advised by regional Indigenous governments and organizations

Key Activities and Priority Valued Components

- Key activities of CIMP include understanding the monitoring priorities, supporting the monitoring and research, and communicating information to relevant organizations
- The Program's Priority Valued Components are caribou, water, and fish
- These components were arrived at through consultation and confirmed by the Indigenous Steering Committee

How is CIMP currently organized to meet the needs of Boards?

- Boards provided their cumulative effects monitoring priorities in 2011 and confirmed them in 2014
- Boards can provide input annually to program priorities, known as Blueprints
- Proposed projects are assessed based on decision-maker engagement
- Board staff provide advice at Steering Committee meetings
- NWT CIMP staff actively participate in the regulatory system

Title: NWT Cumulative Impact Monitoring Program (CIMP) – Assisting Regulatory Decision-making

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How does NWT CIMP information enter the regulatory process?

- Board staff
- Indigenous governments and organizations/communities
- Government
- Industry/consultants

How do I find NWT CIMP data?

- NWT Discovery Portal – over 1,000 records
- Inventory of Landscape Change – human and natural disturbance
- Mackenzie DataStream – 700 data records
- Nwtcimp.ca – Program information and links
- Annual Report and Project Results
- Results workshops
- Synthesis reports
- Plain language bulletins

Suggestions for Board / NWT CIMP Collaboration

- Discuss and rank priorities
 - Engage with NWT CIMP to work through complex cumulative effects questions
 - Be clear on specific Board needs and products
- Board engagement throughout the life of a project that is of relevance
- Identify and implement standardized indicators
- Review data reporting templates for water licenses

For more specific examples of how Boards have/can use CIMP data, see CIMP's presentation in Appendix H.

2.7.5 GNWT Climate Modelling Results

Title: Climate Change in the NWT – Information Requirements to Support Decision-Making

Presenters: Lisa Dyer, Director, GNWT ENR; and Brian Sieben, Adaptation and Planning Specialist, GNWT ENR/Northern Climate Services Liaison, Pan-Canadian Framework Implementation Office, ECCC



HIGHLIGHTS

NWT Climate Change Strategic Framework (NWT CCSF) is the NWT's roadmap for addressing climate change.

Vision: By 2030, the NWT will enjoy a strong, healthy economy that is less dependent on fossil fuels and will have developed the knowledge, tools and measures needed to adapt to a changing northern climate.

2030 Goals

- Goal #1: Transition to a Lower Carbon Economy
- Goal #2: Improve Knowledge of Impacts
- Goal #3: Build Resilience and Adapt to Changes

Goal #1: Transition to a strong, growing economy that uses 30% less fossil fuels and produces 30% less GHG emissions (compared to 2005).

Priority areas of focus include:

- Carbon tax
- Energy efficiency
- Renewable energy technologies
- Helping industry reduce dependence on fossil fuels
- Integrating climate change considerations in project assessment, permitting and licensing

Goal #2: Improve knowledge of climate change impacts occurring in the NWT.

Priority areas of focus:

- Better use of traditional knowledge
- Identify critical knowledge gaps and determine research and monitoring priorities
- Increase research and monitoring activities
- Improve data management and information sharing

Goal #3: Build resilience and adapt to a changing climate

Priority areas of focus:

- “Mainstream” climate change considerations into plans, policies, decision-making and practices:
 - For management of lands, ecosystems and natural resources
 - For existing and new buildings and infrastructure
 - To protect human health, safety, culture and heritage

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2019-2023 Action Plan Development

- Actions to begin to address the NWT CCSF's goals will be outlined in the 2019-2023 Action Plan.
- This is the first of two Action Plans to implement the Strategic Framework.
- Release of the Action Plan is targeted for late 2018.

GNWT Climate Initiatives and Priorities

- Development of climate database
- Evaluate monitoring network requirements and prioritize monitoring gaps
- Continue and enhance climate monitoring at NWT monitoring sites
- Develop climate projections and climate indices
- Undertake climate modeling to predict future landscape change
- Develop and implement a northern climate hub to support delivery of climate services and products

Canadian Centre for Climate Services (CCCS)

- The CCCS was a recommendation from the *Pan-Canadian Framework on Clean Growth and Climate Change*:
 - To improve access to climate science
 - To serve as the authoritative federal source for credible, useful and timely climate information, data, and tools
 - To strengthen national and regional capacity to incorporate climate change considerations in decision-making
- CCCS is supported by a Northern Climate Services Liaison, co-located with GNWT Climate Change Unit
- Collaboration between GNWT and Environment and Climate Change Canada (ECCC) will:
 - Enhance delivery of climate services in northern Canada tailored to the needs of priority user groups
 - Support the formation of a climate organization in the North (informed by gap / needs analysis)
 - Help the north access ECCC resources
- ECCC is looking at strategic assessment of climate change
- An action to be reflected in the 2019-2023 Action Plan is to further consider climate change in environmental assessment, permitting and licensing (being discussed with the GNWT and regulatory boards)
- Also working on measures to improve to the Environmental Protection Act for better greenhouse gas accounting

2.8 BREAKOUT SESSIONS

2.8.1 Cumulative Effects

Following Julian Kanigan's presentation, participants separated into like-mandated Boards to discuss the following questions:

1. Is CIMP collecting the **right kinds of information** to help with decision-making?
2. Is the information in an **accessible format**?
3. How can we better **integrate the information** into decision-making processes?
4. How can CIMP programming be better **adapted to address the information gaps** in decision-making?

Land and Water Boards

- The LWBs expressed that it is difficult for them to determine if the right kinds of information are being collected from the perspective of their organizations, as this question should be directed at reviewers.
- The layout of the information on the Portal could be more region-specific instead of project-specific.
- Important factors include activity thresholds and the role of land use planning.
- Organizations may not have the capacity to interpret CIMP data.
- There is a need to interpret all of the data CIMP collected to ensure it is understandable and relevant to decision-makers and Indigenous organizations.
- CIMP could consider training organizations to access and interpret their information.
- Integrating different sources of data could make it more accessible and useful for decision-makers.

Renewable Resources Boards

- The information both on the Portal and the Inventory of Landscape Change could be made more accessible to both Boards and communities in order to make better decisions.
- It would be great if there was further analysis done on the information. There appears to be a lot of information available but time and resources for Boards are limited.
- There could be better outreach with Boards and communities with CIMP to make them better aware of what their programs entail and what information exists.

Land Use Planning Boards

- It would be valuable to collect more socio-economic information.
- To improve accessibility, there is greater value for the LUPBs in producing visual maps and products over raw data, as they do not typically work with raw data.
- Increase direct communication/collaboration, as LUPBs do not have the baseline information/modelling on thresholds or limits of acceptable change to incorporate into land use plans.

NEB, OROGO, and SRB

- With environmental screening, it can be helpful to have cross-regional information.

- Integrate information from other GNWT departments into CIMP's work.
- Encourage private companies to share their research so that it can be incorporated into the work of the Boards.
- For those who have shared their traditional knowledge, it would be good to have an understanding of how they came to the decision to share their knowledge.

EISC and MVEIRB

- It would be ideal if CIMP could look at cumulative effects in a socio-economic/human context (e.g. research and monitoring – at one point, Paulatuk was so inundated with these activities that most of their boats and equipment were unable to be used for traditional activities).
- In terms of accessibility, it is best to post information online, host workshops (or 'piggy-back' on other relevant meetings), ensure that the information is appropriately translated, increase the use of innovative technology (apps), and consult with communities so that they can access data as well.
- CIMP could post information as a part of the public record in a way and time that allows partners to use it.
- CIMP could provide baseline information for use by developers.
- It would be great if all information was available in 'one stop' online.

SUMMARY OF RECOMMENDATIONS TO CIMP

- Focus on a more regional approach to collecting/representing/filtering data to that it is more relevant to regulatory activities.
- Integrate various data sources (e.g. other GNWT data, developer data) to create a central repository.
- Provide some analysis of the information being collected and play a more active role in articulating this directly to the relevant bodies, whether through the public record online, public meetings, etc.
- Identify gaps in research models and target research to improve the understanding of relationships between the data.
- Consider collecting and analyzing cumulative socio-economic impacts of development, research, and monitoring activities on communities.
- Increase communication with the Boards and the public to inform them of what information exists and how it can be accessed for their purposes.

2.8.2 Sharing Experiences Related to Information Gaps in Decision-Making

The final activity of the day was intended to enable participant organizations to share their successes and lessons learned in terms of accessing and using quality information to make good decisions. The Boards were asked...

To ensure quality information for making good decisions, how does your Board:

1. Collect and integrate information provided by applicants?
2. Gather public input?
3. Decide whether the information is adequate?

Participants separated into three groups to address each of the above questions. In reporting back, opportunity was provided for each group to add or comment on the other groups' reports. Below are the key highlights from each discussion.

Collect and integrate information provided by applicants

- Pre-application meeting with applicants can help them understand what the requirements are and what guidance exists to help them.
- Board members have a difficult job managing large volumes of information, so having simple tools is important to allow the tracking of issues (e.g. NEB has an Excel tool to do this).
- LWBs and MVEIRB are currently working on a data project, updating their websites and online registry. Information/reports for projects that go through environmental assessment and permitting and licencing will be accessible along a timeline and throughout both processes.

Gather public input

- LWBs have a policy and guidelines that require developers to engage communities and relevant organizations early and that has been a positive initiative that seems to enable community readiness for the public participation process.
- MVEIRB holds informal, public 'scoping sessions,' which are at the beginning of the EA process, prior to the assessment itself. The informal aspect tends to make people more comfortable and willing to participate. It allows for the public to plan priorities alongside the Review Board.
- Public hearings can tend to be intimidating to some members of the public, so many Boards try to be inviting and welcoming. Specific hearings that are only for the community/public seem to help in some cases.
- It can be beneficial to gather specific advice from regional organizations, Aboriginal governments, or communities about the format and timing of public hearings, as well as ways to be culturally appropriate (e.g. setting aside time for youth on the agenda).
- Outside of specific engagements or hearings, it can also be valuable to go to communities to communicate the purpose of the Board and the different roles that are involved in the integrated resource management system, including the various ways in which the public can be involved.
- Techniques to improve attendance at meetings: schedule the meeting at an appropriate time (e.g. so as not to interfere with cultural activities), advertise in a way that works for the community, have food and giveaways, know your audience to make sure information to be provided is relevant to them.
- Schedule back-to-back hearings to provide information on the first day and invite feedback on the second day.
- Visit with the Band and Council at or around their meetings to inform them of upcoming public participation processes and ask for their specific advice on the nature of those engagements and encourage their attendance.

Decide whether the information is adequate

- There is a reliance on the reviewers/referral groups to ensure the completeness of the information, and an inherent trust between the Boards, as they rely on each other for information. It is important that the Boards have the appropriate expertise available to them in their respective regions.
- LWBs' processes have built-in 'checks and balances' since there are multiple decisions required and constant review by referral agencies, the public, etc.
- It is important to ensure that the information has been ground-truthed, considering factors such as local conditions, past experiences, representativeness, and relevance.

- ENR is working toward explicitly integrating the collection of traditional knowledge into their decision-making instruments so that it must be accounted for in a comprehensive, yet appropriate manner.

3 Day 2

3.1 WELCOME TO BEHCHOKÒ

Grand Chief George Mackenzie and Chief Clifford Daniels welcomed the NWT Board Forum to Behchokò. Chief Clifford Daniels reflected on how lands were protected by Tłı̨cho ancestors before the impacts of historical mines, and how Tłı̨cho participation in new developments will lead to stronger land management in the future. Grand Chief George Mackenzie spoke to the importance of the word “masi,” or “thanks” in the Tłı̨cho language. He thanked the Boards for their work in responsibly managing the waters, the environment, the protected areas, and resources.

3.2 ADDRESSING BARRIERS TO INFORMED DECISION-MAKING

Based on the results of the Spring survey, Forum members were invited to further define and brainstorm solutions to commonly-shared barriers. They were presented with the following barriers, which emerged from the Planning Survey from spring 2018:

1. Limited capacity in your organization and/or those on which you depend
2. Unclear or varied expectations across parties involved in your decision-making process
3. Lack of access to the expertise necessary to make informed decisions
4. Inaccessible and/or poor-quality information required to fulfill your organization's mandate

The participants divided themselves amongst the four “solution stations.” At each station, the groups were invited to further define the barrier, and then turn the majority of their focus to identifying solutions to the barrier. The results of this exercise are below.

#1. Limited capacity in your organization and/or those on which you depend



Definition provided:

- Insufficient financial and human resources to carry out your mandate and associated activities.
- Inability to rely on other organizations in the Integrated Resource Management System (IRMS)

Further definition:

- The appointment process is slow, leading to capacity challenges.
- High-quality experts (TK, legal, scientific) are, in many cases, difficult to find and expensive.
- The capacity of Indigenous groups, communities, and other organizations may be limited in terms of their participation in public processes.
- Other organizations that are relied upon may have high turnover, which requires re-education.

- The length and timing of funding can also be a barrier for some Boards.

Solutions



- Ask appointment levels to be pushed down if appointments are a challenge.
- Standardize the Board member selection process across the region.
- Share a pool of experts, such as lawyers, to save costs.
- Share funding for common goals (regional integration).
- Hire students and youth who are looking for experience in the field of natural resource management.
- Host well-advertised career fairs.
- Extend funding blocks (for some).
- Share office space to increase collaboration and save money.
- Share staff / facilitate secondments.
- Use Skype / teleconferencing innovatively.

Secondment Success Story

Jennie Vandermeer, Staff for the Sahtu Renewable Resources Board (SRRB) and ENR employee, shared her experience moving from Yellowknife to Norman Wells. With the education and training she had developed, as well as the experience she gained in working with GNWT Headquarters, she felt it was important to start working with her own people, the Sahtu. The SRRB created an informal secondment arrangement so that Jennie could still be an ENR employee while working on SRRB files, which in turn has helped her to be more effective in her position with ENR. Jennie stated that job sharing arrangements could be a solution to limited capacity in other regions.

#2. Unclear or varied expectations across parties involved in your decision-making process



Definition provided:

- Poorly understood roles and responsibilities of the proponent, the public, your organization and other agencies.
- Inconsistency in the expected level of information needed (i.e. type, volume).

Further definition:

- This group felt that the definition provided was clear and that no further explanation was required.

Solutions



- Be organization-focused in providing targeted information packages based on expertise and ask organizations for specific information.
- Be clear in explaining the public's role in various processes.
- Be willing to explain what information is required (i.e. technical expertise).
- Improve outreach to communities and industry on how the public informs the IRMS (workshops, one-pagers, etc.).
- Hire competent consultants who are familiar with the regulatory process.
- Effectively communicate timelines within the process.
- Improve education of government and proponents on land claims (e.g. IFA 101, Sahtu videos for beneficiaries).

- Expose the public to the NWT Board Forum training initiatives to inform them of Board processes.

#3. Lack of access to the expertise necessary to make informed decisions



Definition provided:

- Inability to attain expert information in key areas.
- Experts are overburdened with requests or their expertise is unaffordable.

Further definition:

- There is a large volume of data out there that is not necessarily easily accessible and user friendly.
- There is also a sense of disconnectedness between the various information sources—Boards, government, experts, community members, etc.
- Gaps include: engineer expertise, baseline data, oil and gas expertise, and TK.

Solutions



- Create a central repository for data (regional centres of expertise, including a contact list shared with Boards) to provide user-friendly access to useful data.
- Strengthen academic research resources.
- Increase awareness of the co-management system.
- Build subject matter expertise capacity in communities.
- Respect and maintain good relationships with communities and government.
- Establish baseline research for decision-making.
- Develop service agreements/MOUs with other organizations and between Boards.
- Effectively manage the time of subject matter experts to prevent burnout.

#4. Inaccessible and/or poor-quality information required to fulfill your organization's mandate



Definition provided:

- Information is not in a readily accessible format (i.e. potentially due to strict formatting or organizational requirements for project applications, lack of searchable electronic databases to access monitoring data).
- Missing or inconsistently collected data.

Further definition:

- This group agreed that there is too much information as well.
- Baseline data are not collected or inaccessible.

Solutions



- Use search functions online through shared registries or a virtual library online.
- Provide proponents with guidance on the relevant pieces of information needed to make informed decisions.
- Require a format in which proponents should provide information consistently.
- Ensure data is linked to GIS maps.
- Ensure baseline data is kept up to date and corroborated over time so that the information does not become obsolete.

- Identify information gaps that can be filled through the use of your organization's budget.
- Document workshops with elders on traditional knowledge, to respectfully collect TK so that it is not lost—recognizing that the information that is collected needs to be properly translated and analyzed (e.g. Gwich'in Social and Cultural Institute – store, analyse, share and ensure that TK is being used in the correct format).

3.3 PRESENTATION AND Q&A ON TŁİCHO COSMOLOGY

John B. Zoe, Chair of the Tłıchq Research and Training Institute and Senior Advisor to the Tłıchq Government, told the story of environmental stewardship on Tłıcho lands. He described the historical injustices of the Canadian Government in its attempts to take and maintain control over the homelands of many Indigenous peoples. He then explained how the Tłıcho Self-Government Agreement (2005) came to be, and how important the Agreement is to the protection of the environment and the self-determination of the Tłıcho. The Tłıcho flag, he described, is symbolic of reconciliation, recognition, and collaboration between Tłıcho and all peoples: “As long as the sun shines and the river flows, my people will not be restricted from our way of life in the future.” No questions were asked by Forum participants.

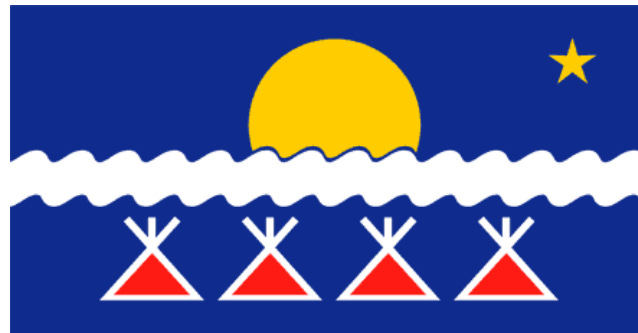


Figure 2: The Tłıcho flag

3.4 GOING FORWARD

For this activity, participants were invited to reassemble into groups of similar-mandated Boards to discuss what they could action at, or between, their organizations related to the theme of “information required to make good decisions.” In thinking about the path forward, each group considered the following questions:

1. What will your organization do new or differently because of this Forum meeting?
2. How can your organization work toward strengthening the availability and quality of information used to inform our decisions?

RRBs

- GRRB – Hope to secure funding for research to inform the decision-making of the regulators.
- SRRB – Want to work more closely with communities and RRCs to make sure that they continue to collect and transfer knowledge so that it is not lost.
- WRRB – Working with the WLWB to have a joint communications officer.

LWBs

- Develop the list of experts for use by all NWT Board Forum member organizations.
- Consult with colleagues at different organizations (peers, colleagues) before starting a new policy, guidance document, or practice to check in on lessons learned.
- Enhance information sharing – best practices, information on TK, human resources (secondments possibly), focus on youth/summer students to spread the word and get younger folks to join the Boards.
- Expand the LWB online review system and registry to incorporate the needs and processes of other organizations or share the technology for other organizations who have ongoing reviews.

MVEIRB, EISC, and NEB

- Continue and enhance current projects and practices, with a focus on reinvigorating relationships with other organizations.
- While the changes to the NEB will not impact Boards, they have a group tasked with reviewing those arrangements to update and renew them in time.
- MVEIRB will continue to push for participant funding, as it has been a priority of theirs.
- All want to increase their outreach to other organizations, Indigenous governments, and communities, etc.

LUPBs

- The main action that the LUPBs identified was to follow up on the connections they made at the Forum regarding opportunities for integration (e.g. TK, cumulative impacts) into the LUP process.

GNWT and CIRNAC

- GNWT and CIRNAC committed to supporting two big projects: a contact list of technical experts and a coordinated database.
- To improve the appointment process, GNWT and CIRNAC have tried to make as many adjustments as possible and will have more information to share from the federal side soon.

3.5 SUMMARY OF ACTION ITEMS

Below is a list of action items and accountable leads that were identified throughout the session.

1. Reach out to all Boards to determine the best timing for 2019 NWT Board Forum in-person training course(s) (MVEIRB).
2. Generate a list of experts to share among NWT Board Forum members—focusing on TK, legal, and scientific expertise (Board Relations Secretariat, CIRNAC and GNWT).
3. Improve existing/develop searchable databases to improve access to quality information (e.g. Board public registries) (LWBs with support from the Board Relations Secretariat, CIRNAC).
4. Continue to develop the one pager on the history of the NWT Board Forum, including input from the Boards (Board Relations Secretariat, CIRNAC).

3.6 NEXT MEETING

The Sahtu Land and Water Board and the Sahtu Land Use Planning Board agreed to co-host next year's NWT Board Forum.

When: June and/or August 2019 (slight majority suggested August, but dates will be polled)

Location: Fort Good Hope

During a discussion, a few **potential themes** were identified for next year's NWT Board Forum meeting:

- The collection and use of traditional knowledge
- Community/youth involvement
- Integration from the perspective of different organizations

3.7 CLOSING REMARKS

The Forum closed with a roundtable of final remarks. The participants thanked the co-host organizations (WRRB and WLWB), the facilitators, and other organizers, as well as the people of Behchokò for their hospitality. A few common highlights were described in the roundtable.

Exploring a Common Theme: There was an appreciation of the fact that each member organization could speak to the common theme of "information required to make good decisions."

Learning Tłı̨cho Cosmology: John B. Zoe's presentation on Tłı̨cho cosmology was a reminder of the importance of the people and the cultures who rely on the land, water, and wildlife to thrive. His presentation left several participants enlightened.

Positive and Supportive Atmosphere: Participants expressed that the tone of this meeting was much more positive and supportive than some previous meetings. They enjoyed the opportunity to celebrate each others' successes, better understand each others' challenges, and share lessons learned in different contexts. Since much of the work of the Boards is relationship-based, participants felt that this meeting reinvigorated the collaborative spirit that the Forum has always intended to support.

Appendices

Below are several appendices, including: the agenda, a list of participants, the updates provided by each organization, the 2018 Terms of Reference, the 2018 Code of Conduct, the NWT Board Forum planning document, and flip charts from the breakout group sessions. Presentations (Appendix H) are included in a supplemental PDF document.

Appendix A – Agenda

Appendix B – Participants List

Appendix C – Organizational Updates

Appendix D – Terms of Reference (2018)

Appendix E – Code of Conduct (2018)

Appendix F – NWT Board Forum Planning Document

Appendix G – Flips Charts

Appendix H – Presentations

Presentations are housed in a supplemental PDF document due to size restrictions.

Appendix A – NWT Board Forum Agenda

24th NWT Board Forum – Yellowknife and Behchokò, NWT
Agenda

September 18 & 19, 2018

September 18, 2018 – Tree of Peace

- | | |
|---------------------|---|
| 8:30 am – 9:00 am | <i>Welcome and wake-up!</i> |
| 9:00 am – 9:15 am | Introductions
Joe Mackenzie, Chair, Wek'èezhìi Land and Water Board (WLWB)
Steven Matthews, Interim Chair, Wek'èezhìi Renewable Resources Board (WRRB) |
| 9:15 am – 9:45 am | Overview of the Agenda – Facilitator Julie Pezzack, Stratos Inc.
Action Items from the February 2018 Meeting
Recap of “What’s Happened” – Update on training initiatives |
| 9:45 am – 10:15 am | Approval of NWT Board Forum Terms of Reference and Code of Conduct |
| 10:15 am – 10:30 am | <i>Health break</i> |
| 10:30 am – 11:00 am | Presentation and Q&A on the NWT Surface Rights Board
Louie Azzolini, Chair, NWT SRB |
| 11:00 am – 11:30 am | Presentation and Q&A on the Changes to the National Energy Board
Peter Watson, Chair, NEB |
| 11:30 am – 11:45 am | Update on Board Honoraria Review
Andrew Webster, Senior Policy Advisor, CIRNAC |
| 11:45 am – 1:00 pm | <i>Lunch (not provided)</i> |
| 1:00 pm – 1:45 pm | Presentation and Q&A on CIMP Results Related to Cumulative Effects
Julian Kanigan, A/Director, Conservation, Assessment and Monitoring, GNWT ENR |
| 1:45 pm – 2:30 pm | Cumulative Effects
Breakout group activity. The Forum members will be invited to reflect on the following questions: <ul style="list-style-type: none">• Is CIMP collecting the right kinds of information to help with our decision-making?• Is the information in an accessible format?• How can we better integrate the information into our decision-making processes?• How can CIMP programming be better adapted to address the information gaps in our decision-making? |
| 2:30 pm – 2:45 pm | <i>Health break</i> |
| 2:45 pm – 3:15 pm | Presentation and Q&A on GNWT Climate Modeling Results
Aileen Stevens, Manager, Climate Change Programs, GNWT ENR |

3:15 pm – 4:15 pm	Sharing Experiences Related to Information Gaps in Decision-Making Breakout group activity. Be prepared to share <u>lessons learned</u> , <u>leading practices</u> , and <u>tools</u> that your Board uses related to the topics below. To ensure quality information for making good decisions, how does your Board: <ul style="list-style-type: none">• Collect and integrate information provided by applicants?• Gather public input?• Decide whether the information is adequate?
4:15 pm – 4:30 pm	Closing
5:30 pm – 7:30 pm	Social Dinner (optional) The Woodyard Brewhouse & Eatery 3905 Franklin Avenue

September 19, 2018 – Behchokò Cultural Centre

7:45 am – 9:45 am	<i>Travel to Behchokò (bus leaves from Chateau Nova)</i>
9:45 am – 10:15 am	Opening Prayer, Welcome and Conversation Grand Chief George Mackenzie and Chief Clifford Daniels (Behchokò)
10:15 am – 11:30 am	Addressing Barriers to Informed Decision-Making Breakout group activity. Based on the results of the Spring survey, Forum members will be invited to further define and brainstorm solutions to the following commonly-shared barriers: <ul style="list-style-type: none">• Limited capacity in your organization and/or those on which you depend• Unclear or varied expectations across parties involved in your decision-making process• Lack of access to the expertise necessary to make informed decisions• Inaccessible and/or poor-quality information required to fulfill your organization's mandate
11:30 am – 2:00 pm	<i>Fish Fry (plus travel to North Arm Park – weather dependent)</i> Presentation and Q&A on Tłı̨cho Cosmology John B. Zoe, Chair, Tłı̨chų Research and Training Institute and Senior Advisor, Tłı̨chų Government
2:00 pm – 2:45 pm	Going Forward Breakout group discussions: <ul style="list-style-type: none">• What will your organization do new or differently because of this Forum meeting?• How can your organization work toward strengthening the availability and quality of information used to inform our decisions?
2:45 pm – 3:00 pm	Summary of Action Items Next Meeting – Determine host and location
3:00 pm – 3:30 pm	Closing Remarks Roundtable
3:30 pm – 5:00 pm	<i>Travel to Yellowknife (bus leaves from North Arm Park)</i>

Appendix B – Participants List

Participants List

Board	Participant	E-mail	Present (X)	Social Dinner (X)
Inuvialuit Water Board (IWB)	Mardy Semmler, ED	semmlerm@inuvwb.ca	X	
	Elizabeth Arey, Member	areyelizabeth@gmail.com	X	
Environmental Impact Screening Committee (EISC)	Gerald Inglangasuk, Member	Tuck_tuck@hotmail.com	X	X
Mackenzie Valley Environmental Impact Review Board (MVEIRB)	Joanne Deneron, Chair	jdeneron@reviewboard.ca	X	
	Brett Wheler, Senior Environmental Assessment Policy Advisor	bwheler@reviewboard.ca	X	X
	Stacey Menzies, Policy and Planning Officer	smenzies@reviewboard.ca	X	
Mackenzie Valley Land and Water Board (MVLWB)	Mavis Cli-Michaud, Chair	chair@mvlwb.com	X	
	Shelagh Montgomery, ED	smontgomery@mvlwb.com	X	X
Gwich'in Land and Water Board (GLWB)	Elizabeth Wright, Chair	glwbchair@glwb.com	X	
	Leonard DeBastien, ED	l.debastien@glwb.com	X	
Gwich'in Renewable Resources Board (GRRB)	Jozef Carnogursky, Member	jozefcarn@hotmail.com	X	
	Doug Doan, Member	ddoan@grrb.nt.ca	X	
Gwich'in Land Use Planning Board (GLUPB)	Bob Simpson, Chair	BSimpson@inuvialuit.com	X	X
	Susan Mackenzie, ED	Planner@gwichinplanning.nt.ca	X	X
	Grant Gowans, Member	ggowans06mksc@wfgmail.ca	X	

Board	Participant	E-mail	Present (X)	Social Dinner (X)
Wek'eezhii Land and Water Board (WLWB)	Joseph Mackenzie, Chair	jowwlwb@gmail.com	X	X
	Ryan Fequet, ED	Rfequet@wlwb.ca	X	X
Wek'eezhii Renewable Resources Board (WRRB)	Jody Pellissey, ED	jpellissey@wrrb.ca	X	
	Eddie Erasmus, Member	jpellissey@wrrb.ca	X	
Sahtu Land and Water Board (SLWB)	Larry Wallace, Chair	larry.wallace@slwb.com	X	X
	Paul Dixon, ED	paul.dixon@slwb.com	X	
	Patricia McNeeley, A/ED (observer)	Patricia.mcneeley@slwb.com	X	
Sahtu Land Use Planning Board (SLUPB)	Heather Bourassa, Chair	hbourassa4@gmail.com	X	
	Melanie Harding, ED	exec_director@sahtulanduseplan.org	X	X
Sahtu Renewable Resources Board (SRRB)	George Barnaby, Chair	Agbarnaby@hotmail.com	X	
	Jennie Vandermeer, Staff	Jennie_vandermeer@gov.nt.ca	X	
Office of the Regulator of Oil and Gas Operations (OROGO)	Minister Louis Serbert, Oil and Gas Regulator		X	X
	James Fulford, ED	james_fulford@gov.nt.ca	X	X
	Pauline de Jong, Senior Advisor, Policy and Legislation	Pauline_Dejong@gov.nt.ca	X	
Government of the Northwest Territories, Environment and Natural Resource (ENR)	Jason McNeill, Senior Advisor, Aboriginal Relations	Jason_McNeill@gov.nt.ca	X	

Board	Participant	E-mail	Present (X)	Social Dinner (X)
	Marcelle Marion, Manager, Legislation and Legal Affairs	Marcelle_Marion@gov.nt.ca	X	
NWT Surface Rights Board (SRB)	Louie Azzolini, Chairperson	louie@terra-firma.ca, louie.azzolini@NWTSRB.ca	X	
	Doug Rankin, Executive Director	Doug.Rankin@nwtsrb.ca	X	X
National Energy Board (NEB)	Peter Watson, Chair and CEO	peter.watson@neb-one.gc.ca	X	X
	Brian Chambers, Professional Leader, Northern Engagement	brian.chambers@neb-one.gc.ca	X	X
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	Matthew Spence, Regional Director General	Matthew.Spence@canada.ca	X	X
	Tina Bohnet, Manager, Indigenous and Territorial Relations	tina.bohnet@canada.ca	X	
	Robert Holliday, Project Leader, Board Relations Secretariat	robert.holliday@canada.ca	X	X
	Andrew Webster, Senior Policy Advisor	Andrew.webster@canada.ca	X	X
	Paul Prepas, Implementation Officer	Paul.prepas@canada.ca	X	X
Stratos Inc.	Julie Pezzack, Vice President	jpezzack@stratos-sts.com	X	X
	Kathryn Lupton, Consultant	klupton@stratos-sts.com	X	

Appendix C – Organizational Updates



Inuvialuit Water Board Update NWT Board Forum – September 2018

IWB Board Membership

As of August 31, 2018, the members of the IWB are:

Mr. Roger Connelly, Chairperson
Mr. Richard Binder, member
Mr. Mark Cleveland, member
Mrs. Elizabeth Arey, member
Mr. Louis Covello, alternate member

The Chairperson of the Board serves as the Chief Executive Officer of the IWB.

Water Licensing

As of August 31, 2018, there were thirty-five (35) water licences recorded in the area for which the IWB holds responsibility. Of this number, twelve (12) were considered active licences with the remainder, although term expired, awaiting closure pending the required final inspection.

Type A or B Water Licence – Renewal, Amendment or Closure

N7L3-1531 – Hamlet of Sachs Harbour – Type B Municipal - 5-year term renewal
N7L1-1834 – Shell Canada, Camp Farewell – Request for Extension
N7L1-1826 – MGM Energy Corporation, Umiak, N-05 Seismic Program - closed
N7L1-1828 – MGM Energy Corporation, Aput C-43 Site - closed
N7L1-1829 – MGM Energy Corporation, West Langley Drilling Program - closed

In addition to processing licence applications, the IWB is charged with reviewing and approving management plans associated with licences as well as reviewing water licence inspection reports and annual reports from licence holders.

Other Projects

IWB Communication Strategy Implementation
Municipal Water and Waste Management Workshop
External Inuvialuit Water Board Governance and Administrative Review
GNWT Legislation Review – Waters Act, Environmental Protection Act

During this period of limited industry activity the IWB has initiated, in co-operation and partnership with community governments and other parties, several community level educational initiatives to increase the level of recognition and understanding of water and waste management issues in the ISR communities. This increased level of understanding and awareness by both community leadership and community residents at large has already resulted in community led initiatives to reduce historical levels

of hazardous and large solid waste from municipal waste management facilities.

Involvement in Meetings and Conferences:

- ITH Working Group meetings – April 2018
- Imperial Oil Resources meetings – Bar C / Tununuk Point Remediation Project, December 2017
- Arctic Oil and Gas Symposium – March 2018
- Arctic Energy and Emerging Technologies – June 2018
- Waters Act / Environmental Protection Act - ENR Legislation Review – June 2017 - July 2018

Activities with other Regulatory Boards within the NWT

Mackenzie Valley Land and Water Board and ENR - development of Hydrocarbon Contaminated Soil Treatment Facilities Guidelines

IWB Office Relocation - March 6, 2018

Professional Building – 125 Mackenzie Road, Suite 302 to Mack Travel Building – 151 Mackenzie Road, 2nd Floor

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Gwich'in Land and Water Board

Box 2018 Inuvik NT X0E 0T0

PH 867 777 7960 FX 867 777 7970

Submission for the Board Forum

The **Gwich'in Land and Water Board** (the **Board**) is a regulatory authority established under the **Gwich'in Comprehensive Land Claim Agreement** and given effect by the **Mackenzie Valley Resource Management Act** to provide for an integrated and coordinated system of land management in the **Mackenzie Valley** of the **Northwest Territories**.

The **object** of the Board is to provide for conservation, development and utilization of the land and water resources in the **Gwich'in Settlement Area** in a manner that will provide the optimum benefit for present and future residents of the settlement area and the Mackenzie Valley and for all Canadians.

The Act authorizes the Board to regulate the use of land and water by issuing, amending, renewing and suspending Land Use Permits and Water Licences throughout the Gwich'in settlement area, which includes all crown, Gwich'in and any other private lands.

The **Board** consists of five members, including the Chair. The Gwich'in Tribal Council nominates two members and the other two members are nominated by the Government of the Northwest Territories and by the Government of Canada. The four members then nominate the Chair. The Minister of Indian Affairs and Northern Development appoints all nominees to the Board for a term of three years.

The current **Board** consists of the following:

Elizabeth Wright	Chair	
Gerry Kisoun	Member	Government of Canada
Margaret Nazon	Member	Government of the Northwest Territories
Nigit'stil Norbert	Member	Gwich'in Tribal Council
Vacant	Member	Gwich'in Tribal Council

The Board personnel consist of the following:

Leonard DeBastien	Executive Director
Edith Key	Office Manager
AlecSandra MacDonald	Regulatory Specialist
Holly Jones	Communications Specialist

The offices of the Gwich'in Land and Water Board are located on the second floor of the Alex Moses Greenland in Inuvik.

The fiscal year 2017/2018 is the twenty third full year of operation for the Gwich'in Land and Water Board.

The Board met (5) five times in 2017, and two (2) times, for the 2018 year.
for a total of (7) -times in the fiscal year 2017/2018,

In the fiscal year 2017 - 2018, the Board issued three (03) land use permits. The Board issued
Two (02) water licences.

In January 2008, the Mackenzie Valley Land and Water Boards formed six Working Groups
comprised of staff from the Gwich'in, Sahtu, Wek'eezhii and Mackenzie Valley Land and
Water Boards with the mandate to developing consistent and transparent approaches to the
application process throughout the Mackenzie Valley. These Working Groups include:

- Public Engagement and Consultation
- Plan Review Process and Guidelines
- Water/Effluent Quality Guidelines
- Terms and Conditions
- Data Standards and Sharing
- Application Processes

The Boards of the Mackenzie Valley have been Working with the Government of the
Northwest Territories and Canada to help Develop guidelines

- Enforcement and Exceptions under the EPA document - Technical Working Group
- Boreal caribou range planning Framework - Working Group
- Joint LWB, Review Board, CIRNA, and GNWT
- Development of a Mineral Resources Act

Since Devolution the Boards of the Mackenzie Valley have been meeting with Government of
the Northwest Territories to clarify

- Security and Reclamation
- Compliance and Enforcement
- Air Quality Regulations
- NWT Environmental Audit
- Water use Calculation
- Life of Project Licenses



Mackenzie Valley Land and Water Board
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Mackenzie Valley Land and Water Board
Board Forum Activity Update
Yellowknife/Behchokò, September 18-19, 2018

Background

The Mackenzie Valley Land and Water Board (MVLWB) has three broad functions: (1) the review of land use permit and water licence applications in the regions of the Mackenzie Valley where land claims have not been settled, (2) the review of permit and licence applications for transboundary projects, and (3) the issuance of directions on general policy matters which, in the Board's opinion, require consistent application throughout the Mackenzie Valley.

Regulatory Workload Summary

The MVLWB continues to be very busy, with the Board meeting at least twice a month to make regulatory decisions. During the 2017/2018 fiscal year the Board made 476 decisions relating to new land use permit or water licence applications, or existing permits and licences. The breakdown of types of decision is as follows:

- | | |
|---|--|
| • Amendment (6) | • Plan (198) |
| • Assignment (1) | • Preliminary Screening (27) |
| • Closure / Clearance (26) | • Preliminary Screening Exemption (14) |
| • Compensation (2) | • Related to a Public Hearing (4) |
| • Deferral (1) | • Report (9) |
| • Discontinuance (1) | • Reasons for Decision (80) |
| • Extension (11) | • Storage Authorization (1) |
| • Referral to EA (0) | • Security (39) |
| • Further Study (4) | • Surveillance Network Program (5) |
| • Land Use Permit (31) | • Transboundary Determination (2) |
| • Modification to Licence or Permit (3) | • Timeline / Workplan (2) |
| • Miscellaneous (1) | • Water Licence (8) |

Some of the major files before the Board during the last year are listed below.

- Enbridge Pipelines (NW) Inc. – Line 21 Segment Replacement Project
 - Public Hearing for new Type B Water Licence (October 2017 and January 2018)
- DeBeers Canada Inc. – Gahcho Kué Diamond Mine
 - Public Hearing for Type A Water Licence Amendment (July 2018)
 - Ongoing review of Reclamation Research Plan and Closure Options
- Miramar Northern Mining Limited – Con Mine

- Public Hearing for Type A Water Licence Renewal for Remediation (September 2018)
- Canadian Zinc Corporation – Prairie Creek Mine
 - Post-EA Regulatory Process – Awaiting Ministerial decision on the Report of EA. In preparation, staff have been spending a great deal of time working with Parks Canada staff to see where our processes can be coordinated and to finalize a joint Updated Project Description letter to go to CanZinc when the regulatory process resumes.
- Carter Family – Compensation Claim Re-Hearing (re: NWT Power Corp. Taltson Hydro Facility)
 - Dealt with a Motion for Costs filed by the Carter Family counsel (February-March 2018)
- Pine Point Mining Ltd. – New Land Use Permit and Type B Water Licence issuances
- DeBeers Canada Inc. – Snap Lake Diamond Mine – Various management plans (e.g. Extended Care and Maintenance Plan, Interim Closure and Reclamation Plan) and working through process with site going to closure
- DIAND-CARD – Various management plans for Tundra, Giant, Gordon Lakes Group, and Bullmoose Ruth remediation projects
- Municipal/Community Water Licences – Various management plans and applications (City of Yellowknife, Town of Hay River, Town of Fort Smith, Town of Fort Resolution, Village of Fort Simpson, Town of Fort Providence, Town of Enterprise, Town of Fort Liard, Sambaa K'e First Nation)

Regulatory Excellence

In 2017-2018, the Land and Water Boards of the Mackenzie Valley (MVLWB, GLWB, SLWB, WLWB) continued to work to improve the consistency, productivity, quality of work and efficiency of permitting and licensing processes. The key “Areas of Operations” that drive improved clarity and consistency in our practices and procedures include:

1. The Corporate Excellence group focuses on internal processes and policies, such as the Employee Procedures and Policies Manual, performance appraisal process, and professional development.
2. The Regulatory Improvement group develops policies, guidelines, and procedures to ensure that the Boards’ regulatory process is transparent, consistent, robust, and efficient.
3. The Information and Communications Technology group focuses on the Online Registry, websites, Online Review System, etc.
4. The Outreach and Engagement group focuses on external initiatives, engaging stakeholders to frame and guide Board initiatives. This group also focuses on developing the process for and facilitating the ongoing evaluation of the Boards’ policies, procedures, and programs developed collaboratively.

Over the past year, the land and water boards have continued their focus on improving the efficiency, productivity, and quality of its work in all areas of operations. The MVLWB has been involved in the development, implementation, and participation in numerous initiatives across the Mackenzie Valley. Highlights include:

- Development of Guidelines for Closure and Cost Estimates for Mines (joint CIRNAC-GNWT-MVLWB publication released in November 2017)
- Ongoing development of standard water licensing conditions and process guide
- Ongoing updating of the Regulatory Staff Manual for Land Use Permits and updates to the Standard Land Use Permit Conditions
- Ongoing participation in Land Use Planning forums/meetings

- Participation in the development of Guidelines for Hydrocarbon Contaminated Soil Treatment Facilities in the Northwest Territories (1st draft released for public comment in August 2017, with the 2nd draft out for review in June 2018)
- Participation in the development of Guidelines for Aquatic Effects Monitoring Programs (released for public comment in December 2017)
- Participation in the development of Guidelines for Developing Baseline Water Quality Monitoring Programs in the NWT (released for public comment in May 2018)
- Participation in the GNWT legislative amendments initiative. MVLWB staff and Board legal counsel are active members of the Technical Working Group (TWG) for the *Waters Act*, *Environmental Protection Act* and *Environmental Rights Act*. The TWG meets monthly to every second month. We have also reviewed materials and provided comments on the GNWT's work to develop a *Mineral Resources Act* and amend the *Forest Management Act*.

Additionally, there are a number of external initiatives under way aimed at developing and improving key relationships and public understanding of the regulatory system, and in aligning and collaborating on shared strategic priorities with key partners. External initiatives, collaborations, and/or synergies underway:

- GNWT – ENR Community Based Monitoring
- NWT Water Stewardship Strategy
- Northern Working Group (GNWT-MACA and ENR, ECCC)
- NWT Drinking Water and Waste Interdepartmental Committees (GNWT-MACA, ENR and H&SS)
- Review of Federal and Territorial Legislative Amendments/Developments (*Mackenzie Valley Resource Management Act* and Regulations, Administrative Monetary Penalties, *Waters Act* and Regulations, *Environmental Protection Act*, *Mineral Resources Act*, *Protected Areas Act*, *Forest Management Act*, *Environmental Rights Act*, *Commissioner's Lands Act*, etc.)
- NWT Board Forum
- Pan Territorial Board Forum
- Land and Water Board/GNWT/INAC joint meetings
- Various workshops/conferences/etc.

Human Resources/Staffing

Board Members

The section 103 panel is operating with a full complement for the first time in quite some time. Our Board members are: Mavis Cli-Michaud (Chair); Camilia Zoe-Chocolate (GNWT nominee); Kimberly Fairman (Federal nominee); Florence Catholique (Akaitcho nominee); and Sam Gargan (Dehcho nominee).

Board Staff

The MVLWB Yellowknife office has 17 staff comprised mostly of Regulatory Specialists, with Technical and Policy Advisors, a Community Outreach Coordinator, Executive Management, and Administrative Support.



Board Forum Update SLWB - 2018

August 2018

This report is presented to the Board Forum as a general update of the Sahtu Land and Water Board activities since the last forum held in November 2017. Questions should be further investigated through the Chairperson of the SLWB – Larry Wallace.

The SLWB has four members, with one vacant seat for a First Nation member. The Sahtu Secretariat Inc. put a name forward to the federal minister for appointment, but there has been no response to date. Current members include Chair-Larry Wallace, George Barnaby, Violet Doolittle, and Philippe di Pizzo.

On January 18, 2018 our Chairs appointment expired and despite our motion for renewal in August, 2017, his reappointment was not made until June 1, 2018. Our Executive Director has been on parental leave since April 1, which left the board shorthanded and unable to complete some projects and initiatives including training and community visitations. It is imperative that the process of appointments be reviewed in order to provide consistency in following department processes and reassuring the Boards that they have the support of the Minister.

The Board has met a total of eleven (11) times, all via teleconferences except for three face-to-face meetings in Yellowknife, managing land use permits and water licences and a number of administrative issues. Below is an overview of our work:

- Issuances – 8 plus one in progress
- Final Plans – 0
- Discontinuances – 0
- Cancellations - 0
- Renewals– 2 plus one in progress
- Extensions – 2 plus one in progress
- Amendments – 3
- Assignments – 8 in progress

Installation of new network system is being worked on at the SLWB office, in conjunction with the Sahtu Land Use Planning Board. This includes a new network backup storage and remote access for board and staff. In addition to sharing office space, these two Sahtu boards also share staff to handle administrative and financial tasks.

The Board approved a contribution agreement and a partnership with Environment & Natural Resources, GNWT to purchase satellite imagery of the Sahtu Settlement Area. This imagery will be used in the geographical information system (GIS) software and it will be shared with the Sahtu Land Use Planning Board, as they have a trained GIS staff member.

Recruitment was done to hire a new Regulatory Specialist and we are expecting the chosen candidate to come to Fort Good Hope for a site visit around mid-October 2018.

We would like to specifically highlight the SLWB work on the Imperial Oil Type A Water Licence Interim Closure and Reclamation Plan (ICRP) and Aquatic Effects Monitoring Program (AEMP). The SLWB staff assisted Imperial with the organization and facilitation of a fourth Working Group meeting that was held in Norman Wells on April 4, 2018. Participants included regulators, community members, Land Claim organizations, and individuals, interested in the development of Imperial's Closure and Reclamation Plan for the Norman Wells Operations. The objective of the meeting was to discuss progress on the Interim Closure and Reclamation Plan, in particular the main planning priorities and schedule for implementation, and progressive reclamation activities completed in 2017. The key areas for discussion related to the ICRP were the proposed Long-term Management Facility (LTMF) planning and permitting process and studies related to options for the Artificial Islands. Imperial anticipated that they will be applying for a Water Licence for the development and operation of the LTMF in late 2018 or early 2019. This may require a public hearing (mandatory for a Type A Licence) and potential referral for Environmental Assessment.

Imperial submitted version 2.0 of their AEMP on March 5, 2018 and it went through the regulatory review process. At their meeting on May 28, 2018, the Board did not approve the Plan as it did not include an aquatic component (fish) as recommended in their review of version 1.0 of the AEMP. Imperial has subsequently requested that the Board agree to hire a third party expert in aquatic investigations to review the AEMP and conduct a workshop to further discuss the need to include an aquatic component in the program. The Board is currently seeking input from review agencies and organizations regarding this request.

The SLWB is anticipating to receive Permit and Licence applications from the GNWT- Department of Infrastructure (INF) for the Oscar Creek Bridge Relocation Project and the Great Bear River Bridge.

The Board would also like to provide a brief update on Husky Oil Operations activities in the Sahtu Settlement Area. The Board recently approved two year extensions to the Slater River Drilling Program Land Use Permit and Water Licence to allow Husky to continue decommissioning and reclamation activities. Husky has informed the Board that they will be making an application this fall to complete well abandonment and decommissioning of four wells. Husky is also continuing active remediation of other well sites and is anticipating to submit Final Plans to close the associated Permits pending Inspector approval.

Forward Looking:

The SLWB has enjoyed the benefits of working with the Board Forum, as a collaborative forum for all resource management Boards with jurisdiction in the NWT. Board staff continue look forward to supporting the mandate of the Board Forum.

Wek'èezhìi Land and Water Board Activities

The Wek'èezhìi Land and Water Board (WLWB) continues to be extremely busy. The following is a list of some of the key activities since the last Board Forum meeting in February 2018:

Administrative Activities

- Awaiting appointment of Board Chair, so WLWB currently has one vacancy
- Our two offices (Wekweètì and Yellowknife) are fully staffed with a team of 12.

Regulatory Activities

- The Tlicho All-Season Road (TASR) Report of Environmental Assessment has been released. Once the Consult to Modify process is complete, the WLWB anticipates updated Permit and Licence applications to be submitted.
- Dominion hosted a 20yr celebration for the Ekati Mine on August 9th.
- Dominion's Type A Water Licence was amended for both a change to its Potassium effluent quality criteria and to allow the mining of Misery deep.
- Dominion's Interim Closure & Reclamation Plan is currently under public review
- Diavik hosted a ceremony for the opening of its A21 pit.
- Interim Closure and Reclamation Plan has undergone public review and is before the Board for consideration.
- Diavik is progressing with final closure for parts of its Waste Rock Storage Area
- Diavik has submitted an Amendment Application for its Type A Water Licence to deposit processed kimberlite (PK) in its open pits.
- Several site visits and other engagement for the Rayrock site as INAC prepares Remedial Action Plan.

Collaborative Activities

The Wek'èezhìi Land and Water Board continues to partner on:

- Annual Community Water Licence Compliance and Water Sampling Training.
- The Tlicho Aquatic Effects Monitoring Program.
- The Marian Watershed Stewardship Monitoring Program.
- The MVLWB Areas of Operation and its multitude of activities (Closure Cost Guidelines, Guidelines for Mixing Zones, AEMP Guidelines, Baseline Data Collection Guidelines, etc.).

Masi,



Joe Mackenzie
A/Chair, WLWB



Ryan Fequet
Executive Director, WLWB



Environmental Assessment Updates

Since the last Board Forum in November of 2017, the Review Board has been busy with its active files.

- Prairie Creek All- seasoned road: The Report of Environmental Assessment was submitted in September 2017 and is still awaiting Ministerial Decision. In January, the Minister had requested additional information from the developer related to specific measures after consultation with Indigenous groups.
- Tlicho All Season Road: The Report of Environmental Assessment was submitted in March, 2018. The GNWT responded with a consult-to -modify process for some of the EA measures in June. The Review Board has facilitated consultation with parties and has submitted its response to the consult-to-modify process and is awaiting a Ministerial decision. The Minister has extended the deadline for a response by two months making it October 29.
- the Mackenzie Highway (Whati to Norman Wells): the GNWT is preparing their Developer's Assessment Report
- Howard's Pass Access Road (HPAR): Selwyn Chihong is preparing its Developer's Assessment report

Initiatives/ workshops

- The Review Board partnered up with the Land and Water Boards and the GNWT to host a MVRMA workshop in Yellowknife in February. The theme was what happens to a development post environmental assessment, during the life of the project and as the project goes through closure and reclamation.
- The Review Board also initiated a stronger working relationship and collaborative workshops with the Canadian Environmental Assessment Agency.
- The Board reviewed its previous Strategic Plan for 2015-2017 and is making relevant changes for the current period until 2020.

The Review Board continues to work on:

- updating its Rule of Procedures (including collaboration with the Mackenzie Valley Land and Water Board);
- preliminary work on updating its Environmental Impact Assessment Guidelines;
- preliminary work and engagement regarding the concept of Environmental Assessment initiation guidelines;
- exploring options for an Engagement and Consultation Policy and Guidelines;
- Background work in preparation for development certificates.

Board members:

JoAnne Deneron (Chair), Yvonne (Doolittle) Nakimayak, Jim Edmondson

Joe Handley, David Krutko, Kirby Marshall, Sunny Monroe, Bertha Norwegian, James Wah-Shee



Environmental Impact Screening Committee

Box 2120
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Phone: 867-777-2828 Fax: 867-777-2610
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Web: www.screeningcommittee.ca

September 10th, 2018

EISC Activity Report to the NWT Board Forum: November 1, 2017 to September 1, 2018

Mandate

The EISC's mandate is to undertake a preliminary assessment of a proposed development and its environmental effects to determine whether a proposed development "...could have a significant negative environmental impact". The EISC is not required to determine whether a proposed development "will" have a significant negative impact, rather the decision is whether it "could" have a significant negative environmental impact. This test of significance has a relatively low threshold, which is appropriate at a preliminary environmental screening stage. If the EISC determines that the proposed development "could" have a significant negative environmental effect then the proposed development will be referred to an environmental impact review process for further assessment and review.

Staffing

The EISC has been fully staffed throughout the period of this report.

General

The EISC membership status:

Member	Position	Appointed by	Appointed	Expires/d
David Livingstone	Chair	Canada	August 14, 2018	August 13, 2021
Albert Ruben	GNWT Member	NWT Government	March 22, 2016	March 21, 2019
Bengt Pettersson	YTG Member	Yukon Government	August 5, 2016	August 4, 2019
Ray Ruben Sr.	Inuvialuit Member	Inuvialuit	October 1, 2016	September 30, 2019
Shannon O'Hara	Inuvialuit Member	Inuvialuit	October 1, 2016	September 30, 2019
Gerald Inglangasuk	Inuvialuit Member	Inuvialuit	October 1, 2015	September 20, 2018
Vacant	Canada Member	Canada		March 16, 2017

•• UPDATE: Currently the Canada seat at the table is vacant and has been since March 16, 2017.

Note: Inuvialuit Member Gerald Inglangasuk's appointment will be expiring on September 30, 2018

EISC Meetings

The EISC held seven of its regular meetings in Inuvik, NT and three teleconferences:

- 1) November 15-17, 2017 Inuvik
- 2) December 21, 2017 Teleconference
- 3) February 1, 2018 Inuvik

4) March 12-13, 2018	Inuvik
5) April 27, 2018	Inuvik
6) June 6-8, 2018	Inuvik
7) July 3, 2018	Teleconference
8) July 19, 2018	Inuvik
9) August 13, 2018	Teleconference
10) September 6, 2018	Inuvik

EISC Registry File Update

The Committee received sixty-one (61) submissions to the EISC registry since the last NWT Board Forum. Of the total submissions only thirteen required screening.

Broken down by development type, the EISC received forty-five (45) research projects, five (5) site remediation(s)/decommissioning projects, two (2) geophysical survey projects, two (2) monitoring program projects, six (6) tourism projects (two were cruise ship projects) , and one (1) infrastructure-based project.

The EISC has noted a spike in the number of projects being submitted to the EISC registry. During the 2017/2018 fiscal year, forty-seven (47) project submissions were made to the EISC registry. Since April 1, 2018, the EISC has received forty (40) project submissions to date. It is expected that the number of files submitted to the EISC registry will surpass last fiscal year.

Project Update

- 1) Marine Guidelines for the ISR: Following the ISR Shipping Coordination Workshop held in Inuvik, NT from June 25-27, 2018 and following discussions with the chairs of the Joint Secretariat boards there is general agreement that ISR Marine Guidelines, once developed and agreed to, would be released under the authority of one or both of the IRC and IGC, rather than the EISC. The Guidelines are currently in the drafting stage and are not ready for release. The IGC is taking the lead on this project. Given the concerns being raised by communities and other organizations about the effects of cruise ship traffic (and other marine traffic including small vessels such as sailboats) in the ISR, the ISR marine guidelines need to be developed and released as soon as possible.
- 2) The EISC is currently revising its Environmental Impact Screening process with respect to the Yukon North Slope. In the Inuvialuit Final Agreement, the Yukon North Slope falls under a “special management regime whose dominant purpose is the conservation of wildlife, habitat, and traditional native use”. In order for the EISC to fulfill its mandate, “other uses” within the Yukon North Slope will be considered to ensure that there will be no significant negative impacts on wildlife, habitat or native harvesting.



Sahtu Land Use Planning Board

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Highlights

- The SLUPB celebrated the 5 year anniversary of Sahtu Land Use Plan being approved on August 8, 2018
- Hired new Executive Director (Melanie Harding, RPP, MCIP)
- Comment period completed in July 2018 for scoping of 5-year review of the SLUP
- SLUPB adopted Nááts'ihch'oh National Park Reserve Plan Amendment in May 2018

5-Year Review: Sahtu Land Use Plan

The SLUPB is in the process of scoping the 5-year SLUP review. The SLUPB drafted a document entitled 'The First 5 Years: A Look Back to Move Forward,' which outlined the SLUPB's recommendations for moving forward with the 5-year review. In order to accomplish the review, the SLUPB would require resources above and beyond its current levels. The SLUPB is of the opinion that at a minimum, the scope of the amendments should include:

- Correction of mapping and zone descriptions
- Review of legislative and regulatory changes since 2013
- Legislative changes to the MVRMA
- Community review of updated 1:50,000 scale and implications for zoning

The SLUPB will also seek input from the 3 Approving Parties on potentially expanding the scope of the amendment process which would relate to clarifying and updating the vision and goals, conformity requirements, actions, recommendations and zoning changes as needed.

On the July 27, 2018, the period for public comments on the '5-Year Review: A Look Back to Move Forward' closed. 8 comments were submitted by various First Nations, governments, and industry. It is anticipated that a Tripartite meeting will be hosted with the approving parties in late fall 2018 to finalize the scope of the review.

Adoption of Nááts'ihch'oh National Park Reserve Plan Amendment

On May 24, 2018, the Sahtu Land Use Planning Board approved the SLUP Amendment Application from January 9th, 2017, as posted on the SLUPB's registry (AM2015-01), with no changes. This amendment pertains to necessary zoning changes following the creation of the Nááts'ihch'oh National Park Reserve.

The Board is now seeking approval from the SLUP's three approving parties. The amendment will come into effect when approved in accordance with subsections 43(1)-(4) of the Mackenzie Valley Resource Management Act.

Hiring of new Executive Director

The SLUPB is pleased to announce the hiring of Melanie Harding as the Board's new Executive Director. The Board would like to welcome Melanie to the Sahtu Region and to Fort Good Hope, NT.



GRRB update to the NWT Board Forum

Yellowknife, NT, September 18-19, 2018

(Reporting period: Nov 2017 – Aug 2018)

GRRB REGULATORY REVIEWS

The GRRB provides advice and recommendations relating to renewable resources on regulatory applications. Staff solicit staff technical advice and engage the RRCs for local advice relating to the GRRB's mandate. The GRRB reviewed the following during the period between November 2017 and August 2018.

- GLWB Land Use Permits and Water License Application (14 reviews)
- GTC Access to private lands applications (2 reviews)
 - Staff comments are restricted to the access corridor to the development, such as a quarry.
- Guidelines Reviews (4 reviews, 1 public meeting, 1 workshop)
 - MVLWB – Draft Guidelines for Aquatic Effects Monitoring Program
 - MVLWB – Draft Guidelines for Hydrocarbon contaminated soils treatment facilities
 - MVLWB - Amendment to Rules of Procedure
 - MVLWB - Draft Guidelines for Developing Baseline Water Quality Monitoring Programs
 - GNWT – public meeting on Waste Resource Management Strategy, discussion paper provided
 - MVEIRB – Environmental Assessment Workshop to develop EA initiation guidelines – June 20, 2018

Environmental Impact Assessment Best Practices Workshop

Staff from the GRRB attended this workshop held in Inuvik on April 19-20 2018. This workshop was hosted by the Gwich'in Council International. Participants included GRRB, RRC and GTC staff and representatives. Participants identified several barriers in the regulatory review process that may impact engagement and affect decision-making.

- Insufficient time for GRRB consultation with the RRCs. The legislated review period is 21 days from the time the application is sent to the GWLB. This period does not consider weekends, statutory holidays or customary vacation periods. For example, an application received during the Christmas break 2018 was not responded to by GRRB staff within the response period.
- More information is needed on what 'triggers' the regulatory review process. For example, in May 2018, the Department of Infrastructure conducted culvert replacement work on the Dempster Hwy south of the Peel River crossing. Without notification, material from the site was dumped in stockpiles at the Peel River ferry landing. The GRRB received comments and concerns from the TRRC and the Tetlit Council about potential impacts of the material on fish and habitat should it be released into the river in the event of flooding. Staff were unaware these activities would occur because the regulatory review process had not been triggered.
- Lack of capacity within the RRCs to understand often complex and lengthy technical documents from proponents. This hinders RRC ability to provide comments or advice in a timely manner.
- The need for plain language summaries from the proponents on the technical elements of the applications. This may be in the form of a chapter or topic summary on sections of the application, so that reviewers may easily determine the relevant sections on which to provide comment according to their respective mandates.
- The need for periodic training opportunities also accessible to the RRCs in order for reviewers to understand the regulatory review process, relevant legislation, and the role of the 'reviewer' vs, the 'regulator'.

WEK' ÈEZHÌ RENEWABLE RESOURCES BOARD (WRRB) Update

OPERATIONS

A) Board

- Steven Matthews is the Interim Chair following Grant Pryzyk's resignation in June 2018. A Board nomination for Chair is currently going through the necessary review and security process.
- In April 2018, Edward Erasmus and Christopher Football were appointed by the Tłıchq Government.
- The ECCC and DFO appointments continue to be outstanding.

B) Staff

- Current staff include Laura Meinert, Wildlife Management Biologist, Aimee Guile, Conservation Biologist, and Jody Pellissey, Executive Director.
- The WRRB and WLWB are currently seeking a Communications Officer to provide support and information on renewable resource management and land and water regulation issues to Tłıchq communities.

WILDLIFE AND HABITAT MANAGEMENT

A) Management Proposals

- Ongoing implementation of determinations and recommendations related to the 2016 Bathurst and Bluenose-East Caribou Herds Proceedings.
- Participation in the Tłıchq All-Season Road Environmental Assessment; response to Consult to Modify process provided July 20, 2018.
- Participation on the Wildlife Act Working Group; recent work includes phase two regulations and Wildlife Management and Monitoring Plans guidelines.
- Ongoing review of wildlife research permit, timber cutting permit and scientific licence applications as well as land use permit and water licence applications.

B) Management Plans

- Participation on the Bathurst Caribou Advisory Committee and Working Group to develop a long-term management plan.
- Participation on the Bathurst Caribou Range Plan Working Group, which recently completed a plan for the range of the Bathurst caribou herd.
- Membership on the Barren-ground Caribou Technical Working Group.
- Membership on the Advisory Committee for Cooperation of Wildlife Management; hosting the 3rd Annual Status Meeting (November 20-22, 2018) to determine status of the Cape Bathurst, Bluenose-West and Bluenose-East caribou herds.
- Membership on the Boreal Caribou Framework Working Group.

C) Tłıchq Aquatic Ecosystem Monitoring Program (TAEMP)

- Now in its eighth year, the TAEMP is a scientific monitoring program (fish, water and sediment) with opportunities for Tłıchq knowledge exchange. This

year's sampling program was conducted with the community of Whatì from September 10-14, 2018. Program management will be turned over to the Tłıchǫ Government for continued monitoring in 2019.

D) Tǫdzı (Boreal Caribou) and Wildfire Program

- Initiated in 2011 with the communities of Whatì and Behchokǫ, the Tǫdzı and Wildfire Program has collected ecological information, particularly tǫdzı's habitat and habitat requirements, from Tłıchǫ elders and harvesters, as well as information about fish and fish habitat, and how they relate to tǫdzı and wildfire. The principal investigator and community researchers are currently preparing and verifying a final report.

E) Species at Risk (NWT & Federal)

- WRRB approved and signed the consensus agreement to list barren-ground caribou and little brown myotis as threatened and special concern, respectively; WRRB approved and signed the consensus agreement not to list grizzly bear; all three agreements were submitted to the Minister on April 12, 2018.
- WRRB and TG will be conducting joint consultations on the proposed Wood Bison Recovery Strategy in Whatì and Behchokǫ in Fall 2018.
- WRRB reviewed and approved COSEWIC designations for Olive-side Flycatcher and Common Nighthawk as special concern in April 2018.
- WRRB will continue to review assessments, listings and recovery documents for species in both territorial and federal processes.

NWT Surface Rights Board Year in Review 2017/2018

The NWT SRB is pleased to report significant progress in all facets of its work. Its operations are established with key management controls in operation. Rules of Procedure and SRB By-laws are in place. A professional development framework supports member capacity to deliver on the SRB's mandate; and, all the SRB's work is consistent with its updated five-year strategic plan, supporting business and expenditure plan.

The SRB is a knowledgeable, professional, and responsive organization ready to fulfill its prescribed public service.

The purpose of the SRB is set out in section 8. (1) of the Act; being "to resolve matters in dispute relating to access to Gwich'in lands, Sahtu lands, and Tẖcẖo lands, and the waters overlying those lands, and Inuvialuit lands and non-designated land." The substantive functions of the SRB came into force on April 1, 2016.

While the Board is fit and ready to deliver on its mandate, there remains work to be done. This work is succinctly described in the Board's updated Strategic Plan and its 2018/19 workplan. Together they describe how the Board intends to achieve its vision to be "respected and trusted to resolve land and water access disputes in a fair and timely manner." SRB member vacancies exist and could limit the Board's ability to deliver on its mandate.

In 2017/18, The NWT Surface Rights Board met five (5) times, and did not receive any applications for orders, nor were any orders issued. This year saw the SRB bring on Mr. Doug Rankin as its new Board Coordinator, an amended contribution agreement with the Government of the NWT finalized; and, the establishment of two working committees: the budget and business planning committee and a guidance documents and policy committee.

The SRB's capacity and readiness was augmented through its mediation training, the development of operating policies and guidance documents, improvements to its public registry, and advancement of an integrated hearing process support system. The SRB was active in the Minerals Resources Act review, the Northwest Territories Lands Act Review, and the NWT Board Forum.

**September 2018 Update: Office of the Regulator of Oil and Gas Operations (OROGO)
NWT Board Forum, Yellowknife/Behchoko, NT**

Authorizations / Hearing Processes

- Anticipate a significant increase in applications for Operations Authorizations and Well Approvals flowing from the implementation of OROGO's *Well Suspension and Abandonment Guidelines and Interpretation Notes*.

Inspections

- Anticipate inspections associated with approvals for well suspensions and abandonments during the winter 2019 work season.

Policy Development

- Issued a high-level Compliance and Enforcement Policy in June 2018.
- Bringing the existing *Safety Plan Guidelines and Interpretation Notes* and *Environmental Protection Plan Guidelines and Interpretation Notes*, carried over after devolution, in line with OROGO's jurisdiction and look-and-feel. No substantive changes to the content are anticipated.
- Preparing to launch an engagement process on managing potential costs associated with oil and gas activities. A discussion paper is being prepared as a starting point for conversations with stakeholders. Formal invitations to participate will be issued.

Records Transfer

- All historic well files have been transferred from the NEB and are available electronically from OROGO's Information Office.
- Microfiche records of all seismic programs in OROGO's jurisdiction were received from the NEB. They have been catalogued and are being scanned for electronic access.

Well Watch

- Imperial Oil is developing a plan to address gas migration from the abandoned Jean Marie River B-48 well.
- OROGO continues to brief communities on the program.

Communications and Engagement

- Developed a "road map" to assist applicants for Operations Authorizations and Well Approvals, which is available on OROGO's website.
- Participated in the GNWT's Resources and Energy Development Information (REDI) tradeshow in Yellowknife (June 2018) and Fort Simpson (September 2018).

**National Energy Board update
NWT Board Forum
Yellowknife/Behchoko, NWT
September 18-19, 2018**

Line 21 (Norman Wells Pipeline) Segment Replacement Project

On January 25, 2018 The National Energy Board (NEB) approved an application from Enbridge Pipelines (NW) to replace a 2.5 km segment of its Line 21 Pipeline, also known as the Norman Wells Pipeline. The NEB attached a total of 26 mandatory project conditions to its approval of the project. Enbridge's Line 21 Horizontal Directional Drill (HDD) segment replacement project commenced mid-June and was complete August 10th. During construction, the Board conducted three inspections (safety, environmental protection, and pipeline integrity). The Board has approved Enbridge's application to reactivate Line 21 and is currently reviewing their application for Leave to Open (LTO). Enbridge has requested a decision on LTO (to resume pipeline operations) by September 14th. Board staff have also been meeting monthly with Imperial Oil in preparation for the safe start-up of the Norman Wells facility. The Board appreciates the ongoing positive relationship with staff and the Mackenzie Valley Land Water Board to complete this project.

Norman Wells Production Facility

NEB continues to provide regulatory oversight of the Norman Wells Production facility while it has been shut down. NEB conduct monthly meetings with Imperial Oil and are reviewing Imperial's safe start-up plans in anticipation of Imperial commencing start-up of Norman Wells operations. The frequency of these meetings will increase as the start-up time approaches. NEB Operations staff participated in the evaluation of an Emergency Response Exercise at the Norman Wells Production Facility in August. NEB is a technical resource and member of the Norman Wells Closure and Reclamation Plan Working Group, led by the Sahtu Land and Water Board.

NEB Modernization

On February 8, 2018 the Government of Canada tabled Bill-69: *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*. Bill C-69 proposes the biggest legislative change to the NEB since it was established in 1959 – it builds on much of the work the NEB has been implementing proactively through its own internal transformation over the past few years, to deal with the changing context we face. There are no immediate changes. The bill must go through the legislative process, which could take several to many months. In the meantime, we are still the NEB and we will continue to implement the *National Energy Board Act*. If and when the bill receives Royal Assent, we will implement the new legislation according to Coming into Force timelines (which are to be determined and set through an order-in-council). **[note: more details of proposed changes were included in a summary provided separately to Board Forum members].**

Arctic Offshore Regulators Forum/Arctic Council/Arctic Security Working Group

NEB continues to participate in the Arctic Offshore Regulators Forum (AORF). The NEB also participated in the work of two Arctic Council Working Groups: Emergency Prevention, Preparedness, and Response (EPPR), and Protection of the Arctic marine Environment (PAME). NEB staff also attended the biannual meetings of the Arctic Security Working Group.

[Type here]

NEB-OROGO MOU and Service Agreement

The NEB continues to work cooperatively (monthly meetings) with the NWT Office of the Regulator of Oil and Gas Operations on matters such as regulatory oversight, guidelines development, records transfer, and expansion of the successful Well Watch program into the NEB regulated Inuvialuit Settlement Region and the Norman Wells Proven Area.

FORRI Framework Regulations

The Frontier Offshore Regulatory Renewal Initiative (FORRI) is a partnership of federal and provincial government departments led by Natural Resources Canada. It includes participation of the Boards responsible for the regulation of frontier and offshore oil and gas activities. The objective of FORRI is to modernize the regulatory framework governing oil and gas activities in Canada's frontier and offshore oil and gas areas. Recent FORRI efforts have focused on the modernization and amalgamation of five existing regulations under the *Canada Oil and Gas Operations Act (COGOA)* and *Atlantic Accord Acts* into a single Framework Regulation. These regulations are: *Drilling and Production Regulations*, *Geophysical Operations Regulations*, *Certificate of Fitness Regulations*, *Operations Regulations*, and *Installation Regulations*. NEB staff have provided policy and technical support for the development of the draft policy intentions. The Framework Regulations are anticipated to be pre-published in *Canada Gazette Part I* for a thirty day comment period around Spring/Summer 2019.

CIRNAC Update for Board Forum – 2018

Tina Bohnet, Manager, Indigenous and Territorial Relations, CIRNAC NT Region

Appointments

- In February 2016, the Prime Minister announced that the Government of Canada would move to an open and transparent process for making Governor in Council and Ministerial appointments to public boards, including the Boards in the Northwest Territories. This process only applies to appointments made directly by Canada and nominations, such as the federal nomination made to the Inuvialuit Water Board. We continue to use this process to address vacancies going forward.
- Canada issued a second advertised call for expressions of interest for Board Appointments on February 5, 2017. We will be issuing another advertised call for expressions of interest for Board appointments in the coming year. We will be advertising in print, radio and social media, we hope we can count on Board Forum members to share the advertisement with their contacts in order to secure the most qualified and diverse candidates.
- This coming year, CIRNAC intends to engage with Treaty partners and Boards on the prospect of appointing alternates to Boards created pursuant to the MVRMA.

Board Training

- CIRNAC has provided funding to MVEIRB this year to lead the work on Board Training. MVEIRB will be providing an update on the training initiatives for this year.

MVRMA Amendments

- A draft bill is ready for introduction in Parliament. The draft bill proposes to reverse board restructuring and to reintroduce the other regulatory provisions, which did not come into force due to the injunction.
- Introduction will occur once approved by the Leader of the Government in the House of Commons.

Funding and Review of Honoraria Rates

- This year, the review of Honoraria Rates for Board Members and Chairs has gotten underway. Andrew Webster will speak briefly to this process.

Inspections

- INAC maintains a role in inspections with two inspectors in place who have carried out 83 inspections on various federal areas of responsibility in NWT since December 1, 2017.

Appendix D – Terms of Reference (2018)

Terms of Reference

NWT Board Forum

Approved September 18, 2018

1) Purpose

To establish a forum of NWT resource co-management/public boards to facilitate discussion on matters of common interest and to continue improving the quality of decisions made.

2) Objectives

- To provide a forum for the NWT resource co-management/public boards to hear from and discuss with industry, government and other interest groups on issues of common interest not specific to a development under active consideration by a co-management/public board;
- To increase mutual awareness by NWT resource co-management/public boards regarding their respective activities;
- To identify and develop collaborative approaches to resolve issues of common concern;
- To collaborate on strategic and operational planning initiatives where beneficial;
- To identify opportunities to share resources and expertise (e.g., cost sharing certain initiatives, sharing human resources and/or information technology, sharing “lessons learned” and “best practices”); and
- To pursue collaborative training and development initiatives.

3) Membership

Membership of the Board Forum comprises:

- the Chairs, or designated alternates, of all resource co-management/public boards created under the Mackenzie Valley Resource Management Act (MVRMA), the Waters Act, the Surface Rights Act, the Inuvialuit Final Agreement (IFA), the Gwich'in Comprehensive Land Claim Agreement, the Sahtu Dene-Métis Comprehensive Land Claim Agreement, the Tłıchǫ Land Claims and Self Government Agreement,
- The Chairperson of the National Energy Board (NEB),
- The Executive Director of the Office of the Regulator of Oil and Gas Operations (OROGO)
- The Regional Director General of Crown-Indigenous Relations and Northern Affairs (CIRNA), NT Region or designated alternate,
- and a senior designate (Deputy Minister or Assistant Deputy Minister) of the Government of the Northwest Territories.
- Alternates as provided by any of the above parties.

As land claims are settled, new co-management boards/institutions of public government are deemed to be added.

4) Organizational Responsibilities

Business Planning Agenda

The business agenda for the meeting(s) of the Board Forum will be approved by the co-management/public board Chairs.

Meeting Hosts

The opportunity to co-host a meeting of the Board Forum will rotate from board to board.

The NWT Board Forum members agree, in discussion at a formal meeting, on who will be the next co-hosts and what the theme of the next meeting will be. The location and timing are also chosen, based on the preference of the co-hosts and input from all members.

Administration and Co-ordination Support

The Board Relations Secretariat of the NT Regional Office, CIRNA provides administrative and coordination support for the operations of the Board Forum.

Funding

Travel and accommodation costs will be covered by participants. The Board Relations Secretariat will provide a share of common logistical costs.

5) Conduct of Meetings

The Chairs, or designated alternates, of the co-host boards shall co-Chair the meetings of the NWT Board Forum.

The Executive Directors of the boards hosting the next meeting of the Board Forum shall co-Chair any special meetings that may be required by the Board Forum.

Actions and decisions are generally consensual. If necessary, Robert's Rules of Order shall apply to the conduct of the Board Forum or related committee or working group meetings

6) Meetings, Schedules and Locations

1. Meetings of the Board Forum will be held in the fall and/or spring of each year. At each meeting of the Board Forum, co-hosts will be selected for the next meeting. The host boards will select the community in which the next Board Forum will be located.
2. Standing Committees and Working Groups may be established by members and they will determine their structure and meeting requirements.
3. Other special meetings may be scheduled by Board Forum members.

7) Steering Committee

Operational support for the NWT Board Forum will be provided by a steering committee comprised of the following individuals:

1. The NWT Board Forum Co-Hosts;
2. Representatives from other Boards operating within the co-host's jurisdiction;
3. The Steering Committee must be reflective of the region where the meeting is to take place and must include a member of a Renewable Resources Board and/or Land Use Planning Board;
4. The Board Relations Secretariat;

The Steering Committee, with the coordination support from the Board Relations Secretariat, is responsible to:

- Draft an agenda and send it to NWT Board Forum members for comment and, ultimately, validation. This process may require multiple iterations.
- Finalize the agenda in collaboration with the facilitators of the upcoming meeting. Maintain the records of the Board Forum.
- Facilitate day-to-day communication and operations within the Board Forum; and
- Facilitate communication between the Board Forum and other interested individuals and organizations.

The Agenda setting process will follow the following steps:

1. The Steering Committee drafts an agenda and sends it to NWT Board Forum members for comment and, ultimately, validation. This process may require multiple iterations.
2. The Steering Committee finalizes the agenda in collaboration with the facilitators of the upcoming meeting.

Best practices for setting the agenda:

- Begin the planning process six months in advance of the meeting, to ensure there is sufficient time for feedback from Forum members.
- Ensure that all members have a reasonable amount of time to respond to the agenda and to communicate any additions, modifications, and concerns to the Steering Committee.
- Provide multiple opportunities for feedback.

8) Review of Terms of Reference

The Board Forum will review its Terms of Reference annually at its meeting and make modifications as deemed necessary by members.

Appendix E – Code of Conduct (2018)

NWT BOARD FORUM CODE OF CONDUCT

Introduction

The NWT Board Forum is a forum of NWT resource co-management/public boards that facilitates discussion on matters of common interest and works towards a continually improving process that produces effective environmental and regulatory outcomes.

This Code of Conduct establishes expectations for the behaviour of NWT Board Forum participants. These expectations are in line with the NWT Board Forum's values.

NWT Board Forum members are required to make all reasonable efforts to comply with the Code of Conduct and are expected to complete and sign an *NWT Board Forum Code of Conduct Certificate* (attached).

Values

The NWT Board Forum has the following values:

- Show respect for and understanding of others;
- Achieve balance / fairness / impartiality;
- Embrace change, diversity and interdependence;
- Be inclusive, transparent and open in engaging others;
- Show sensitivity to traditional and cultural elements;
- Demonstrate quality and timeliness of action; and
- Respect the quality of the environment.

Expectations

NWT Board Forum members are expected to:

- Behave in a professional, respectful and courteous manner to other members and guests from outside the NWT Board Forum;
- Act in a manner that helps achieve the purpose, values and vision of the NWT Board Forum;
- To the extent possible demonstrate a high level of individual initiative, independence of thought, commitment and desire to work together;
- Exhibit goodwill and objectivity; and
- Adopt a constructive approach by practicing self-restraint, willingness to compromise and openness to new ideas.

NWT BOARD FORUM
CODE OF CONDUCT CERTIFICATE

I hereby certify that I have read, understood and will make all reasonable efforts to comply with the NWT Board Forum Code of Conduct.

Print Name

Signature

Date

Signature of Witness

Date

Appendix F – NWT Board Forum Planning Document

Suggested Timelines and Best Practices for Organizing the NWT Board Forum

Host, theme and tentative date is identified at the preceeding NWT Board Forum

Consideration of Dates:

- When confirming dates for an upcoming NWT Board Forum co-hosts are encouraged to consider the peak times of all Board's cycles, and to provide options for all Boards to provide availabilities

6 Months prior to Selected Date of NWT Board Forum

- Select and secure a facilitator for the Forum
- Work with Board Relations Officials (CIRNAC) to confirm budget for the Forum

4 Months prior to Selected Date of NWT Board Forum

- Work with steering committee and all interested members to create tentative agenda, appropriate to the theme, for the Forum and identify any external presenters desired.
- Reserve meeting spaces adequate for the needs of the Forum.
- Ensure adequate accommodations for the Forum and send out booking information.

2-3 Months prior to Selected Date of NWT Board Forum

- Secure caterer for the Forum.
- Work with selected facilitator to create a more detailed agenda and disseminate draft agenda to all members for feedback.
- Invite proposed external presenters and communicate desired presentation topics.
- Obtain feedback on proposed agenda from Board Forum Members.

1 Month prior to Selected Date of Board Forum

- Request RSVPs from Board Forum Members
- Confirm dietary restrictions of attendees
- Send out semi-finalized agenda
- Confirm all materials needed (stationery, technology, etc.) and source them.

2 Week's prior to Selected Date of Board Forum

- Confirm receipt of all materials for the creation of the NWT Board Forum Package.

Week Before NWT Board Forum

- Receive NWT Board Forum Package from facilitator and ensure disseminated to attendees.
- Confirm

Weeks Following Board Forum

- Receive report from facilitator and submit to Board Relations Secretariat for dissemination.
- Submit receipts and reports to Board Relations Secretariat for funding agreement creation and reimbursement.

A Brief Overview of the NWT Board Forum

The NWT Board Forum was created in 2004 out of a need for a space for organizations involved in land use planning, environmental assessment, land and water regulation and resource management to come together, learn from one another and coordinate their activities in order to make better decisions. The Forum draws its membership from the Chairperson or equivalent of each such organization within the Northwest Territories in addition to a senior official from both The Government of the Northwest Territories' Department of Environment and Natural Resources and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

Strategically the Forum has the following three goals.

1. A coordinated, sustainable, continually improving and publicly supported natural resources management system exists in the Northwest Territories.
2. Members of the Board Forum are knowledgeable and effective contributors to the resource management regime.
3. Communities, constituents are informed and engaged in the pursuit of our goals.

The annual NWT Board Forum meeting should always work to continue to propel the Forum forward towards these strategic goals while also providing a space to address the challenges of the day. In the past this has included sessions on topics such as:

- case studies on past processes,
- decision making processes,
- decision making barriers,
- research results,
- cumulative impact monitoring

Appendix G – Flip Charts

Exercise #1: Cumulative Effects

Land Use Planning Boards (LUPBs)

Q: **LUPBs** N#1

Are VECs the same across the region? How is this determined?

LUP - is a regional process, but we don't have good regional coverage.

Priority: WATER, SE baseline data

- tie Harvest Studies to occupation & land use studies
- ecologically rep. areas

There but not in the right context (project-specific)
 - want to understand what this could look like in NWT regions

2. N#1 LUPB #2

- ✓ Visual methods - maps, tables, graphs
- X Spreadsheets, just #s, long reports
 (We don't usually work with raw data)

3. Would make use of: Caribou management plans → INDIRECTLY
 CIMP → feeds into other orgs we work with more directly
 We play an integrator role

4. Focus on land use planning
 More communication (eg. community priorities)
 Collaboration - if capacity allowed

EISC/ MVEIRB

1) We aren't sure

- this is why we asked you to come
- Yes, but no, there needs to be better capabilities to 'zone in' within regional areas.
- Cumulative impacts on communities
 ↳ when does research detract from quality of life (traditionally)
 ↳ is there adequate capacity
- Socio/economic impacts
- cruise ship impacts

- Doxline predicted that holds on disturbance, stress, vulnerability

2) online is great
 ↳ community tours too?

- Workshops are great but room for more? piggyback assemblies or other meetings? see
- Plain language is great but is it translated?
- more apps / innovative tech to use at home, multimedia
- is there full accessibility in all communities

communities/gener

CIMP EIRB/EISC/MVEIRB

3) The examples given were positive

↳ we'd like more of CIMP feeding in since they know their data best

↳ Could post CIMP information as part of public record for parties to use

↳ CIMP and NCP work in similar process → could better work together

↳ CIMP provide baseline for developer to use

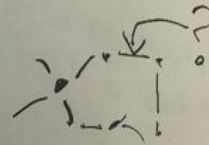
↳ one stop link shop or cross link between orgs/programs

in a way a line that allows parties to work together

CIMP EIRB/EISC/MVEIRB

4) the conceptual relationships between different aspects and their impact on the web i.e. insects → ? → ? → Caribou

ID gaps in impact models
 & target research to improve understanding of relationships



Renewable Resource Boards (RRBs)

Cumulative Effects RRBs

① Collecting the right info?

Caribou, fish, water ✓

- not certain specifics found in Blueprints
- using any of the data being collected?
- temporal/spatial scales

② Accessible format?

- Discovery Portal
 - difficult to share data
 - difficult to search + find info
- ILC - used?
- to whom?
 - technical staff
 - communities/general info

#3 Integrating Info into Decisions

- board members + staff require more familiarity w/ CIMP programs + info existing
- analysis of information on Portal or ILC is lacking
 - Boards may not have time or expertise to analyze on own

#4 CIMP Adaptations

- better outreach to Boards + Communities
 - programs + information available
 - Blueprints?
 - additional gaps?

Land and Water Boards (LWBs)

①

- Difficult to say (LWB perspective)
- More easily answered by reviewers.

②

- Layout on database →
Should maybe be Region-Specific
instead of Project-Specific.
- Can only be judged by submissions rec'd by Boards
- Concerned Orgs need to have Capacity to interpret data.

2 Cont'd...

- Activity
- Thresholds important; role of LUP's.
- Need to interpret all data collected by CMP; ensure its Understandable / relevant to decision makers / Indig. Orgs
- CMP Training

③

- Integrating diff't Sources of data → making it accessible.

④

- Integrating various data Sources / central repository
- Ensure access / simplify access.

Exercise #2: Sharing Experiences Related to Gaps

Gathering Public Input

W: #2 6: #2-1

PUBLIC plan the process together.

→ Scoping informal, open, community meetings. *start the process*

written comments

→ request comments

- Ask specific questions eg traditional use impacts
- more guidance to reviewers

→ TK/cultural sessions mid-process

challenges 2-2-2

Hearings - time pressure

- public parties
- formality - difficult for elders
- can extend time

Engagement - outside of specific project

- regular outreach & coming
- types of feedback board is looking for
- understanding the system ~~eg~~ roles.

2-2-3

How to get people out to meetings

- dates/conflicts
- active recruitment
- advertising - in the way that works for community
- food
- relevance of issues
- giveaways
- know audience.
- early engagement *repeat*
 - Awareness
 - relationships
 - readiness

lots of notification

- multiple days?
- competi
- be flexible on agenda

2-2-4

hearing format

- can be intimidating
- be inviting welcoming
- try to make ppl comfortable.

advice from regional/communities orgs
pastors
... food, housing, etc

Deciding Information is Adequate

How do we... W#2 G#3

Decide if information is adequate?

- Firstly, need access to accurate info
- reputable source - objective
- Spatial extent / coverage
- LWBs → completeness check
 - up to reviewers to comment on
 - apply plan
 - checks & balances - relying on reviewers as well as staff input
- clear consensus on the issue(s) between decision-makers
- Ground truthed?
 - local conditions, past experience
 - representative working w/ dev's
 - relevant
- reliance on referral groups / experts review
- env & SE conditions → changes need to be factored in

W#2 G#3 (p2)

Lessons Learned

TK - ENR

- decision instruments - trying to incorporate more explicitly

LWBs

- checks & balances - multiple decisions
- constant review

Collect and Integrate Information Provided by Applicants

Flipcharts were not used for this portion of the exercise

Exercise #3 – Barriers and Solutions

Barrier #1: Internal and External Capacity

#1 Barrier Def'n ①

HR

- process - bringing ppl on board - screening potential members
- lack of control → Canada members. Indigenous
- ↳ \$ of legal counsel
- F ↑ - access to right kind of expertise - new lawyers have a narrow perspective
- logistics - public engagement
- ↳ cohosting info sessions (GLWB, IWB)
- admin. \$ - printing, all the support - reporting, compiling, synth.
- ✓ sharing office space (also a solution) enables sharing ideas
- length/timing of funding (1yr - renewed)

#1 Barrier Def'n ②

- capacity of communities, Indigenous groups, etc
- ↳ participatory funding
- HR - TK expertise
- F → HR - succession planning for Board members
- HR - Other orgs we rely on
- ↳ turnover, have to reeducate
- small pools of staff
- eg positions too defined, not enough work (same)

#1 Solutions ①

HR

- Get after your MP, "push at a political level"
- ask appointment levels to be pushed down (Ind. orgs)
- standardize the Board member selection process
- pool of lawyers - flat rate
- ↳ NWT Law Society (good listing - filterable)
- F
- rotating NWT BF locations
- teleconferencing / Skype
- ✓ look for students/youth at local schools who are looking for (admin, logistics) experience (terms at busiest times)

process changed - now general application

F #1 Solutions ②

- extend funding blocks (for some)
- HR: Sharing staff ✓
- EF
- mostly MINIMA elsewhere? already doing
- Some org.s { ↑ knowledge, too (SLUPBeSLWB)
- ↳ Secondment this - addresses resource gap & training
- HR+EF: There will be a program for party / participant funding ✓
- both settled & unsettled LCAs
- HR+EF: Invest more in the use of local TK - appropriately! & translation of TK
- F: Sharing funding for common goals
- ↳ regional integration (where possible / appropriate)

Barrier #1: Internal and External Capacity

#1 Solutions (3)

HR: Board guidelines - admin, logistics, also principles

Good documentation of processes

HR: ✓ Communications Strategy to reeducate orgs - depend on (IWB - municipal govt, GNWT staff, NWT Assn of comm's)

↑ Capacity of "clients" to give information (work in progress - MVLWB)

Barrier #2: Unclear or varied expectations across parties involved in your decision-making process

Barrier 2 - Definition already clear (1)

Barrier 2 - Solutions (2)

Expectations in

- Be organization focused in our approaches
 - ↳ provide targeted info packages based on expertise
 - ↳ ask organizations for specific information
- Be clear in explaining public role in varied processes
 - ↳ need increased awareness → environmental Audit open houses
- Be willing to explain what info is required i.e. technical expertise
- Improve outreach to communities and industry on how the public feeds in
 - ↳ Staff:
 - ↳ MVRMA workshop
 - ↳ one pagers
 - ↳ Board vs inspectors
 - ↳ more time/easier process to review

1, 2 ↓

Barriers - Expectations 1b
1b1 L7 may need laptop, printer, time (3)

L Differing Processes

LWB → proponents talk w communities first, helps to better communicate

RRB → less clear with process and how people in communities feed into them

L engage legal support when reviewing new processes ... need more than (1)

Barriers - Expectations 2 Proponents hiring consultants (4)

that don't understand Regulatory process

L guidance documents; not always being followed → accept drafts to help identify gaps ahead of time (only a completion check) → dedicated staff to help proponents

L easy to fill out forms

Award partial costs in advance

L varied levels of existing resources i.e. may need \$ to hire lawyer

L not everyone has the same capacity

• Request complete PDR with applications

• Difference between Alberta and NWT requirements ... engage w industry

• Currently a lot of new people in the game

L Petroleum show vs Arctic Energy & Emerging Tech

Barriers - Expectations 3 Time lines, (5)

L not always enough time to do outreach

L build in reflection time into process

L manage expectations of process timelines, education

L government → need to ensure all are following the process

L community

L how do processes overlap on the land?

L how do government processes interact with land claims

L IFA 101 *

L Santo creation of videos for beneficiaries → can also be used for others education

L youth focus → teacher resource package (GLUP)

L early communication with all parties for expectations

L visual timelines

Barriers - Expectations #4 Board Forum Training

L Regulatory Regime open to public and co-mgmt system

L framework

L unique to NWT

L Need to focus on Northerners taking it

Barrier #3: Lack of access to the expertise necessary to make informed decisions

Issue

* Assumption that access to expertise is adequate.

- members do not have access to technical expertise
- hard to interface w/ Govt experts on tech expertise/data when required.
- expertise in Northern context retained by industry
- system designed to be reactive, not proactive.
- MOUs b/w orgs are possible but different admin. regimes hinder collaboration.

Gaps

- general engineering - issues w/ government as proponent
- oil + gas expertise - User-friendly data
- lack of baseline data - co-mgmt. system is integrated on paper but not in practice.
- regs to catch up w/ industry
- different interpretations of land claims requiring legal opinions.
- agreed upon regional research priorities
- scoping
- traditional knowledge

Possible Solutions

- ✓ regional centres of expertise (wildlife/land use planning includes TK) (Northern)
- ↳ establishing baseline research for decision-making
- ↳ contacts made available to board members
- strengthening research (academic) resources
- ✓ general third-party expertise
- ✓ developing service agreements with other organizations + b/w boards
- build shared database to collect and provide user access to useful technical data
- effectively manage time of subject matter experts to prevent burnout.
- increase awareness of integrated co-management system.
- building subject matter expertise capacity within communities.
- participant funding to support TK/general funding for capacity
- respect + maintaining good relationships w/ communities + gov't

Barrier #4: Inaccessible and/or poor quality information required to fulfill your organization's mandate

#4

* Too much information

- difficult to filter

* TK baseline data not collected or inaccessible

Too much - inaccessible

- too technical, too long (3A - 4044)
- difficult to filter through to find areas to comment on
- search function on kia
- skilled people → limited
- board forum website?
- virtual library
- shared registry info (searchable)
- available on other website

baseline guidance documents

- consistent standard in Gov't

#4

- document TK

- workshops w/ elders - technical experts
- by Boards? - young people most often unable to interpret correctly
- prior to mgmt proposed submissions, engagement w/ communities + boards
- collected by communities + Indigenous governments
- ensure proper translation + analysis
- confidentiality, shareable
- institutes specific to collecting, storing, analyzing, sharing TK
- e.g. GSCI + now used
- ↳ more \$ more personnel dedicated

Barrier#4: Inaccessible and/or poor quality information required to fulfill your organization's mandate

→ shared registry info (searchable)
→ available on other websites

③

baseline guidance documents

- consistent, standardized information available

- request "the nugget"

- identify ~~relevant~~ relevant pieces of info + in format requested (guidance provided by Board)
- why is this important?
- capacity ~~high~~ prompt + Board

- data related to GIS

- maps ~~to~~ more readily understood.

linked to registry

- registries indexed so can be searched

- shareable land use ~~plan~~ ^{permit} information

- should not be confidential

④

- efforts to update + corroborate info to stay up to date

- baseline data needs to be ~~up~~ up to date

- develop information internally if not available

- collected + monitored by Boards
- \$ + personnel challenges