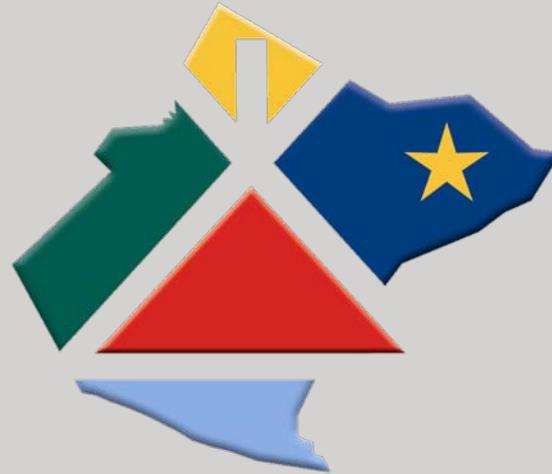


Land and Resource Management in the Mackenzie Valley



Canadian Institute
Conference
November 12, 2009



Talk Structure

- Zabey Nevitt
 - Land Ownership, Land Use Planning and Regulatory System
 - NWT Board Forum
- Kathy Racher
 - Land and Water Board Processes
 - Land and Water Board Standard Procedures Initiative
- Mark Cliffe-Phillips
 - Wekèezhìi Forum
 - Marian Lake Monitoring and Management Program



Gwich'in
Comprehensive



Land Claim
Agreement

Canada

Canada and Northern Affairs / Canada et Affaires du Nord

SAHTU DENE AND
METIS



COMPREHENSIVE
LAND CLAIM
AGREEMENT

Canada

TŁIČHŦ AGREEMENT



PLAINSPEAK

Yukon

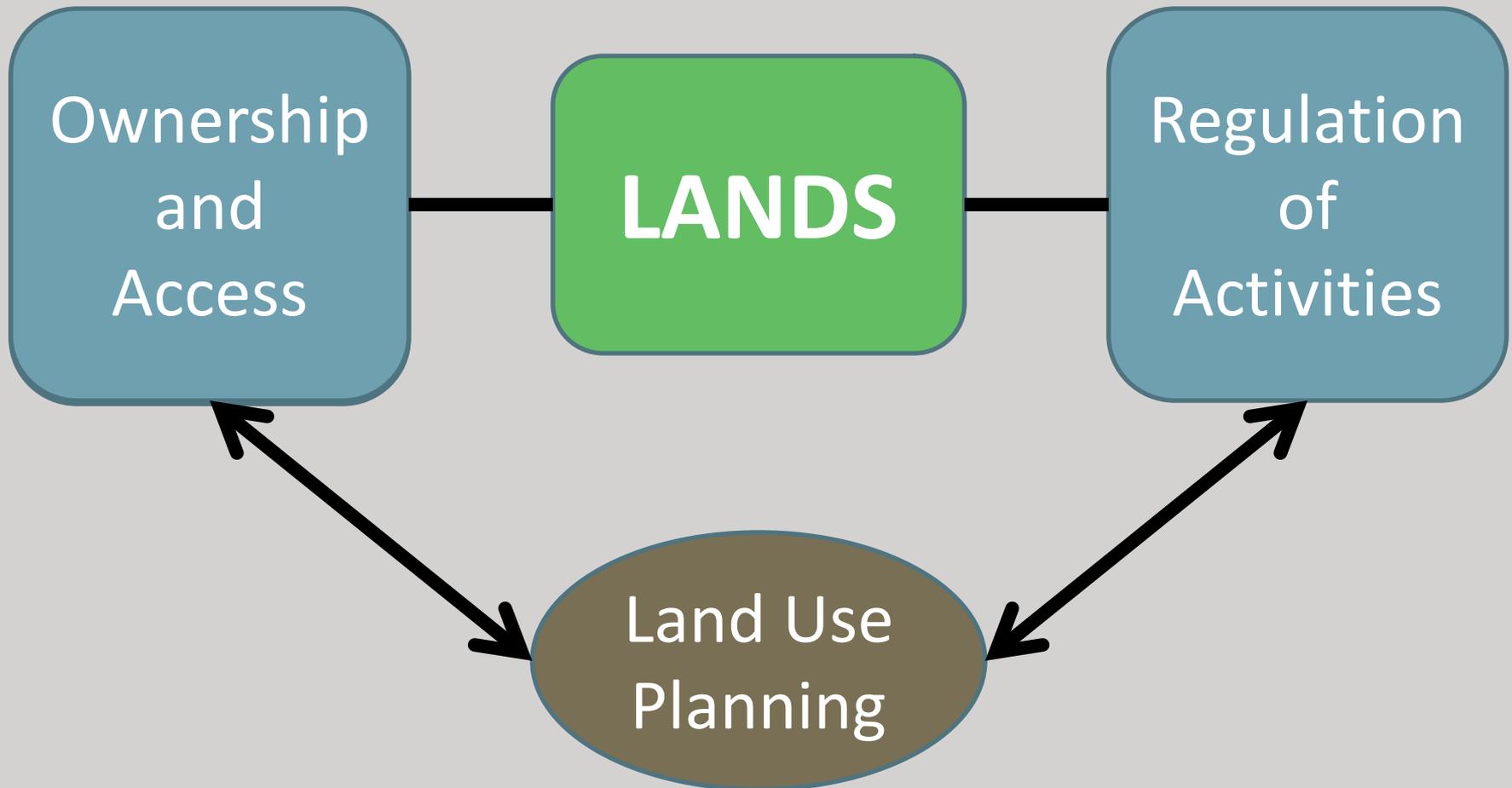
Nunavut

B.C.

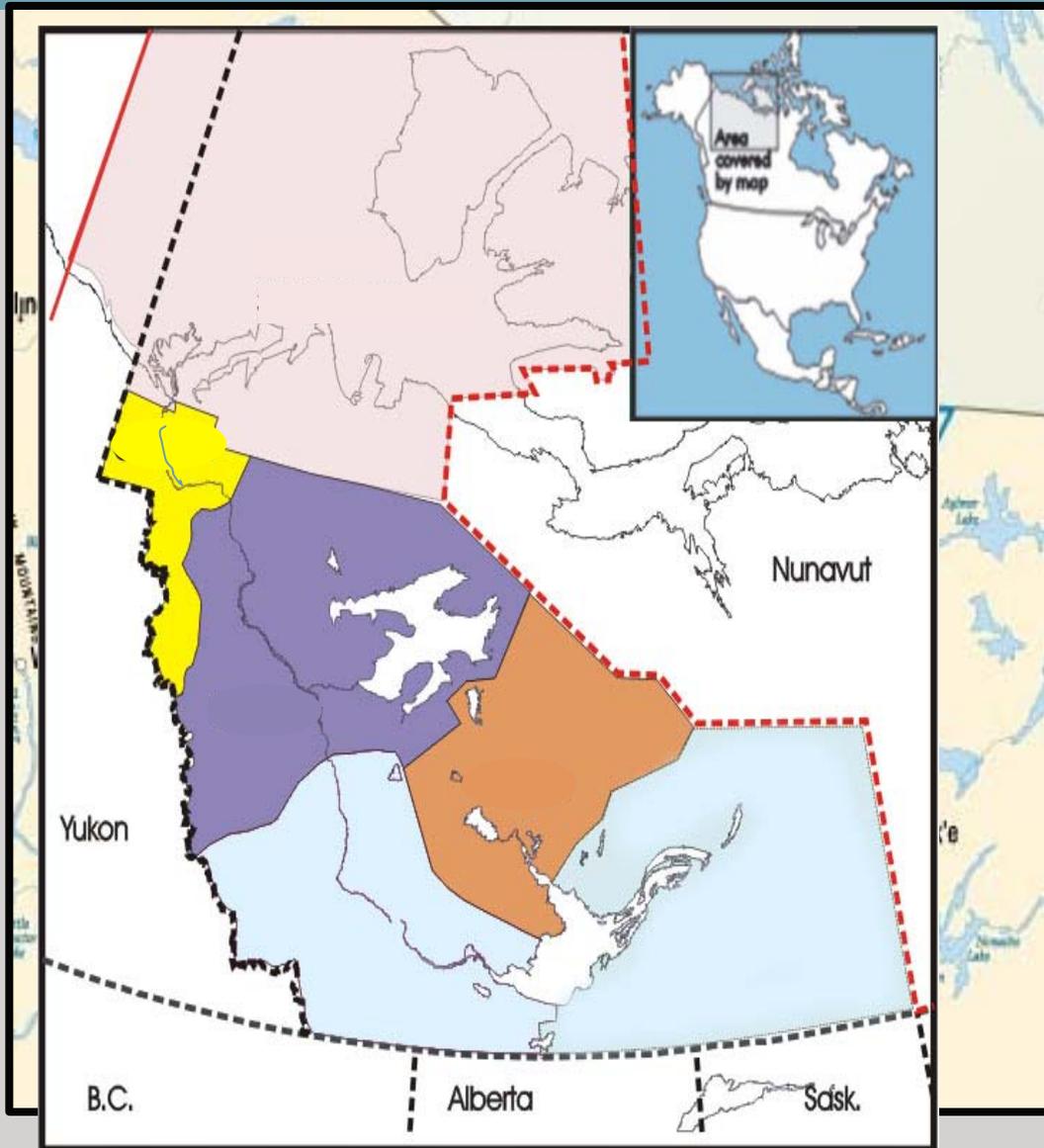
Alberta

Sask.

Managing Lands

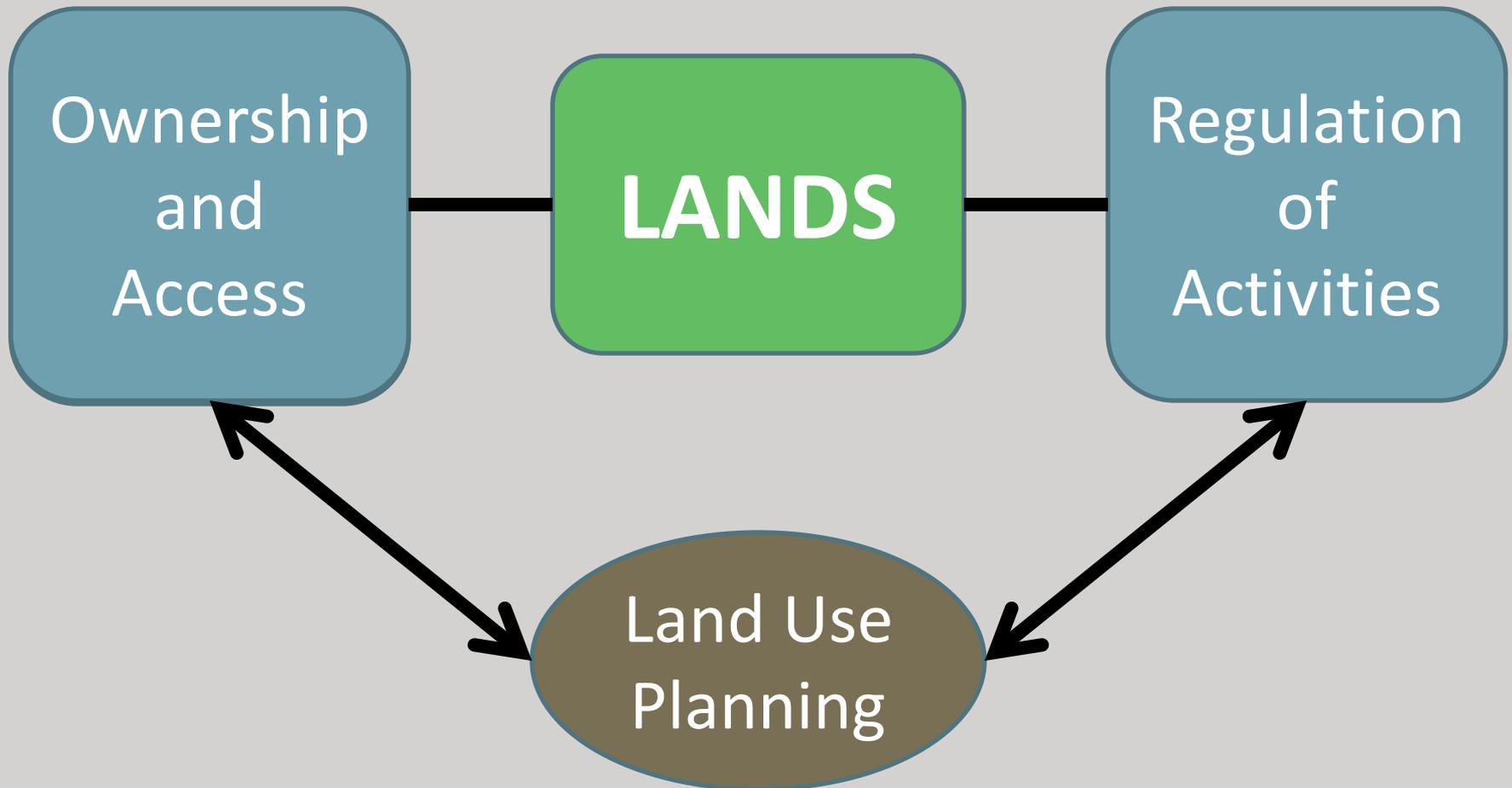


Land Ownership

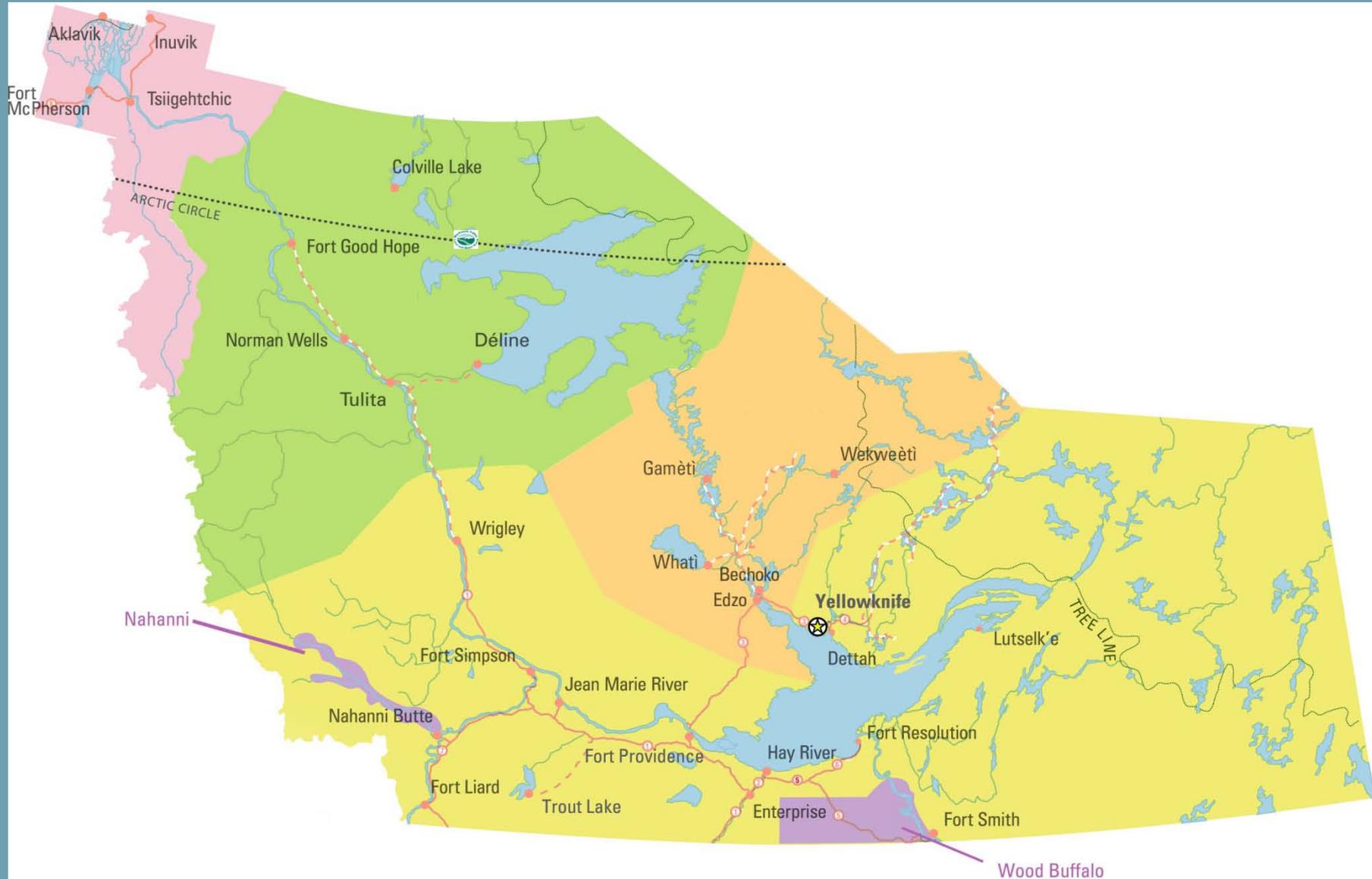


- Territorial (Commissioner's)
- Federal
- Aboriginal

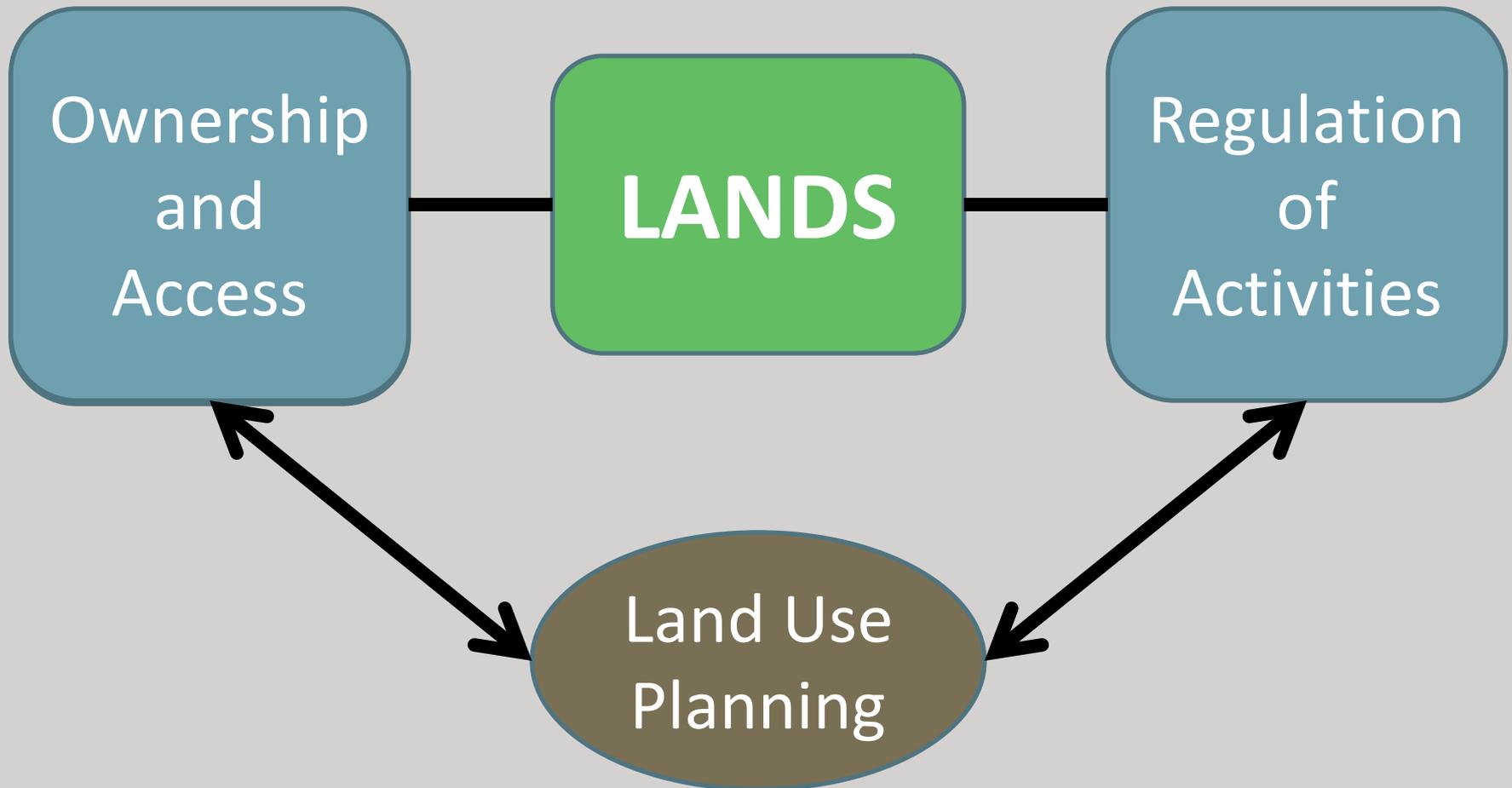
Managing Lands



Land Use Planning



Managing Lands





Land and Water Management

- Integrated System

“The following principles apply to this chapter:

An integrated system of land and water management should apply to the Mackenzie Valley;

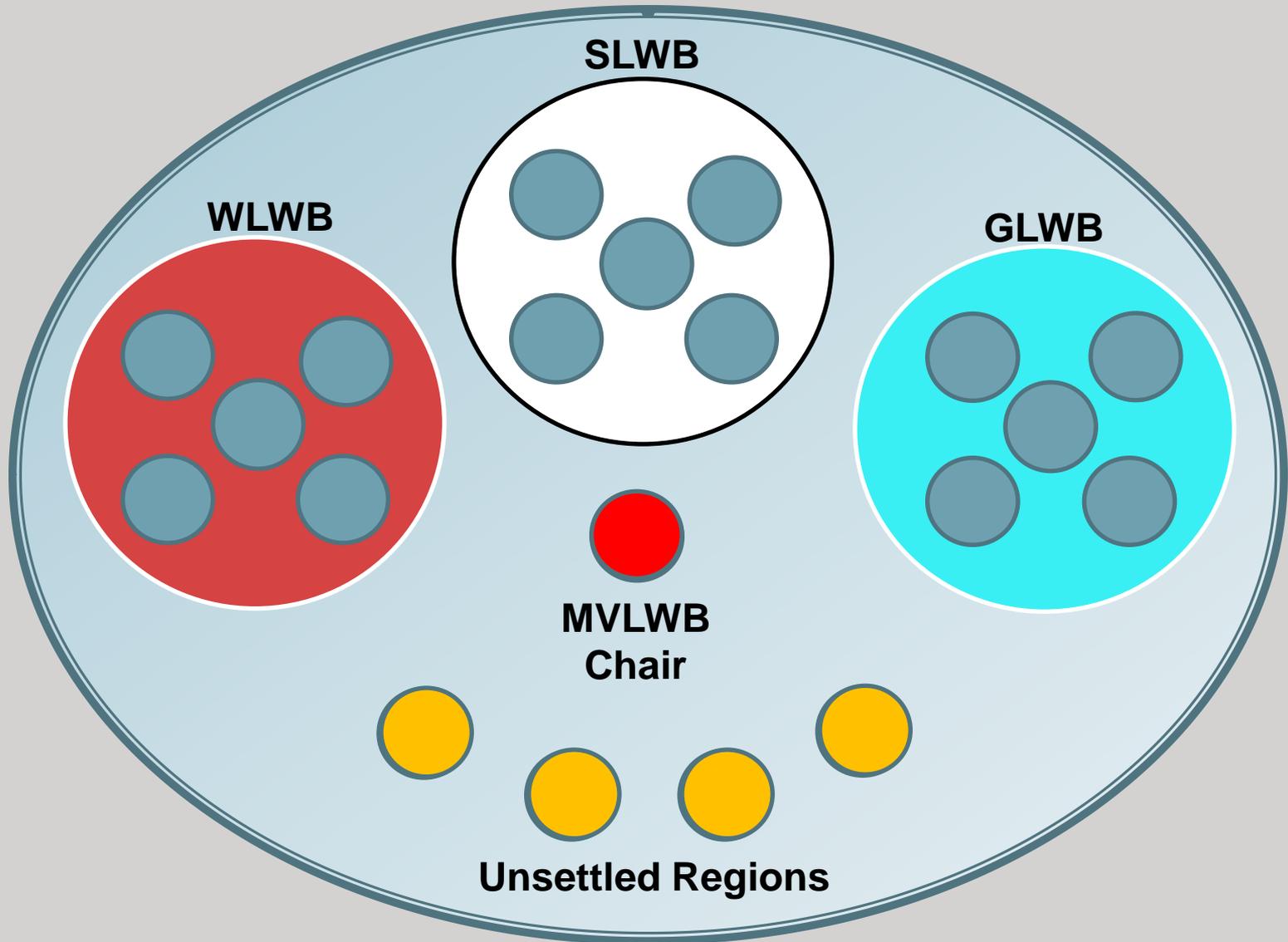
The regulation of land and water in the settlement area and in adjacent areas should be coordinated.

- Based on principles of co-management

Jurisdiction of the 4 Land and Water Boards of the Mackenzie Valley



Mackenzie Valley Land and Water Board

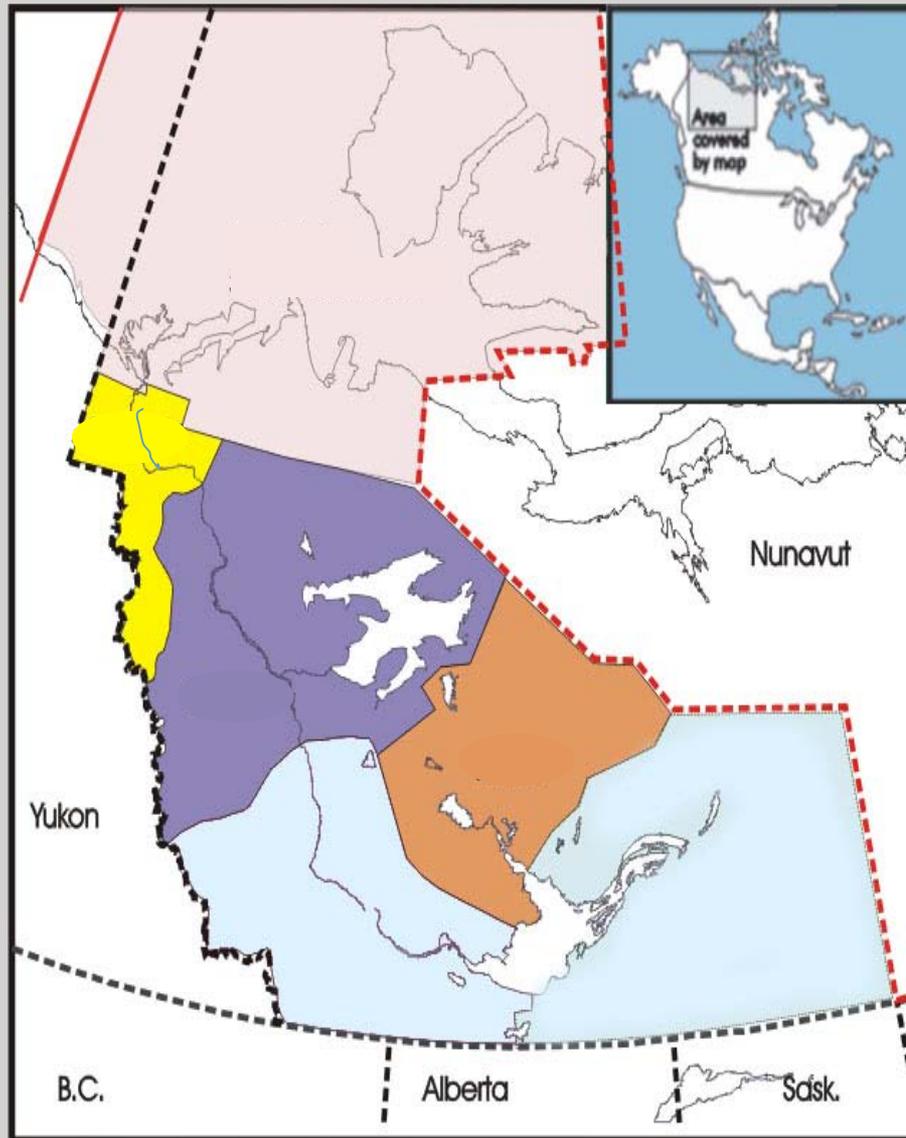




Objective

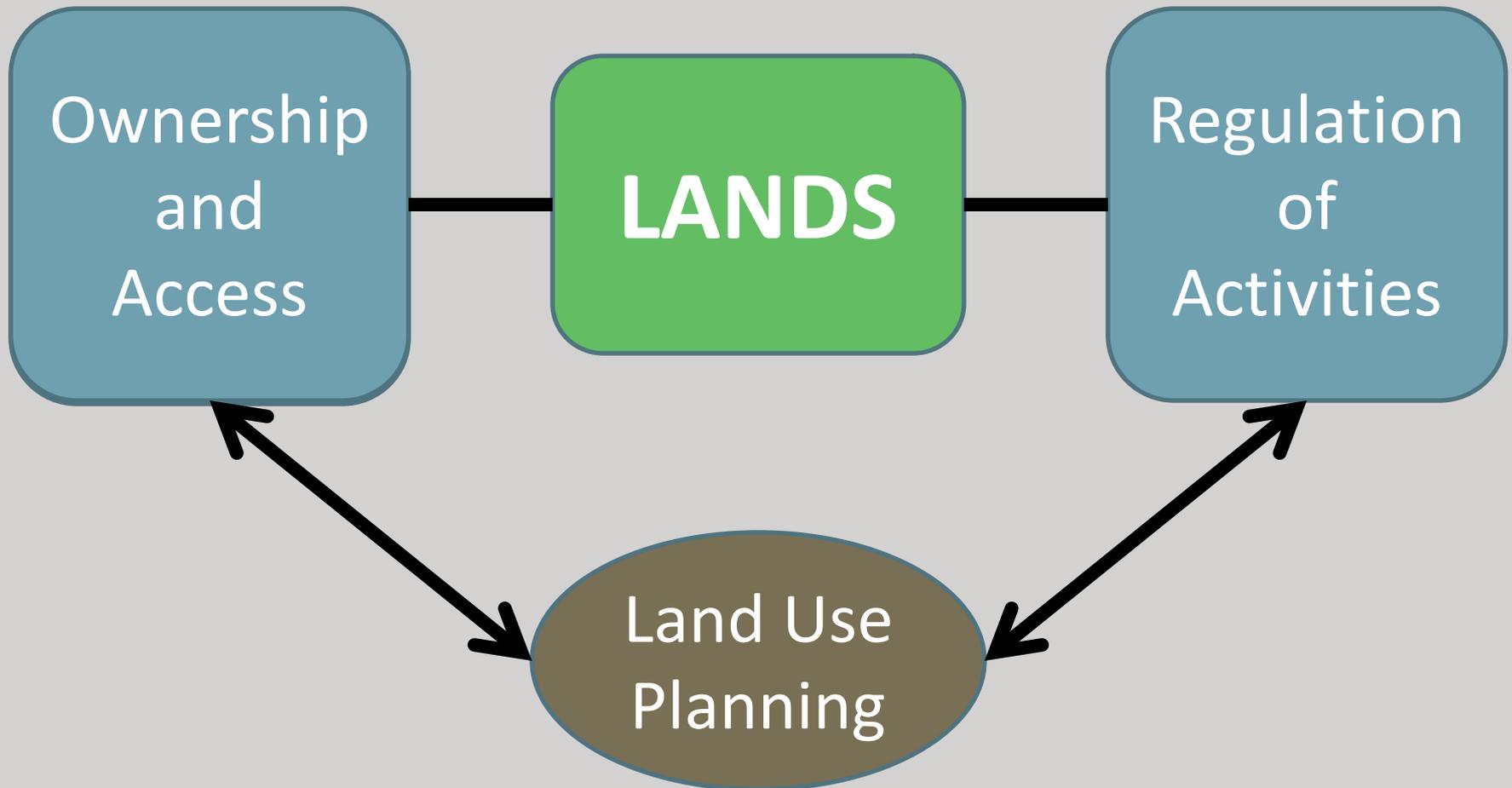
“The objectives of the Board are to provide for the conservation, development and utilization of land and water resources in a manner that will provide the optimum benefit generally for all Canadians and in particular for residents of the Mackenzie Valley.”

Other Agencies



- MVEIRB
- Other Agencies
- NEB
- Renewable Resource Boards

Managing Lands





NWT Board Forum

- Understanding and Coordination
- Established 2005
- Membership: Board Chairs and Executive Directors and senior officials of INAC, GNWT and NEB
- Response to Auditor General's recommendations

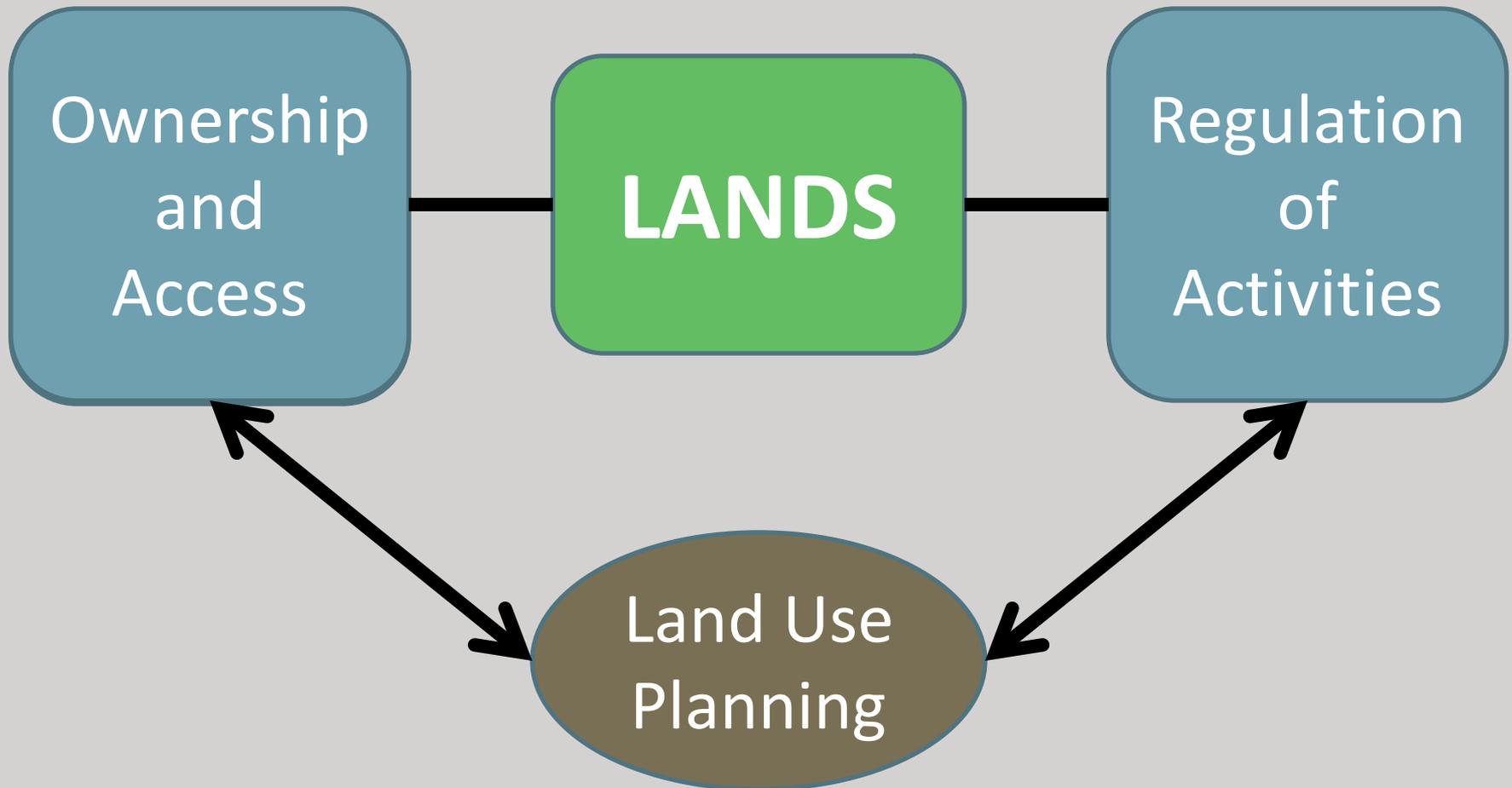


NWT Board Forum

- Objectives
 - Mutual understanding
 - Collaborative approaches
 - Strategic and operational planning initiatives
 - Resource sharing
 - Forum to hear concerns from industry, governments and others

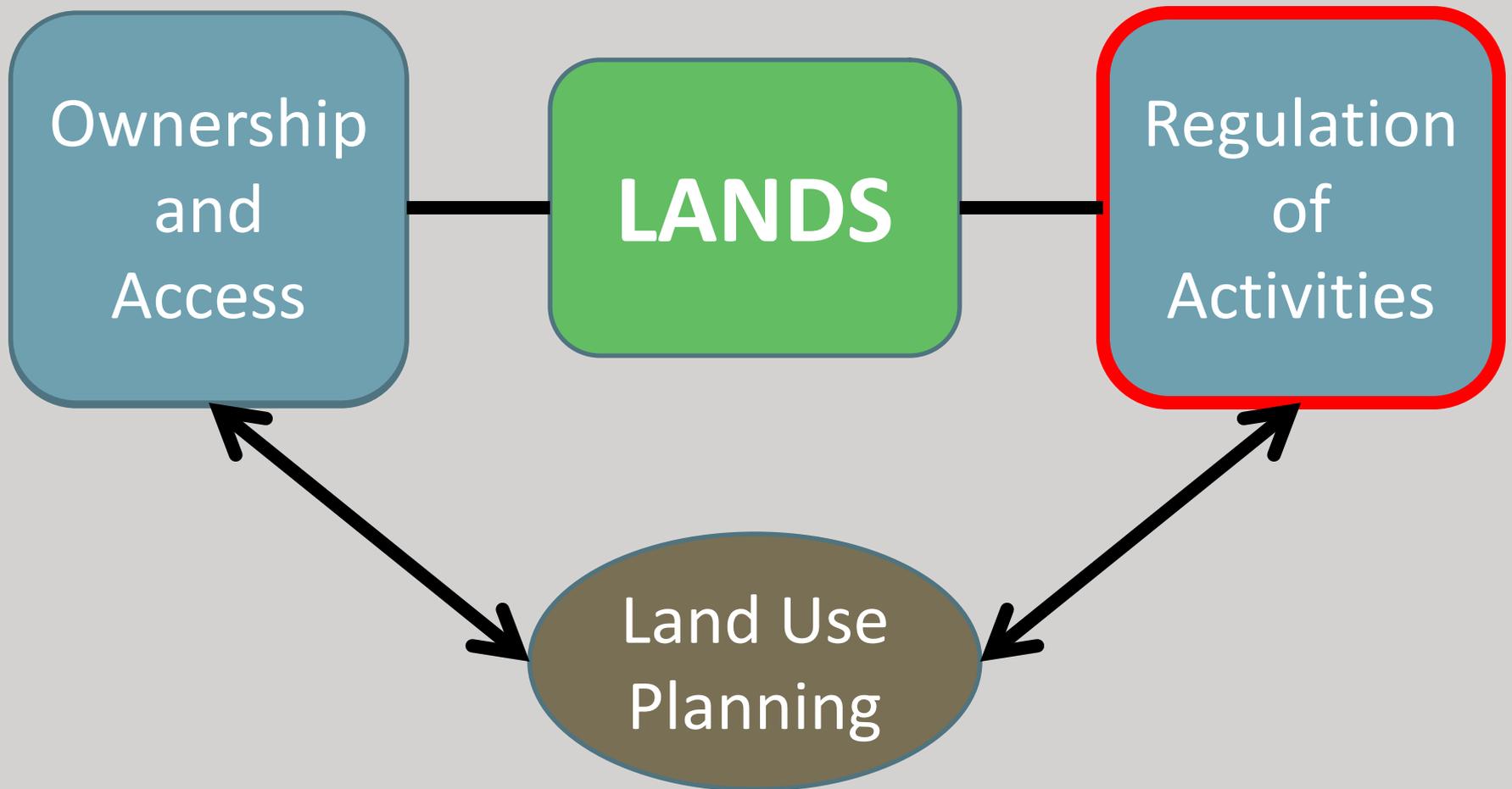
www.nwtboardforum.com

Managing Lands





Land and Water Management



Use of Land and Water is regulated by a number of agencies

Regulation of Activities

- Environmental Assessment Agencies

- Regulatory Agencies

- Renewable Resource Agencies

- INAC

- NWT Water Board

- NEB

- Mackenzie Valley Land and Water Boards

Jurisdiction of the 4 Land and Water Boards of the Mackenzie Valley



What do the Land and Water Boards do?

The Boards regulate the use of land and water and deposit of waste into water.

Key Legislation:

- Mackenzie Valley Resource Management Act
- NWT Waters Act and Regulations
- Mackenzie Valley Land Use Regulations

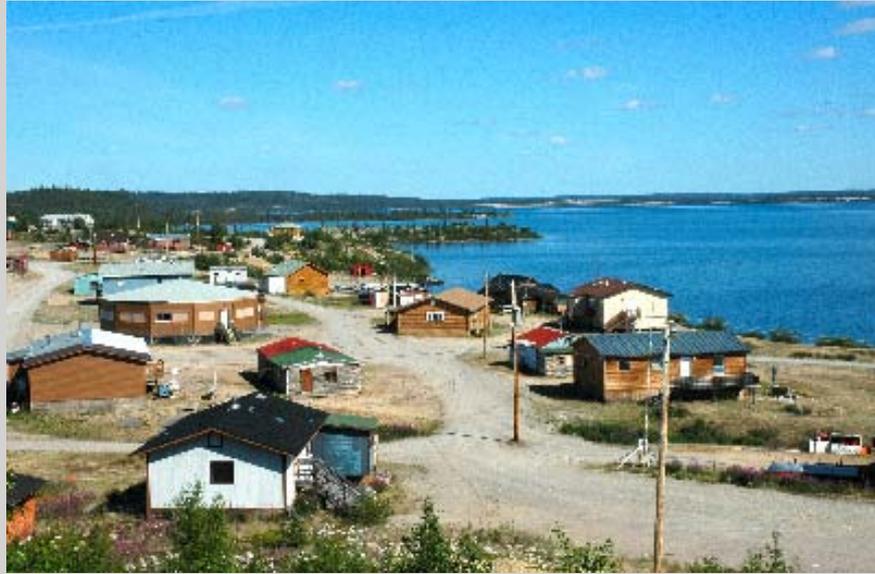
Land Use Permits

Water Licences

When do you need a Land Use Permit?



When do you need a Water Licence?



Life Cycle of a Permit/Licence

Pre-Application



Application Review



Permit Issuance



Administration of Permit



Closure

Pre-application Phase

Land Use Permit

Water Licence

Engagement/Consultation –inform affected parties and seek feedback

Collect necessary site and/or baseline information

Right of Access – obtain permission from landowner

Potential need for compensation for First Nations if significant alteration of water

Application Review Phase

Land Use Permit

Water Licence

Application deemed complete if all required information is submitted

Application sent out for public review and comment

Preliminary screening – may get sent for Environmental Assessment

Public hearing unlikely

Public hearing mandatory for Type A's

<42 days to permit granting

Timelines vary with scale of project

Permit Issuance

Land Use Permit

Water Licence

Permit will include conditions to minimize impacts.

For example, permits may specify:

Acceptable methods/timing of land-use operation

Studies/reports/plans related to construction and operation

Handling, storage and disposal of waste or hazardous materials

Methods to protect wildlife and fish habitat, historic sites

Monitoring of water quality and quantity

Requirements for closure and reclamation of site

Security deposits

Term up to 5 years

Term up to 25 years

Administration of Permit/Licence

Land Use Permit

Water Licence

Compliance to terms and conditions enforced by Indian and Northern Affairs Inspectors and Board

Amendments and renewals possible

Management plans often required for review and approval

Ongoing reporting of activities

Closure Phase

Land Use Permit	Water Licence
Final closure plan due before end of operations	Preliminary, interim and final Closure and Reclamation Plans may be necessary
INAC Inspector and Board signs off on closed site then security deposit returned	Specific closure criteria need to be met prior to security return

Is the process the same for all the Land and Water Boards in the Mackenzie Valley?



Inconsistencies do exist – but why?

Legislation

Legislation interpreted, by individual Boards, to create business processes (i.e., policies and procedures)

GLWB – 1998
SLWB – 1998
MVLWB – 2000
WLWB - 2005

Land Use Permits

Water Licences



Clarity and Consistency

“Standard Procedures and Consistency Working Groups”

- review existing policies and procedures throughout the Mackenzie Valley, and,
- where necessary, develop consistent policies and procedures and document them.

- Established in 2008
- Made up of staff of all four Boards.



There are 6 Working Groups

1. Public Engagement and Consultation Working Group
2. Plan Review Process and Guideline Working Group
3. Water/Effluent Quality Working Group
4. Terms and Conditions Working Group
5. Data-Resource Sharing Working Group
6. Application Processes Working Group

Clarity, Certainty, Consistency

Working Groups helping to further integrate management of land and water in the Mackenzie Valley

- Proponents should know what to expect before they apply
- Reviewers and stakeholders will understand the ways in which they can make meaningful contributions in the Board decision-making process





SEALINE
Boundary Pack