



Community Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits

DRAFT

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Mackenzie Valley Land and Water Board

Gwich'in Land and Water Board

Sahtu Land and Water Board

Wek'èezhìi Land and Water Board

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Definitions and Acronyms

Term	Definition
Aboriginal organization/government	an organization representing the rights and interests of a First Nation (as defined in section 2 of the MVRMA) Métis, or Inuit community or region, a Tłı̨cho First Nation, or the Tłı̨cho Government.
affected community	a community that is affected, or is predicted to be affected, either adversely and/or beneficially, by a proposed project.
Boards	Land and Water Boards of the Mackenzie Valley, as established by the <i>Mackenzie Valley Resource Management Act</i> .
duty to consult	Practically, the duty to consult is the process of ensuring that Aboriginal people's rights are fairly considered in government conduct that could potentially affect those rights, particularly in the approval of developments involving land and resources. The duty to consult is an obligation of the government as a whole. In <i>Haida, Taku River</i> , and <i>Mikisew Cree</i> , the Supreme Court of Canada held that provincial and federal governments have a legal obligation to consult when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or Treaty Rights.
engagement	the communication and outreach activities a proponent is required, by the Boards, to undertake with affected communities and Aboriginal organizations/governments prior to and during the operation of a project, including closure and reclamation phases.
engagement plan	a document that clearly describes how, when, and what engagement will occur with an affected community and Aboriginal organization/government at each stage during the life of the project.
engagement record	a record, including supporting documents, that details the engagement processes and outcomes between the proponent and the affected community and Aboriginal organization/government.
GLWB	Gwich'in Land and Water Board
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
NWT	Northwest Territories
project	any development that requires a land use permit or water licence.
proponent	applicant for, or holder of, land use permits and/or water licences.
public participation	a general term for any process that involves public input in decision making. It involves the process or activity of informing the public and inviting them to have input into the decisions that affect them. ¹
SLWB	Sahtu Land and Water Board
WLWB	Wek'èezhii Land and Water Board

¹ Canadian Environmental Assessment Agency, *Public Participation Guide*.

1. Introduction

The Land and Water Boards of the Mackenzie Valley ² (the Boards) have established a policy entitled *Community Engagement and Board Consultation Policy* (the *Policy*). The objectives of the *Policy* are:

- To provide clarity and certainty regarding the Boards' expectations of proponents in relation to engagement with affected communities; and
- To situate the Boards' roles and responsibilities for statutory consultation within the broader context of the Crown's duty to consult.

The *Policy* is based on a number of guiding principles, including **shared responsibility**. In the Mackenzie Valley, consultation with affected communities and Aboriginal organizations/governments with respect to use and development of resource—while ultimately the responsibility of the Crown (federal and territorial)—is delivered as a shared responsibility amongst a number of parties, including the Crown, the Boards (under the *Mackenzie Valley Resource Management Act* of 1998 [MVRMA]), proponents (through engagement activities), and affected communities. Engagement is defined in the *Policy* as “The communication and outreach activities a proponent is required, by the Boards, to undertake with affected communities prior to and during the operation of a project, including closure and reclamation phases”. The *Policy* is also based on the premise that the appropriate level of engagement should reflect the scale, location, and nature of a proposed activity.

Community engagement carried out by proponents prior to and over the life of a project makes an important contribution to the overall consultation effort necessary for a given project. Most importantly, engagement ensures that affected communities and Aboriginal organizations/governments are able to:

- Develop an understanding of a proposed project or component of a project;
- Provide feedback during the engagement process on issues of concern with regards to a project; and,
- Work towards building relationships with proponents that are operating in their traditional territories.

Engagement assists the applicant in developing an understanding of the social, cultural, and environmental conditions in the area and to potentially adapt and improve the project in response to these conditions.

1.1. Purpose and Objectives

The purpose of the *Community Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits* (the *Guidelines*) is to support the Boards' *Policy* framework for consultation and engagement.

² Land and Water Boards of the Mackenzie Valley include the Mackenzie Valley Land and Water Board, Gwich'in Land and Water Board, Sahtu Land and Water Board, and Wek'èzhìi Land and Water Board.

Specifically, the Guidelines assist proponents to conduct engagement activities as required by the Boards by outlining:

- A proponents' submission requirements for community engagement prior to and during the life of a project;
- The Boards' engagement criteria against which they will deem an application complete;
- The recommended step-by-step process for successful community engagement outcomes;
- Processes for requesting an exemption from particular aspects of community engagement or for requesting additional community engagement; and
- Suggested best practices for conducting community engagement, including engagement planning.

The Policy applies to all new applications and submissions made before a Board after its effective date. It may also apply to existing permits and licences, depending on activities, submissions, or applications made in relation to those permits and licences.

1.2. Authority

The Boards, through the powers and authority granted to them under the MVRMA, may not issue a licence, permit, or authorization for the carrying out of a proposed development unless the requirements of Part 5 of the Act have been met³. As screeners, the Boards must ensure that the concerns of Aboriginal people and the general public are taken into account. The Boards must consider the protection of the social, cultural, and economic well-being of residents of the Mackenzie Valley and the importance of conservation to the well-being and way of life of the Aboriginal peoples of Canada, to whom section 35 of the Constitution Act (1982) applies and who use an area of the Mackenzie Valley [see section 62 and paragraphs (114)(c) and 115(b) and (c)] of the MVRMA.

Given the key role that proponent engagement plays with respect to identifying potential impacts to an affected community and the potential for public concern around an application, the Boards have the authority to direct engagement activities in order to assist in fulfilling its responsibilities as a screener under the MVRMA. As such, the Boards have created the Guidelines under the authority of section 65 of the MVRMA, which states that, "Subject to the regulations, a board may establish guidelines and policies respecting licences, permits and authorizations, including their issuance under this Part"⁴.

1.3. How the Guidelines Were Developed

Section 106 of the MVRMA allows the MVLWB to "Issue directions on general policy matters or on matters concerning the use of land or waters or the deposit of waste that, in the board's opinion, require consistent applications throughout the Mackenzie Valley". The MVLWB is implementing this provision through the Standard Procedures and Consistency Working Groups.

³ Part 5 describes the objectives and general process of screening, environmental assessment, and environmental impact review. The Land and Water Boards are the primary screeners under the MVRMA.

⁴ Section 65 is in Part 3 of the MVRMA, which refers to the WLWB, GLWB, and the SLWB, but not the MVLWB, has the same powers as a Board described in Part 3, as set out in subsection 102(1) of Part 4 of the MVRMA.

The Engagement and Consultation Working Group was created and mandated by the MVLWB to research and identify the expectations of the Boards with regard to the role of applicants in community engagement. The Guidelines are based on legal and policy research, including regulatory, community-based, and industry engagement best practices, as well as careful consideration of public comments received by the Board after the release of draft documents in February 2012.

1.4. Monitoring and Performance Measurement for the Guidelines

Mechanisms will be required to monitor and measure performance and to evaluate the effectiveness of the Guidelines. In accordance with the principles of a management systems approach (e.g., plan-do-check-act), the MVLWB will develop a performance measurement framework. The Guidelines will be reviewed and amended as necessary within that framework. The framework will also describe how affected communities, industry, and government will be involved in the review process.

2. Community Engagement Policy Framework

The Policy is focused primarily on engagement with affected communities and Aboriginal organizations/governments, as these institutions represent the rights and interests of a large percentage of the public in affected communities in the Mackenzie Valley as it pertains to land and water based activities outside of municipal boundaries. In those instances where a proposed development could be a cause for public concern for a larger community (e.g. Yellowknife, Hay River, Inuvik), the Board encourages proponents to also ensure they apply engagement approaches that will be inclusive of the broader public.

Before a proponent applies to a Board, it is that Board's expectation that a proponent will seek to understand the full nature of concerns expressed by potentially affected communities and consider the feasibility of any proposed methods of mitigation. A proponent is also expected to respond to concerns and work with potentially affected communities to jointly resolve issues.

The following Guidelines are based on the premise that all applications to the Board will require some level of engagement, including renewals, extensions, storage authorizations, amendments, and assignments. The level of engagement will vary depending on the results of initial dialogue with the affected community and Aboriginal organization/government and should reflect the scale, location, and nature of the project. The Guidelines also apply to existing permits and licences, depending on activities, submissions, or applications made in relation to those permits and licences (e.g. closure and reclamation planning).

2.1. Submission Requirements

The Boards require the submission of two documents; an **engagement record** and an **engagement plan**, with any new application, which will be used to determine whether an application is complete or incomplete with respect to engagement. An engagement record provides details of all of the engagement that has occurred. An engagement plan is a document that clearly describes when, what, and how

engagement will occur with the affected community and Aboriginal organization/government throughout the life of the project. More detail regarding developing an engagement record and engagement plan is outlined in subsections 3.3 and 3.4, and Appendix D.

More than one engagement record and engagement plan may be required if there are multiple affected communities. Where there is more than one affected community in an asserted territory or land claim region, the Board encourages affected communities and Aboriginal organizations/governments to take a regional approach to engagement planning with proponents.

Signatures from both the proponent and the engaged party on the final engagement record and engagement plan submitted to the Boards can greatly assist in making a determination on the completeness of engagement. If signatures from the engaged party are not present, the Board will attempt to communicate with the parties to verify the contents and will assess the adequacy of the engagement record and engagement plan using their engagement criteria (as outlined below in section 2.2). All parties will also have the opportunity to comment during the public review period. The Board may require additional or fewer engagement activities to be conducted at the request of a proponent or affected community (see section 2.3), or at their own discretion.

2.2. Assessing Adequacy of Submissions - Engagement Criteria

In cases where the submission requirements under section 2.1 of the Boards' Policy are not met, a Board will consider the engagement record and the engagement plan against a set of established engagement criteria. These criteria are derived from the Boards' guiding principles listed in the Policy and have been developed considering community and industry guidance. The criteria categories include:

1. Which affected communities were engaged;
2. Timing of engagement; and
3. Achieved results.

Detailed engagement criteria are provided in Table 1.

2.3. Requests for Exemptions from Engagement or for Additional Engagement in the Pre-Submission Stage.

As stated in subsection 8.1.3 of the Policy, the Boards will consider formal requests from proponents and/or affected communities and Aboriginal organizations/governments for exemptions from engagement or for additional engagement.

Table 1: Detailed Engagement Criteria

Engagement Process Category	Guiding Principle	Detailed criteria – the Board will look for and consider this evidence when assessing the adequacy of the engagement record and engagement plan.
Who was engaged	<ul style="list-style-type: none"> • Shared responsibility • Inclusiveness 	<ul style="list-style-type: none"> ✓ Were the appropriate affected communities and Aboriginal organizations/governments contacted by the applicant? ✓ Were the regional Aboriginal organizations contacted for further direction? ✓ Did the applicant attempt to follow any established community-based protocols for industry engagement?
Timing of engagement	<ul style="list-style-type: none"> • Appropriate disclosure • Reasonableness 	<ul style="list-style-type: none"> ✓ Did the applicant begin engagement in a timely manner? ✓ Did the applicant allot sufficient time for engagement before filing larger or complex applications (e.g. water licences or mineral exploration applications in areas not under an approved land use plan or in known areas of cultural or heritage significance to Aboriginal organizations in the unsettled claim regions of the Mackenzie Valley)?*
Achieved results	<ul style="list-style-type: none"> • Shared responsibility • Reasonableness • Appropriate disclosure 	<ul style="list-style-type: none"> ✓ Were relevant documents shared with the affected communities?* ✓ Did the applicant note the resources, if any, that were put into engagement (such as community visits, materials, etc.)? This would include reasonable costs of running meetings. ✓ Where community visits were not possible or required did the applicant use alternative means of engagement?* ✓ Were responses to the engagement from the affected Aboriginal group(s) included? ✓ Did the applicant include evidence showing management of disputes and grievances? ✓ What modifications, if any, did the applicant make to the project as a result of engagement? ✓ Did the applicant highlight agreements, if any, in regards to access, impact management or socio-economic benefits⁵?

*See Appendix A for suggested timelines and suggested best practice for information sharing.

⁵ While reaching agreement on accommodation would demonstrate a high commitment to working with the affected community, the absence of this criteria would not stop an application from advancing to the screening/review stage.

2.3.1. Proponent seeking exemption

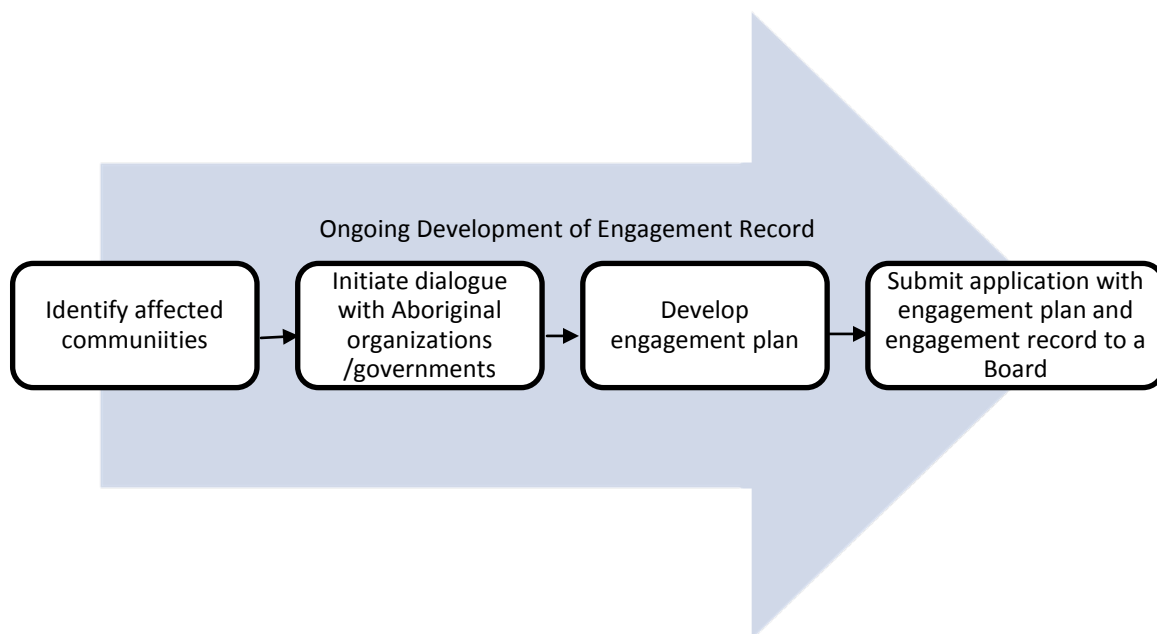
The Board will consider requests for exemptions on a case by case basis. For instance, exemptions may be requested in situations where a proponent has encountered challenges with engagement and can demonstrate that reasonable efforts were made to engage with an affected community and Aboriginal organization/government. In this case, an engagement record may be required to support the engagement exemption request, and in ruling upon an exemption request, the Boards will take into consideration the views of the community and Aboriginal organization/government in question before making a final decision.

2.3.2. Community and Aboriginal organization/government seeking additional engagement

Affected communities and Aboriginal organizations/governments may also request additional engagement activities of a proponent if they deem it necessary (e.g. in the case where the proposed activity is in a place of spiritual, heritage, or cultural significance, in the case where new technologies are proposed to be used, etc.). A written submission to the Boards must be provided which outlines detailed reasons why additional engagement activities are being recommended.

If issues with engagement continue to arise during the course of a preliminary screening or public review process, the Board may request further information as per section 8.3 of the *Policy* and/or consider further engagement planning as a requirement of the licence or permit.

3. Step-by-Step Guide to Meeting the Boards' Engagement Requirements



3.1. Identifying Affected Communities

Proponents should refer to the geo-pdf mapping tool *NWT Land Information Related to Aboriginal Groups* prepared by Aboriginal Affairs and Northern Development Canada to assist in making the determination of who to contact.

The Board encourages all proponents to contact the Board at the start of the engagement process—**well in advance of filing an application**—to request assistance in identifying communities that could be potentially impacted by an application.

3.2. Initiating Dialogue with Affected Communities

Once communities are identified, the Board encourages applicants to contact regional Aboriginal organizations/governments to get further direction and more detailed information regarding:

- Which communities and community-based organizations should be included in engagement planning discussions;
- Any community-based guidelines for consultation in their traditional territories; and
- More detailed advice regarding engagement approaches that are respected in the region.

For a list of relevant contacts, see Appendix B. Community-based consultation guidelines, if in place, are found in Appendix C.

As a general guideline, it is recommended that proponents focus their engagement efforts towards communities that will likely be the most directly impacted. This will assist in reducing “consultation fatigue” for groups which are less likely to be directly impacted. All affected communities and Aboriginal organizations/governments will have opportunities to voice concerns about potential impacts once an application is filed with a Board and it advances through the regulatory process.

3.3. Preparing your Engagement Record

An engagement record details any engagement activities from the point of initial dialogue until the application has been filed with the Board. It is best practice to provide the engaged parties with the opportunity to review the record to ensure there is no misinterpretation of any summary of the engagement activities. As stated in subsection 2.1, signatures from both the proponent and the engaged parties on the final engagement record submitted to the Boards can greatly assist the Boards in making a determination on the completeness of engagement.

The **engagement record** must include:

- The date and time of any engagement;
- A list of attendees, noting government departments;

- The type of engagement activity (e.g. written notification, face-to-face meeting, etc.);
- Copies of information materials provided to the engaged parties;
- A list of issues raised and the proponent's response, and details on how the proposed project was modified in any way as a result of the engagement activity, if applicable;
- A list of unresolved issues, if any; and
- All written correspondence, minutes of meetings, and participation logs.

See Appendix D for an engagement record template.

3.4. Engagement Planning

Engagement with community and Aboriginal organizations/governments within any potentially affected community should take place throughout the life of the permit or licence, or for larger projects, such as those requiring a type A water licence, through the life of project. As detailed in section 2.1, the Boards require a submission of an engagement plan or reference to an existing engagement plan⁶ as a requirement for a complete application. Proponents holding existing permits or licences may be expected to submit engagement plans addressing engagement for the remainder of the project. This will be determined by the Board on a case-by-case basis, by considering the type, stage, and scale of project, and the nature of the issues that remain to be addressed.

The **engagement plan** must:

- Describe the goals and the methods of engagement;
- Outline a frequency of engagement that allows for relevant and timely information sharing;
- Establish a process which allows the affected community/communities to raise concerns or issues;
- Ensure the proponent has procedures in place to understand and respond to issues as they arise; and,
- Provide the opportunity for relationships to be built proactively, not just when issues occur.

3.4.1. How is an engagement plan developed?

An engagement plan defines the ongoing commitments a proponent has agreed to make to a community and Aboriginal organization/government over the life of the project. It is important to consider the scale, scope, nature, location, and duration of the project, the potential for impacts, and the type of authorization being sought when carrying out engagement planning. The engagement plan should be developed collaboratively with affected communities and Aboriginal organizations/governments.

Seeking input at an early stage will assist proponents in identifying the best way of interacting and engaging with affected communities and Aboriginal organizations/governments. The engagement plan should be reviewed on a regular basis. As development moves forward, the engagement plan should be revisited and re-evaluated.

⁶ An engagement plan connected to a larger or long-term project and projects with a type A water licence may have already been submitted under a previous application.

3.4.2. What should my engagement plan look like?

Engagement plans may look very different depending on the type, stage, and scale of project. For example, for projects that will likely not be the subject of public concern, (e.g. because they potentially pose minimum impacts on an affected community, be short in duration, or of a small scale) engagement plans should be straightforward and simple. Whereas applications for some larger or longer-term projects, such as those requiring a type A water licence, will require more engagement, and consequently, a more detailed and comprehensive engagement plan.

Companies should consider engagement as the life of the project advances, including renewals, amendments, assignments, extensions, storage authorizations, management plans, and/or changes to surveillance network programs. In the situation where an application for a renewal, extension, storage authorization, amendment, or assignment is being submitted and an engagement plan has been submitted with a previously approved application, a new engagement plan is not necessary. In these cases, proponents need only reference the existing plan or describe any updates to their engagement plan.

Appendix E provides a suggested framework and a simple tool to assist in developing an engagement plan. Appendix F includes additional information on life-of-project planning. Proponents may find additional guidance on engagement at various stages during the life of the project in other Board documents (e.g. *Closure and Reclamation Planning Guidelines*).

Appendix A: Engagement Best Practices

In summary, when seeking to engage the affected communities, it is best practice to:

- Start as early as possible. For example:
 - For large, complex projects that will likely be a cause for public concern, the Board recommends starting at least 6–12 months in advance.
 - For projects that are not likely to be a cause of public concern (e.g. because they are small in scope and will have minimal impacts to a community or on the environment), at least three months in advance is a recommended best practice.
- Check to see what community-based engagement guidelines exist in the region you are proposing to work in;
- Be respectful, equitable, and transparent;
- Be very clear about objectives and expectations;
- Consider cultural and language differences;
- Know your audience! Design your engagement around the intended audience. Presentations and materials should be provided in plain language format when appropriate.
- Identify costs and provide adequate resources to enable understanding and participation (e.g., materials, cost of meeting rooms, translators, audiovisual equipment, meeting facilitation, food and beverages, etc.);
- Involve third parties as facilitators during workshops or community public meetings when appropriate;
- Maintain regular communication with affected communities to foster good relationships;
- Conduct regular audits on the effectiveness of your engagement process; and
- Develop a partnership approach to management of issues, impacts, and benefits.

Details on further best practices can be found in many industry documents and guidelines pertaining to engagement. A list of some of these documents can be found in Appendix C.

Engagement approaches

The primary engagement approaches recommended by the Boards include: 1) written notification; 2) community public meetings; 3) face-to-face meetings; and 4) workshops. The following sections provide a description of the approaches a proponent should consider using when engaging with an affected Aboriginal organization/government or throughout life-of-project planning.

Written notification

Written notifications include letters, faxes, or emails which provide enough detail for the recipient to provide feedback. This approach is often used for smaller or less complex applications (e.g. storage authorizations, extensions, etc.). When using this approach, it is recommended that letters should be followed up with emails, phone calls, or subsequent letters to the Aboriginal organization/government. Written notifications should include, but not be limited to, the following information:

- Detailed description of the activities being applied for or the document being submitted;
- The purpose for engagement;

- Any maps detailing the location of the activities;
- Schedule of proposed activities;
- Request for clarification of expectations for further engagement (i.e., a follow-up phone call, submission of further information, or the holding of a face-to-face or community public meeting); and
- Draft copies of the application or document that will be submitted to the Boards.

Adequate time should be provided for affected parties to provide feedback.

Face-to-face meetings

A face-to-face meeting is a meeting between the proponent and select members of an affected Aboriginal organization/government. These face-to-face meetings should not be misconstrued as a community public meeting. When it is determined that a face-to-face meeting is required:

- Proponents should contact the Aboriginal organization/government to determine the most appropriate person(s) who should be present for the meeting.
- It is important to determine in advance what the purpose of the meeting is and the level of engagement expected by the Aboriginal organization/government.
- Meetings are best used as information sharing sessions and proponents should not expect decisions to be made during the meeting, as it is likely that further discussion is required with Chiefs, Councils, Boards, and communities who the attendees represent.
- After the meetings have occurred, follow up with phone calls, written correspondence, or further face-to-face meetings as mutually determined.

Community public meetings

A community public meeting is an informal public meeting where everyone in a community is invited to attend and discuss the project with proponents. When it is decided that community public meetings will be used as an engagement approach, proponents should:

- Work with the local government and/or the Aboriginal organization/governments to determine an appropriate time and place for the meeting;
- Ensure translation is available if required;
- Advertise the meeting publicly or provide notifications to the local government and/or Aboriginal organization/governments well in advance;
- Provide materials and present information in a manner that will promote community understanding of the issue;
- Provide translators where appropriate;
- Be prepared to address reasonable costs associated with the meeting (e.g. hall rental, refreshments) ; and
- Prepare to discuss issues raised by community members and possibly to modify aspects of the proposed project as a result of the discussions.

Additionally, if food is to be provided, work with the community to determine which foods should be offered. Prior to going to a community, it is advisable to find out about any conflicting community events (e.g. funerals, meetings, holidays, hunting/trapping seasons) as these can limit participation or cause conflict within the community. Prepare to be flexible with your schedule.

Workshops

Proponents are encouraged to conduct workshops when information needs to be shared with a large number of people or if technical issues arise which are best discussed with all the relevant parties present. When conducting a workshop, the proponent should consider the following:

- Make sure the workshop is in the most appropriate venue and that it allows for the greatest participation;
- Provide a third-party facilitator;
- Have technical consultants or staff present who can provide answers at the workshop;
- Provide background information in advance to all participants;
- Use plain language methods in communications (summary of technical information, visuals, etc.);
- Gear any presentations toward the audience;
- Be prepared to address reasonable costs associated with the meeting (e.g. venue, refreshments);
- Allow for free discussion on issues, as information sharing is a two-way street; and,
- Document the workshop proceedings, highlighting resolved issues, outstanding issues, research items, and any additional information requests within your engagement record.

The Boards encourage proponents to consider holding workshops whenever they think it would be helpful or if they are dealing with complex issues such as those associated with type A water licence applications. Additionally, the Boards may decide to run and/or facilitate any workshop they deem necessary.

Recommended engagement approaches based on type of authorization

Based on the Boards' experience, these are recommended best practices in accordance with the type of authorization that a proponent may be applying for. These suggested approaches are highly dependent on the size, scale, and nature of the project. Additional guidance on best practices for developing or updating management plans (e.g., closure and reclamation plans) may be available in guidelines specific to those plans.

Recommended Engagement Approaches Based on Type of Authorization				
	Written notification	Face-to-face meeting	Community public meeting	Proponent-run workshop
Land Use Permits (LUPs) (types A and B)				
New LUP	•	•	•	
Previously permitted LUP (including renewals) ⁷	•	•		
Extension of LUP	•	•		
Assignment of LUP	•	•		
Amendment of LUP	•	•		
Storage authorizations	•			
Water Licences (WLs) (types A and B)				
New WL (type A)	•	•	•	•
New WL(type B)	•	•	•	
Renewal of WL (type A)	•	•	•	•
Renewal of WL (type B)	•	•	•	
Assignment of WL	•	•		
Amendment of WL	•	•	•	

⁷ The maximum term for which a land use permit can be granted is five years, and an extension to the permit can be granted for up to an additional two years. If the permit holder wants to continue the permitted activity after that time period, submission of a new application is required. 'Previously Permitted LUP' refers to such an application.

Appendix B: Engagement Contact List

Table 1: Land and Water Board Contact Numbers

Board	Telephone Number
Mackenzie Valley Land and Water Board	867-669-0506
Gwichin Land and Water Board	867-777-7960
Sahtu Land and Water Board	867-598-2413
Wek'èezhìi Land and Water Board	867-765-4592

Table 2: Regional Aboriginal Organizations and Government Contact Numbers

Region (including Districts)	Aboriginal Org/Gov	Department - Position	Telephone Number
Gwich'in Settlement Area	Gwich'in Tribal Council	Lands Administration and Resource Management	(867) 777-7900
Sahtu Settlement Area <ul style="list-style-type: none"> • K'asho Gotine District (Fort Good Hope and Colville Lake) • Tulita District – Tulita and Norman Wells • Deline District 	Yamoga Land Corp (Fort Good Hope) Ayoni Keh Land Corp (Colville Lake)		(867) 598-2519 (867) 709-2200
	Tulita Land Corp Norman Wells Land Corp		(867) 588-4984 (867) 587-2455
	Deline Land Corp		(867) 598-8100
Wek'èezhìi Management Area	Tłı̨cho Government	Kwe Beh Working Group	(867) 669-0161
Akaįtcho Area	Akaįtcho Territory Government	Akaįtcho Screening Committee	(867) 370-3217
Dehcho Area	Dehcho First Nation	Resource Management Committee / Coordinator	(867) 695-2610
Northwest Territory Métis Nation Area	Northwest Territory Métis Nation	IMA Office	(867) 872-2770

Table 3: Crown Contacts

Board	Telephone Number
Aboriginal Affairs and Northern Development Canada, NT Regional Office	(867) 669-2500
Northern Projects Management Office	(867) 920-6766
Government of the Northwest Territories, Aboriginal Consultation Unit	(867) 920-8605

Appendix C: Supporting Engagement Documents and Guidelines

Statutory and Regulatory Guidance Documents Related to Engagement and Consultation

- Government of Canada. 1992. *Gwich'in Comprehensive Land Claim Agreement*.
- Government of Canada. 1993. *Sahtu Dene and Métis Comprehensive Land Claim Agreement*.
- Government of Canada. 1998. *Mackenzie Valley Resource Management Act*.
- Government of Canada. 2001. *Akaiitcho Territory Interim Measures Agreement*.
- Government of Canada. 2003. *NWT Métis Nation Interim Measures Agreement*.
- Government of Canada. 2003. *Policy Direction to the MVLWB Regarding Consultation with the Manitoba Denesuline*.
- Government of Canada. 2003. *Policy Direction to the MVLWB Regarding Consultation with the Saskatchewan Athabasca Denesuline*.
- Government of Canada. 2004. *Dehcho Interim Measures Agreement*.
- Government of Canada. 2004. *Policy Direction, section 43, Dehcho Interim Measures Agreement*.
- Government of Canada. 2004. *Policy Direction to the MVLWB Regarding the Akaiitcho Territory Dene First Nations*.
- Government of Canada. 2005. *Land Claim and Self-Government Agreement Among the Tłı̨chı̨ and the Government of the Northwest Territories and the Government of Canada*.
- Mackenzie Valley Land and Water Board. 2003. *Draft Public Engagement Guidelines of the Mackenzie Valley Land and Water Board*.

Crown Consultation Guidelines/Agreements

- Aboriginal Affairs and Northern Development Canada (AANDC). 2011. *Aboriginal Consultation and Accommodation: Updated Guidelines for Federal Officials to Fulfill the Duty to Consult*. Government of Canada.
- Canadian Northern Economic Development Agency. 2012. *Memorandum of Understanding: Defining Terms and Scope of Cooperation between Federal Departments, Agencies and the Northern Projects Management Office (NPMO) for Coordination of Northern Projects*.
- Government of the Northwest Territories. 2012. *Aboriginal Engagement Strategy*.
- Government of the Northwest Territories. 2007. *The GNWT's Approach to Consultation with Aboriginal Governments and Organizations*.

Community-based Guidelines Applicable to Engagement and Consultation

- Akaiitcho Dene First Nations. *Mineral Exploration Guidelines in the Akaiitcho Territory*.
- Akaiitcho Dene First Nations. 2008. *Akaiitcho Exploration Agreement*.
- Gwich'in Tribal Council. 2010. *Land Management and Control Guidelines*.

Industry Guidance on Aboriginal and Public Engagement

- Canadian Association of Petroleum Producers (CAPP). 2006. *Industry Practices: Developing Effective Working Relationships With Aboriginal Communities*.
- Canadian Association of Petroleum Producers (CAPP). 2003. *Guide for Effective Public Involvement*.

- International Council on Mining and Metals (ICMM). 2010. *Good Practices Guide: Indigenous Peoples and Mining*.
- Mining Association of Canada. 2009. *Aboriginal and Community Outreach Program: Towards Sustainable Mining (TSM) Assessment Tool*.
- Prospectors and Developers Association of Canada (PDAC). 2009. *E3Plus: A Framework for Responsible Exploration: Principles and Guidance*.

Appendix D: Example Engagement Record

Engagement Record for Project
Between Proponent and Each Affected Community

Date and Time	Attendees⁸	Engagement Activity Type (e.g., written notification, face-to-face, workshop)	Information materials provided to affected community⁹	Issue(s) Raised	Proponent Response - indicate if issue(s) was resolved or unresolved	Meeting notes or minutes (Y/N)¹⁰

⁸ Note all parties present including government departments.

⁹ Provide the materials with the engagement record.

¹⁰ Not required to be submitted with application; however, may be requested by the Board.

Appendix E: Example Engagement Plan

Engagement planning clearly describes when, what, and how engagement will occur with the affected communities and Aboriginal government(s)/organization(s) for the life of a permit, or, for a type A water licence, throughout the life of the project.

1. When will you be engaging?

What is the trigger for engagement? Triggers may be regulatory (e.g. renewals, amendments, assignments) and/or project-based (e.g. determining drill locations, changes in project design, updates to a particular management plan, etc.).

2. What is the purpose of engaging?

What will you be discussing (in relation to the trigger)?

3. Who will be engaged at each stage?

The people engaged at each stage may vary depending on what is being discussed.

4. How will you be engaging?

What engagement methods will be used? See Appendix A for best practices.

Example Engagement Planning Tool

When will you be engaging? (e.g. change in drill locations, closure and reclamation planning, changes to an aquatic effects monitoring program , water licence renewal)	What is the purpose for engaging? (e.g. updates to designs or plans, etc.)	Who will be engaged at each of these stages? (e.g. regional Aboriginal organization)	How will you engage? (e.g. written notification, face-to-face meetings, community public meeting)

Appendix F: Additional Information for Life-of-Project Planning or Larger Projects (such as those requiring a type A water licence)

The Board expects that the level of detail and amount of information in an engagement plan for larger projects, such as those requiring a type A water licence, will be greater than for other projects. The Board is providing additional best practices to assist applicants with their engagement planning. This information may also be useful for some larger or longer-term projects authorized under a type A land use permit.

Generally, type A water licences have a longer term and have a greater scope of activity. For example, Figure 1 below illustrates some of the stages of a mining cycle and how more community engagement may be required at certain stages over the life of project. The level of engagement that will be needed at each stage should be the focus of discussions during initial dialogue with the affected community. Proponents may also find additional guidance on engagement at various stages during the life of the project in other Board documents (e.g. *Closure and Reclamation Planning Guidelines*).

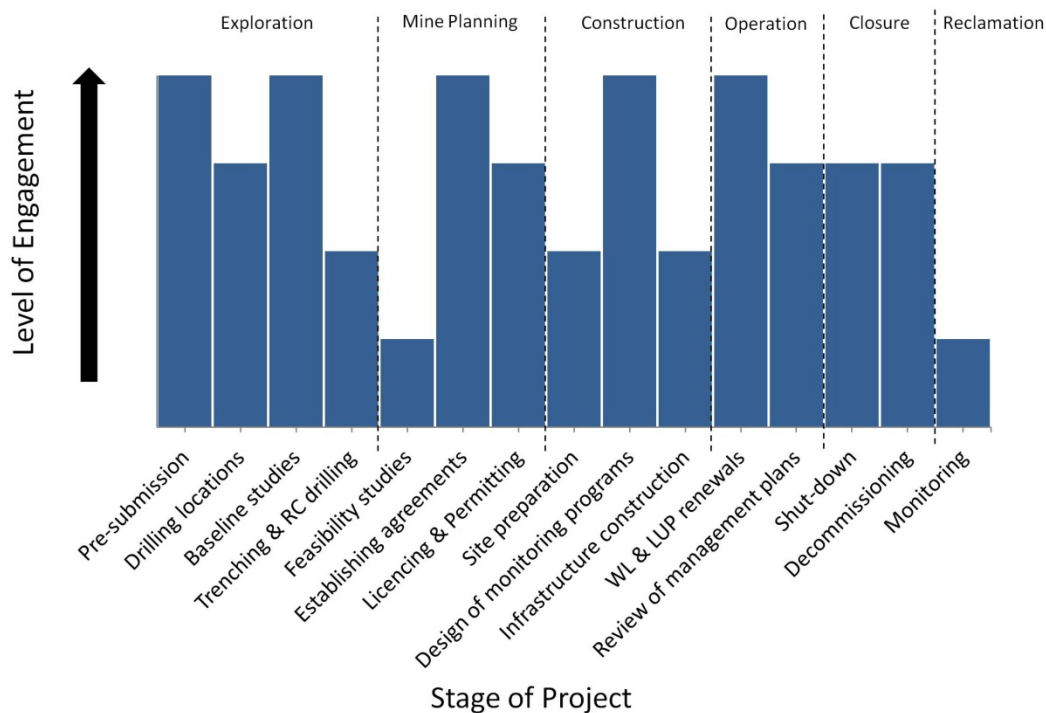


Figure 1. Example of various stages of a mining project that may require varying levels of community engagement.

It is also important that engagement with affected communities is evaluated and assessed throughout the life of the project and that proponents consider and carry out engagement planning as an iterative planning process. Figure 2 below shows the process by which community engagement may be evaluated, assessed, and modified by an affected community and a proponent.

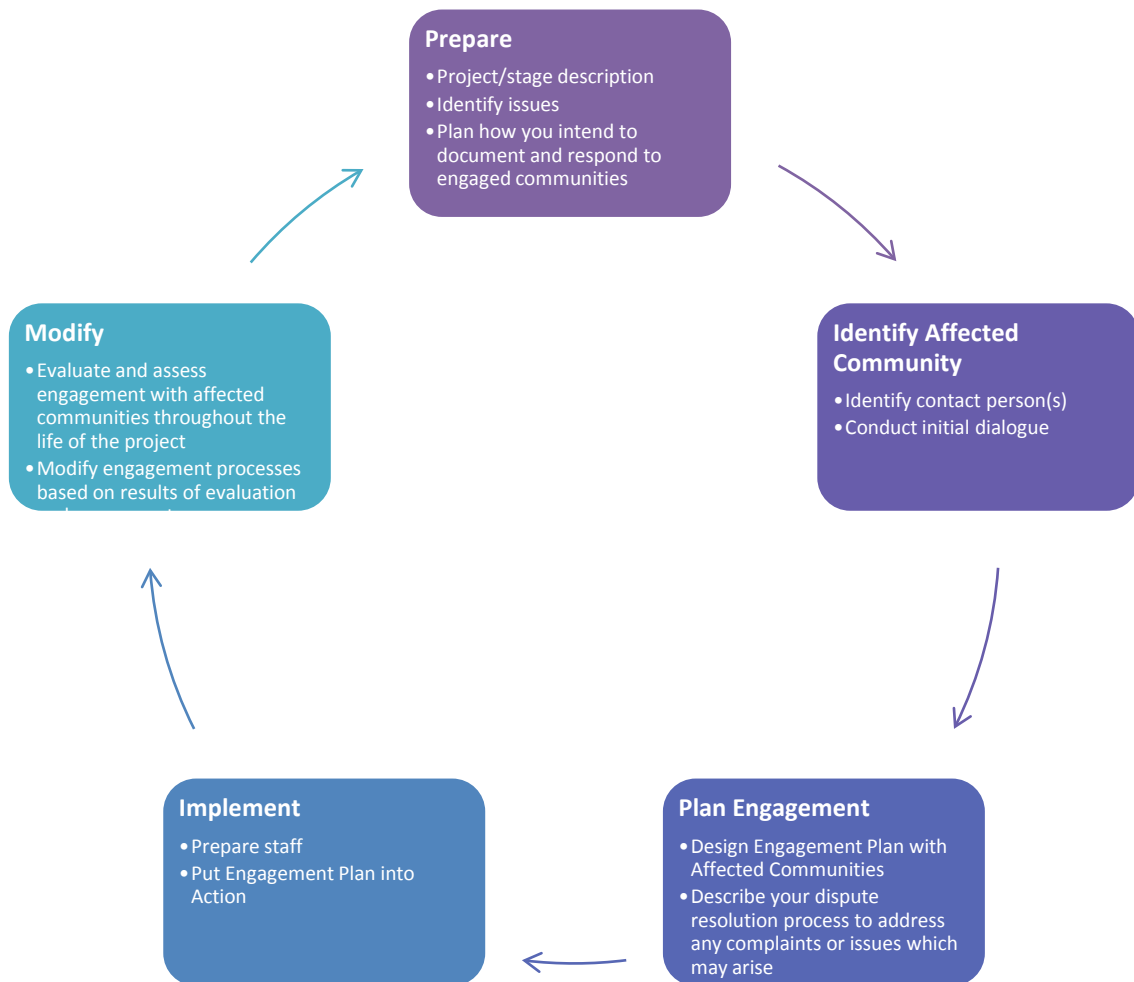


Figure 2. Evaluation, assessment, and modification model for community engagement