



April 12, 2023

**DRAFT TERMS OF REFERENCE (ToR) version 1.0  
FOR THE WORKING GROUP (WG)  
FOR IMPERIAL'S NORMAN WELLS OPERATION  
AQUATIC EFFECTS MONITORING PROGRAM (AEMP)**

**A. Purpose of Aquatic Effects Monitoring Program**

In the NWT, AEMPs are a requirement of the water licencing process for major development projects that could have adverse effects on the aquatic ecosystem. An AEMP must be designed and implemented to provide the data and information needed to evaluate and determine:

- if aquatic ecosystems and their uses are being adequately protected,
- any short-term and long-term [cumulative] effects in the aquatic ecosystem resulting from the project,
- the accuracy and the effectiveness of impact predictions and mitigation measures, and
- the need for additional impact mitigation measures to reduce or eliminate environmental effects.

**B. Purpose of the AEMP Working Group**

The establishment of a WG is encouraged by the Board to provide a formal mechanism for meeting with all interested parties. It may be comprised of representatives from Aboriginal governments/organizations, federal or territorial governments, regulatory Boards, and other parties with an interest in the project. The WG has no executive or regulatory function. Its role is solely to provide advice and recommendations to the SLWB. The SLWB will not accept any recommendations that are outside its legislated authority. The SLWB will make the final decision on approving the AEMP.

**C. Brief History of the Original AEMP Working Group**

The original AEMP WG began at the time of Imperial's Water Licence [S13L1-007] renewal in 2014-2015. The goal of this WG was to develop a new AEMP for their Norman Wells Operation, outlining goals, standards, timelines, consultation requirements, methodologies, and Quality Assurance / Quality Control (QA/QC). The WG had a broad membership with multiple stakeholders. The meetings were led by Imperial staff or their consultants. The WG met three times prior to the submission of AEMP version 1.0 which the Board approved for only 18 months. This was due to the lack of an aquatic (fish) component. The WG did not meet again over the course of the implementation of AEMP version 1.0 for water quality data results. Since then, AEMP versions 2.0 and 3.0 were submitted to the Board and not approved.



From 2017 to 2020 (pre-covid), Imperial, and Indigenous Sahtú Organizations (ISOs) requested the SLWB to reconvene the WG meetings for the AEMP. The SLWB instead encouraged Imperial to reach out to the communities on their own without the umbrella of the WG, while working with the ISOs on developing a new working group model to improve on the shortcomings of the previous model. Main areas of focus for improvement were identified as:

- 1) The strong science focus needs to allow for more Traditional Knowledge to better understand relationships.
- 2) The group dynamic must embrace respectful collaboration to move away from colonial ways.
- 3) There must be collective understanding, responsibility, and co-operative decision-making.
- 4) Local Traditional Knowledge holders, Elders, and Guardians need to be directly involved in building and participating in the program to have buy-in and trust in the results because they have been part of the process.
- 5) Build awareness of the different responsibilities and capacities of ISOs and the various factors that affect their ability to meaningfully participate and find ways to overcome these barriers.

#### **D. New AEMP Working Group Model**

**VISION:** *To protect the rights and interests of the Sahtú Dene and Metis and bring people together to listen, learn, collaborate, adapt, and share information for mutual understanding, responsibility, and participation in decision-making.*

#### **GOALS:**

- A. Improve COMMUNICATION and RELATIONSHIPS with the ISOs and communities.
- B. Support TECHNICAL, ECONOMIC, and ADMINISTRATIVE / ORGANIZATIONAL CAPACITY.
- C. Build COLLECTIVE UNDERSTANDING and RESPONSIBILITY.
- D. Develop an AEMP that is MEANINGFUL, UNDERSTANDABLE, and TRUSTWORTHY.
- E. Design the AEMP in TRUE COLLABORATION meaning EQUALITY in RESPONSIBILITY, EFFORTS, and VOICES.
- F. Use INDIGENOUS LANGUAGE.
- F. Promote CO-OPERATIVE DECISION-MAKING to the extent possible [SLWB is the final decision-maker]

**OBJECTIVE:** To determine effects on the environment and to do so with TRUST in the results.

#### **WORKING GROUP MAIN TASK:**

- To help develop a TK Based Large Fish Study that looks at large fish traditionally consumed.
- The study will use Monitors/Guardians and others holders of TK, to assist Scientists with the monitoring and sampling.



- The sampled fish can be assessed from a TK perspective and then the samples analyzed using Western Scientific Knowledge (WSK) to analyze samples for potential contaminants.
- The WSK and TK results are then cross-referenced to look for commonalities and understanding linking TK to WSK and WSK to TK.

### MEMBERSHIP

Membership is open to all Sahtú Indigenous Organizations (ISOs) or Individuals, Imperial staff and their Aquatic Science Consultants, and SLWB staff.

Participants must commit to:

- Participating in the discussion in a respectful collaborative way.
- Maintaining confidentiality of WG discussions and deliberations (unless otherwise agreed in advance).
- Building relationships based on respect, honesty, openness, and trust.
- Listening to the views of others and treating them with respect.
- Following up on actions and tasks.

### RULES OF PROCEDURE FOR ALL MEETINGS

- 1) ENGAGING to build relationship and trust.
- 2) LISTENING to identify information or knowledge gaps.
- 3) SHARING data and results from both TK and WSK perspectives.
- 4) INFORMING using language and terminology for understanding.

### MEETINGS

Frequency: To be determined by the WG, but **no less than two face-to-face meetings per year**.

Invited Guests: WG may invite other observers or special guests to the meetings where their input is requested including representatives from the community, other technical advisory groups, or government or non-government agencies, or non-biased technical experts.

Casual Observers: Meetings are open to any other guests that may wish to listen and add to the conversation if invited to do so by the WG.

Other Meetings: The WG may choose to host smaller videoconferencing based sub-committee meetings to discuss specific issues with a sub-set of the larger WG. The WG may also wish to involve other community members, knowledge holders, Elders, and youth in future meetings or in a special focus group.

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## ROLES AND RESPONSIBILITIES

ROLES AND RESPONSIBILITIES	AEMP WORKING GROUP MEMBER ORGANIZATIONS							
	SLWB	NWRRC	FGH RRC	KGF	KGDB	YLC	TDB	Imperial
Facilitation / Coordination (set meetings, distribute agendas, minutes)	+							
Administration (financial assistance (travel, meals, accommodation) for Sahtú Beneficiaries)	+							
Logistics (meeting location, catering,)	+							
Technical Support (translation services, documents)	+							+
Aboriginal Perspective / Technology / Language	+	+	+	+	+	+		+
Youth (support hands-on-learning / education / training)		+	+	+	+	+		
Elders		+	+	+	+	+		
On-the-the Land Monitors / Guardians		+	+					
Assist with AEMP Monitoring		+	+	+				+
Work with / support Researchers in the community		+	+	+		+		+
Informing – reporting back to members	+	+	+	+	+	+		
Reporting	+							+
Final Decision-making	+							
Honorarium	+							