



July 27, 2018

Ms. Heather Bourassa  
Chair, Sahtu Land Use Planning Board  
PO Box 235,  
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Via e-mail: [chair@sahtulanduseplan.org](mailto:chair@sahtulanduseplan.org)

Dear Ms. Bourassa,

Re: Sahtu Land Use Plan, The First 5 Years: A Look Back to Move Forward

The purpose of this letter is to provide recommendations on the Sahtu Land Use Planning Board's (SLUPB) opinion paper: *Sahtu Land Use Plan, The First 5 Years: A Look Back to Move Forward*. The following recommendations are intended to inform the scoping of the amendment process and contribute to the engagement process the SLUPB will be carrying out with Approving Parties to formalize next steps.

Overall, the Land and Water Boards (LWBs) are supportive of the amendments presented in the opinion paper (pg. 18), however strongly encourage the SLUPB to circulate all proposed/draft amendments to interested parties for consideration prior to convening the Approving Parties. This process would mirror the collaborative method used to develop the Sahtu Land Use Plan (SLUP or the Plan) that involved parties in making decisions about how the land, water, and natural resources should be managed in the Sahtu.

#### Implementation

In answer to the question of whether the Plan is achieving the purpose established for it under the Sahtu Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA) and the *Mackenzie Valley Resource Management Act* (MVRMA); we believe the answer is yes. In working with the Plan and the Implementation Guidelines, Land and Water Board staff have experienced differences when interpreting the conformity requirements and it is often challenging to determine whether a conformity requirement is met. We recommend that a review and analysis be undertaken of the interpretation and application of these conformity requirements in the Implementation Guide. Conformity Requirements recommended for review include CR#2 (Community Engagement and Traditional Knowledge), CR#3 (Community Benefits), CR#7 (Wildlife), CR#12 (Financial Security) and CR#14 (Protection of Special Values).

As the SLUPB is the holder of the Plan and its staff are most familiar with its content, it would be extremely beneficial for the Land and Water Board staff to have access to their knowledge and interpretation of the Plan. We believe that enhanced coordination and cooperation between staff in dealing with these issues may alleviate issues prior to waiting until a referral is made to the SLUPB for a conformity determination.

The Land and Water Boards are willing to play a more active role when applications are submitted for review, which could include confirmation of zoning of planned activities, tenure of lands, acknowledgement of any key features of particular concern and identifying if traditional knowledge or community research is held by the SLUPB. A table or standardized checklist that outlines the items that need to be addressed for each conformity requirement could be helpful to address this challenge.

A second question asked was: is there new information available that needs to be considered in the land use decision? New information is always being produced especially in relation to mapping and databases, for example:

- The LWBs receive GIS data from Proponents as part of their applications and Final Plan submissions required for closure. The Boards have recently updated their [Guideline for Geographic Information Systems \(GIS\) Submission](#) in 2016 and would encourage this data to be included into a GIS that could enhance the ability to monitor the effectiveness of implementation.
- The GNWT Cumulative Impacts Monitoring Program (CIMP) has the NWT Discovery Portal that contains all NWT CIMP project results. CIMP also has the NWT Inventory of Landscape Change web viewer, which provides disturbance mapping information in the NWT. Improved coordination and partnership with GNWT is encouraged as both information platforms could be helpful in making conformity determinations.
- It may be appropriate to include some GIS data or develop a map of historic projects where the Plan does not apply to assist with the determination of plan exemptions and legacy uses.

These three examples illustrate the benefit of the GNWT supporting integrated resource management by utilizing the collective data of the LWBs. This type of support will enhance the effectiveness of the integrated co-management system.

Based on the LWBs experience of working with similar regulators, we have been able to share resources and lessons learned. As the MVRMA encourages collaboration and integration, we would recommend the SLUPB consider reaching out to other Land Use Planning Boards and planning departments of Aboriginal Governments, for Land Use Planning support at an organizational level.

The SLUPB should work with the Approving Parties to develop a defined process for monitoring plan implementation. Initial steps could focus on developing methods to track authorizations issued (and declined) under the Plan. Information-sharing mechanisms could be defined for each agency that issues authorizations or permits under the SLUPB. For example, the SLUPB may consider initiating a system whereby the Land and Water Boards automatically forward the staff conformity check documents on to the SLUPB once licences are issued.

In conclusion, we support the SLUPB's recommendation that amendments to the Plan are required as well as a review and revision to the Plan's Implementation Guide.


Yours sincerely,



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