Sahtú nek'e ɔeghálats'eyeda kesórídaots'edéhɔake

Sahtú Land Use Planning Board

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Monday, December 18, 2023

To: Charles McNeely, Chairperson, Sahtú Secretariat Incorporated
The Honourable Jay Macdonald, Minister of Environment and Climate Change, Government of the Northwest Territories
The Honourable Dan Vandal, Minister of Northern Affairs, Government of Canada

DELIVERED BY EMAIL

RE: Timeline for the Sahtú Land Use Plan's Next 5-Year Review

Dear Ministers and Chairperson,

With the considerations given in this letter, the Board is seeking approval from all 3 Approving Parties (SSI, GNWT, and Canada) regarding the proposed timeframe for the Board to conduct the next comprehensive review of the Plan, in accordance with the cited S. 50 of the *Mackenzie Valley Resource Management Act.*

As you may be aware, the Sahtú Land Use Planning Board ("Board") must carry-out periodic reviews of the Sahtú Land Use Plan ("Plan"). The most recent review started in 2018, where the Board worked with communities, planning partners, and Approving Parties (SSI, GNWT, and Canada) to determine what amendments were required and what would be agreeable by all parties. The final approval of amendments by the Government of Canada was received on June 7, 2023, at which time they became legally binding. The Board then undertook a graphic design of the Plan considering these amendments, with the new document distributed digitally on October 31, 2023.

According to S. 50 of the *Mackenzie Valley Resource Management Act*:

> *"A planning board shall carry out a comprehensive review of a land use plan not later than five years after the plan takes effect and thereafter every five years or at any other intervals agreed to by the federal Minister, the territorial Minister and the first nation of the settlement area."*

As we are currently at the five-year mark to conduct the next review of the Plan, the Board *is requesting* that the three Approving Parties *agree to a new timeline* for conducting the next comprehensive review, based on the following circumstances:

- The last comprehensive review has *just been approved* in June 2023, therefore not enough time has passed for it to be implemented or for new amendments to be proposed. Volume I of the updated Plan can be downloaded at: https://sahtulanduseplan.org/sites/default/files/2023-10/sahtu-landuse-8.5x11_web.pdf.
- There are multiple amendment applications to the Plan *awaiting final approvals*, with one based on the August 2013 Plan (AM2015-01), and the other the June 2023 Plan (AM2020-01). There will already be challenges in incorporating the amendments proposed in the AM2015-01 application, therefore completing another comprehensive review will only cause further problems. It is suggested that these amendments be approved before conducting another comprehensive review.
- The Board's Stream I Monitoring & Evaluation of the Plan, which looks at how Regulators and proponents of authorizations and dispositions are implementing the Plan's Conformity Requirements ("CRs"), has *only been implemented in the last three years*. With the lack of development in the Sahtú Settlement Area and Regulators slowly getting used to implementing and reporting on this, more data is required to evaluate whether amendments are required to the Plan's CRs.
- The Board is *currently working* on their Stream II Monitoring & Evaluation of the Plan, which is to see if the Plan is achieving its Vision and Goals. It is expected that interviews will be conducted with Planning Partners in 2024 based on the current work. If the Plan is not achieving its Vision and Goals as determined by this evaluation, major amendments to the Plan will be required.
- Amendments desired by communities could potentially be administered through *specific amendment applications* as opposed to an overall comprehensive review of the Plan. The Board is monitoring and participating in discussions around IPCAs. While many of these are in the preliminary developmental stages and it is not anticipated that they will be approved in the next years, when they are approved, a Plan amendment would be required.
- The Board has *started an annual Sahtú community tour* along with other co-management Boards post COVID-19 pandemic as a means to engage community members, hearing what their concerns, how the Board could address it, and provide awareness of what the Plan does. Feedback from community members will help frame and understand any required amendments.

Based on these factors, the Board requests that the next comprehensive review of the Plan be delayed by another 3 years, at which point these factors should be resolved and there would be metrics on which to base the amendments of the comprehensive review.

To support the request, in terms of next steps, the Board plans to:

1. produce a **discussion paper in January 2026 (in 2 years' time)** to go over what are the required amendments to the Plan,
2. release the January 2026 discussion paper for public comment,
3. conduct community engagement and Tri-Partite meeting(s) following public comments,
4. at which point it is expected that an **amendment application for the comprehensive review be submitted to the Plan's Approving Parties in January 2027 (in 3 years' time)**.

If you have any questions, please contact Justin Stoyko, the Board's Executive Director, at exec_director@sahtulanduseplan.org.

Máhsı and yours sincerely,

Heather Bourassa

Heather Bourassa, Chairperson
Sahtú Land Use Planning Board

Cc: Orlena Modeste, Executive Director, Sahtú Secretariat Incorporated
Justin Adams, Manager, Land Use Planning, Environment and Climate Change, Government of the Northwest Territories
Janice Traynor, Policy Coordinator and Sustainable Development, CIRNAC, Government of Canada