



**CANADIAN PARKS AND
WILDERNESS SOCIETY
NWT CHAPTER**

Box 1934, Yellowknife, NT X1A 2P5
Phone: 867. 873.9893 Fax: 867.873.9593

March 19, 2005

Heidi Wiebe
Executive Director
Deh Cho Land Use Planning Committee
Box 199, Fort Providence, NT X0E 0L0
By Fax: 867.699.3166

**Re: CPAWS-NWT's Comments on the Deh Cho Working Draft Land Use Plan Map,
Terms, and Policy Recommendations**

Dear Ms. Wiebe,

The Northwest Territories Chapter of the Canadian Parks and Wilderness Society (CPAWS-NWT) is part of a national non-profit conservation organization, dedicated to protecting Canada's wilderness. CPAWS-NWT would once again like to congratulate the Deh Cho Land Use Planning Committee and Staff for the hard work that was required to bring the Dehcho "Working Draft" Land Use Map, Terms and Policy Recommendations (Working Draft) and Regional Forum together. We appreciate the inclusive process that was followed, and overall are very supportive of the Working Draft. CPAWS-NWT's submission is organized by the following topics: general comments, South Nahanni Watershed as a Conservation Zone, Nahanni Special Management Areas, ecoregion representation, cumulative effects, and other comments. We also plan to attend the Forum in Hay River for further discussions on these matters.

General Comments

CPAWS-NWT supports the conservation emphasis of the Working Draft, specifically the Committee's:

- minimum allocation of 50% of the Dehcho territory as Conservation Zones;
- allocation to provide landscape connectivity to the majority of the Conservation Zones and Special Management Zones, which helps to create a network of interconnected protected areas that will protect the culture and land of the Dehcho people;
- designation of Candidate Protected Area sites (such as Pehdzeh Ki Deh, Edézhíe, and Samba K'e) that have been entered through the NWT Protected Areas Strategy (both with and without interim protection) as Conservation Zones as noted in Table 7 and the Draft Map;
- collection, organization, and communication of the information; and
- community focus and the solicitation of input from organizations such as CPAWS-NWT.

South Nahanni Watershed

CPAWS-NWT, as well as our national organization, have been working with and supporting efforts by the Dehcho First Nations (DFN), Parks Canada and others to protect the entire South Nahanni Watershed, including the Nahanni karstlands (hereafter referred to as the Watershed). Given the interest by Parks Canada and the DFN in expanding Nahanni National Park Reserve, and the identification of the Greater Nahanni Ecosystem as the area of interest for expansion in the Memorandum of Understanding between Parks Canada and the DFN, we strongly suggest that the entire Watershed, be identified as a proposed protected area, and designated as a Conservation Zone. Similar sites under discussion for protection, including Edézhzié and Pehdzeh Ki Deh are appropriately identified as such.

There is strong support and justification for protection of the entire Watershed, including a number of documents that formally identify the Watershed, or Greater Nahanni Ecosystem, as a proposed protected area:

- The DFN have passed several Resolutions stating support for protecting the entire South Nahanni Watershed.¹
- The August 20th, 2003 Memorandum of Understanding between the Dehcho First Nations and Parks Canada identifies the Greater Nahanni Ecosystem as the area of interest for a national park expansion.
- In a letter to Prime Minister Paul Martin, sent, March 23, 2004, Grand Chief Herb Norwegian supported the expansion of Nahanni National Park Reserve to protect the entire South Nahanni Watershed. Former Chief Peter Marsellais of Nahanni Butte also sent a letter to Senator Consiglio Di Nino in March, 2004, signaling support for park expansion to protect the Watershed.
- The Park Management Plan², developed by the Nah?a Dehé Consensus Team, and approved by the Parliament of Canada, states that, “efforts to manage for ecological integrity must focus on the watershed as the area which has the greatest impact on the ecosystem of the park reserve...the South Nahanni River watershed is the area which has the greatest effect on the ecological integrity of Nahanni National Park Reserve (pages 6-7, section 3).” The Plan also identifies the establishment of an ecologically-based park as an objective (page 15, section 5.1.1.1), and identifies working cooperatively to protect the entire watershed as a key action to achieve this (page 15, section 5.1.1.2).
- The Nah?a Dehé Consensus Team also developed an ecological vision for the Nahanni which states in part that, “Nah?a Dehé will protect a *wilderness watershed* in the Mackenzie Mountains where natural processes such as fires and floods will remain the dominant forces shaping the park’s ecosystem (page 12, section 4.0, emphasis added).”

¹ Resolution #06, passed at the Leadership Meeting, Fort Providence, Oct.29-31, 2002

Resolution #04, passed at Leadership Meeting, Wrigley, Feb.17-21, 2003

Resolution #11, passed at Leadership Meeting, Hay River, Feb.22-24, 2005

² Parks Canada. 2004. Nah?a Dehé Management Plan. Nahanni National Park Reserve of Canada.

There is also additional justification to designate the Watershed as a Conservation Zone:

- The Nahanni is a World Heritage Site and there is a protection responsibility based on United Nations International Convention on World Heritage³.
- Parks Canada's policy statement on new park establishment that indicates drainage basins should be protected:
 - 1.3.3 In proposing the boundaries of a potential national park, Parks Canada will endeavour to establish a park with a size and configuration that...*
 - ii) accommodates the habitat requirements of viable populations of wildlife species that are native to the natural region; and....*
 - v) maintains **drainage basin integrity** (emphasis added).*
- The Tulita Dene Band is also working to protect the Nahanni Headwaters through the NWT Protected Areas Strategy and this area was previously identified as a Conservation Zone in the Preliminary Draft Sahtu Land Use Plan (2003). By designating the Dehcho portion of the Watershed as a Conservation Zone, it would help ensure compatibility between these Land Use Plans.
- Thousands of letters have been sent by Canadians to governments and regulatory agencies supporting full Watershed protection, illustrating public support and concern in other parts of Canada.
- The Mining Map on page 33 indicates that communities do not support mining in the Watershed.
- The Ecological Integrity Statement⁴ for Nahanni National Park Reserve states "Mining activity is considered the single greatest threat to the ecological integrity of the watershed (page 10)."

Given the clear direction from both the DFN and Parks Canada that the South Nahanni Watershed, including the karstlands, is an area of interest for protection, we would like to see this better reflected in the Working Draft. We believe that this, along with including the entire watershed as a Conservation Zone, is a key stepping-stone to achieving long-term protection for the Nahanni. We suggest that a statement be added to the Working Draft to the effect that the designations in the South Nahanni Watershed may be updated to reflect the results of the ongoing park expansion process.

Nahanni Special Management Zones

Notwithstanding that the entire Watershed should be designated as a Conservation Zone, we have specific concerns about the Special Management Zones identified in the Working Draft:

- First and foremost, CPAWS-NWT is concerned about the outright exemption of Conservation Zone 6 lying between Prairie Creek and the NWT highway system from the access planning and routing study requirements as described in Table 7, Description of Terms. Access to the Prairie Creek Mineral Lease area (Prairie Creek) has been by two historic winter road routes, but never an all-weather road. Given that one of the historic winter road routes passes through the heart of the Nahanni karst, and close to (less than 1

³ "Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage." Article 4.

⁴ Parks Canada. 2001. Nah?a Dehé Ecological Integrity Statement. Nahanni National Park Reserve of Canada.

km) unique features such as the assembly of the First, Second and Third Poljes⁵, and was constructed with dated technology, CPAWS-NWT feels the Committee is putting the conservation values of zone 6 at risk. **Therefore, CPAWS-NWT strongly recommends that the Committee require the proponents of any proposed access to Prairie Creek or other areas within the South Nahanni Watershed to complete access planning and routing studies at a very minimum.**

- Second, it is not clear in the Working Draft why the Clearwater Creek and Wrigley Creek area north of the Nahanni National Park Reserve is designated as a Special Management Zone. CPAWS-NWT understands that both this area and the area northwest of it are important caribou habitat areas (wintering and calving areas, respectively). **CPAWS-NWT recommends that both of these northwestern areas be designated as Conservation Zones.**

Ecoregion Representation

CPAWS-NWT strongly supports the fact that the Working Draft has appropriately-sized and connected Conservation Zones. The size of the Conservation Zones is appropriate to the second goal of the NWT PAS which is “to protect core representative areas within each ecoregion of the Northwest Territories”, as well as the science of conservation biology.

One ecoregion that could be better represented in the Dehcho territory is the Peel River Plateau (ecoregion 51), which stretches north into the Sahtu region. There is interest from the Tulita Land District (Tulita Conservation Initiative) and the community of Fort Good Hope (Tsodehniline and Tuyat’ah/Ramparts) to protect part of the Peel River Plateau ecoregion through the Sahtu land use plan and the NWT Protected Areas Strategy. In the Deh Cho territory, part of the Peel River Plateau ecoregion was identified as an important area for a variety of wildlife⁶, including Trumpeter Swans, which are listed as sensitive by the NWT Species at Risk Act (Resources, Wildlife and Economic Development, Government of the Northwest Territories). While part of this special wildlife area is identified as Conservation Zones #3 K’ áá tuh (Sibbeston Plains) and #6 Nahanni Greater Ecosystem, CPAWS-NWT feels that the Special Management Zone objectives are not specific enough to maintain the wildlife values in this ecoregion and special wildlife area. Additionally, in Table 5, Zone Description, Objective, Permitted Uses and Applicable Terms, Special Management Zones 26 and 20 do not reference this key migratory bird terrestrial habitat site. It is also unclear how the seasonal restrictions as identified in Table 9 will be implemented in the Zones that encompass this important this area.

CPAWS-NWT recommends that the Committee consider adding a portion of the Peel River Plateau ecoregion as a Conservation Zone or better defining the zone description, objective, permitted uses and applicable terms of the Special Management Zones in the Peel River Plateau ecoregion.

⁵ Ford, D. 2001. Postscript to the McMaster University 1974 Report on the Nahanni North Karst.

⁶ Alexander, S. A., Ferguson, R.S., and K.J. McCormick. 1991. Key Migratory Bird Terrestrial Habitat Sites in the Northwest Territories, Canadian Wildlife Service Occasional Paper Number 71, 2nd Edition. Ottawa, Ontario. Canadian Wildlife Service. 184 pg and pgs 94-95 refer to this area.

EBA Engineering Consultants Ltd. 2003. A Spatial Analysis and Literature Review of Wildlife and Wildlife Habitat in the Dehcho Territory, NWT. Yellowknife, Northwest Territories.

Cumulative Effects

In addition to our support of the overall land use designations in the map and Tables, CPAWS-NWT was extremely pleased to see the Working Draft include quantitative thresholds to address cumulative effects. We applaud the provisions set out in Table 8 and strongly support their full implementation.

Other Comments

- Under the ‘description of terms’ section in Table 7, a description of the ‘Greater Nahanni Ecosystem’ should be included along with referencing all of the DFN resolutions in the need/issue column.
- Under the ‘Traditional Knowledge’ section in Table 7, ‘land use permits’ and ‘water licenses’ should be referenced explicitly to be consistent with existing legislation and the MVRMA.
- Under the ‘revegetation’ section in Table 7, it is recommended that the Committee identify specific appropriate native seed mixes to the Canadian boreal forest region in the future. Currently there are no standards for native seed mix use in the NWT.⁷
- Under the ‘digital post-operation mapping’ section in Table 7, it is recommended that the Committee consider this requirement as a security deposit fee when the development is in the license or permit application process. The Committee should also consider developing a template for developers so the information can be standardized.
- Under the ‘use of guides’ section in Table 7, it is recommended that the Committee consider amending the term to include ‘use of guides/community monitors’. In addition to guides, Community Monitors should be encouraged to be hired with development activities.
- Under the ‘leave no trace’ section in Table 7, it is recommended that the Committee consider encouraging the use of this principle in Special Management Zones, in addition to Conservation Zones.
- Under the ‘Significant Environmental Features’ section of Table 8, it is recommended that the Committee include mineral licks and early open water areas.

CPAWS-NWT looks forward to continuing to participate in the land use planning process with the Committee and Dehcho residents. Please do not hesitate to contact us at 867.873.9893 if you would like to discuss our comments further, or if you feel we can be of further assistance.

Sincerely,

Original signed by

Jennifer Morin
Conservation Coordinator
CPAWS-NWT

⁷ Also, given that there are limitations to finding large supplies of native seed mixes that are appropriate for the Canadian boreal forest, it is suggested that growing native seed mixes be considered an option in the Committee’s definition of agricultural potential as described on page 36.