



## Dehcho Land Use Planning Committee

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June 13, 2006

Honourable Michael Miltenberger  
Minister of Environment and Natural Resources  
Government of the Northwest Territories  
Legislative Assembly, Box 1320  
Yellowknife, NT X1A 2L9

Honourable Jim Prentice  
Minister of Indian and Northern Affairs Canada  
House of Commons  
Ottawa, ON K1A 0A6

### RE: Submission of the Final Draft Dehcho Land Use Plan

Dear Ministers Miltenberger and Prentice,

We are pleased to present to you the Final Draft of "Respect for the Land: The Dehcho Land Use Plan" ("Ndéh Ts'edíichá: Dehcho Ndéh T'áh Ats'et'í K'eh Eghálats'ênda") and the associated Background Report. *"The purpose of the Plan is to promote the social, cultural and economic well being of residents and communities in the Dehcho territory, having regard to the interests of all Canadians."*

To understand the Plan, it is important to know a bit about the land use planning process, what we learned and the general intent of the Plan. We have attached additional information with this letter to assist in this endeavour.

Land use planning is a recognized professional tool used to make decisions about how the land will be used today and into the future. Plans are implemented by establishing zoning and rules for development for land users and government regulators which enhance, add value to, and coordinate existing programs and processes, thus providing certainty and predictability for industry and communities. Land use plans are adaptive, flexible and responsive to changing needs, priorities and values, through Plan review and amendment processes. This Land Use Plan promotes the sustainable development of the Dehcho territory over the long term through the use of Conservation, Special Management and General Use Zones, and the rules it sets for development.

During negotiation of the Dehcho First Nations Interim Measures Agreement (IMA) the Government of Canada (GOC), the Government of the Northwest Territories (GNWT) and the Dehcho First Nations (DFN) agreed to develop and implement a regional land use plan. The commitment to land use planning was hard fought. Never before had a land use planning process been implemented in advance of ratification of a final land claim agreement. This new approach, coupled with differing views regarding the utility of land use planning as a tool to guide and direct future decision-making, resulted in long debate prior to the parties finalizing the IMA.

The establishment of the Dehcho Land Use Planning Committee and the multi-million dollar land use planning program began in 2001, with staffing and operations up and running in 2002. This small

organization boasts nearly 40 years of relevant post secondary education and over 100 years of direct land use planning experience. Plan development was expected to take 4 years, with implementation ongoing into future years. The Committee requested funding for an additional year of plan development to provide more time for our planning partner consultations.

Guided by the requirements of the IMA, Committee decisions were based on dynamic and thorough analysis of the many social, cultural, economic, and ecological opportunities and constraints associated with land use and development in the region. This information was acquired from public and private sector research, maps and studies on population demographics, important ecological lands, traditional land use and occupancy, resource development potential in the mineral, hydrocarbon, forestry, tourism, and agricultural sectors, cumulative effects, existing uses, and other land use initiatives (e.g. the Protected Areas Strategy). The Committee developed an economic development model designed to forecast socio-economic impacts and benefits of land use to inform its decisions. We conducted thousands of hours of consultations in over 140 meetings with government, industry, Dehcho communities and other interested planning partners, and received almost 120 written submissions from our planning partners containing detailed comments and suggestions.


All this information was integrated into the land use planning process to assess options. The analysis drew a picture of a region which is similar to many regions of northern Canada - remote, with strong ties to the land, and high resource potential. The conservation, development and use of these lands must sustain the social, cultural and economic well-being of the residents forever. The region is poised on the cusp of great economic development, yet some time is still required for the region to prepare to reap the benefits for the short and long term. As an economic engine, it is important that the social and economic benefits of development accrue at a rate that allows the people of the region to grow into, and prosper from, the many opportunities.

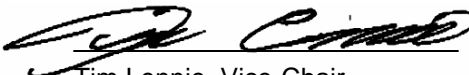
Working to reach agreement among our planning partners proved to be challenging, with competing interests and opinions not only between, but also, within organizations. This is a common challenge in interagency, interdisciplinary processes, which provides for valuable debate on complex decisions.


In closing, we would like to thank the GNWT and Canada for their support over the duration of this planning project. We believe the Plan has achieved its mandate of promoting the social, cultural and economic well-being of communities and residents of the Dehcho territory, having regard to the interests of all Canadians. It achieves the right balance between economic development, and the social, cultural and ecological constraints existing in the region.

The Committee would appreciate the opportunity to meet with you at your earliest convenience to discuss the Plan and the approval process with you. Please contact our Chairperson, Herb Norwegian at (867) 695-2355 or our Executive Director, Heidi Wiebe at (867) 699-3164 or [hwiebe@dehcholands.org](mailto:hwiebe@dehcholands.org) to make arrangements.


Mahsi Cho!

  
Herb Norwegian, Chairperson

  
Tim Lennie, Vice-Chair  
DFN Representative

  
Adrian Boyd, Secretary-Treasurer  
Canada Representative

  
Petr Cizek, Director  
DFN Representative

  
Ron D. Antoine, Director  
GNWT Representative

Cc: Bob Overvold, Regional Director General, INAC, Yellowknife  
Bob McLeod, Secretary to Cabinet, GNWT, Yellowknife

## Information Note

**DATE: June 13, 2006**

**To: Honourable Michael Miltenberger, Minister of Environment and Natural Resources,  
Government of the Northwest Territories**

**Honourable Jim Prentice, Minister of Indian and Northern Affairs Canada,  
Government of Canada**

**SUBJECT: Final Draft Dehcho Land Use Plan**

### **SUMMARY**

- The Dehcho Land Use Planning Committee was established under the Dehcho First Nations Interim Measures Agreement (IMA) to develop a land use plan for the Dehcho territory. The Committee prepared the land use plan on behalf of the Dehcho First Nations, Government of the Northwest Territories and Canada.
- Planning land use publicizes the rules for development which focuses research and exploration, streamlines decision making and advances economic development.
- The Plan provides direction to land users and decision makers which significantly enhances regulatory certainty and investor confidence. The Plan is well integrated with the existing regulatory framework and will not add further delays to regulatory processes.
- The Final Draft Plan is complete and has been approved-in-principle by the Dehcho First Nations, subject to ratification at the Kakisa Assembly on June 27, 2006. The Plan has now been forwarded to the Minister of Environment and Natural Resources, GNWT for approval and the Minister of INAC, Government of Canada for consideration.

### **OVERVIEW & BACKGROUND**

*“The Plan will involve finding a balance between development opportunities, social and ecological constraints, which reflect community values and priorities while taking into consideration the values of all Canadians.”*

*“The purpose of the Plan is to promote the social, cultural and economic well being of residents and communities in the Dehcho territory, having regard to the interests of all Canadians. Taking into consideration the principles of respect for the land, as understood and explained by the Dehcho Elders, and sustainable development, the Plan shall provide for the conservation, development and utilization of the land, waters and other resources in the Dehcho territory.”*

The current Plan is interim in nature. It will be revised immediately upon the ratification of a Dehcho Final Agreement to be consistent with that document. It will also undergo a comprehensive review every five years to ensure it keeps pace with changing values, new technologies and evolving economic opportunities.

The plan provides comfort to the residents of the Dehcho territory until the rules for land and resource management are finalized under the Dehcho Final Agreement negotiations. Advancing rules that address the concerns of the region will facilitate development in the interim while land claim negotiations are being finalized.

## **HIGHLIGHTS OF THE PLAN**

- The Plan allows for projects of a National Interest to proceed (e.g. Mackenzie Valley Pipeline, development of the Fort Liard and Cameron Hills gas fields, expansion of Nahanni National Park), and identifies conditions which promote the well-being of residents and communities.
- The Plan provides opportunities for continued mineral development of existing rights and for new development in areas of significant potential such as the north-western Mackenzie Mountains and the Pine-Point Lead-Zinc formation.
- The Plan provides comfort to the residents of the region that their voices are being heard. Addressing the community concerns will promote economic development in the region while ensuring that community interests are incorporated into land use decisions.
- The Plan balances the need for continued traditional land use areas with economic development activities through appropriate land use zoning and conformity requirements.
- The Plan includes processes to amend the Plan to adapt to new situations in advance of a 5-year review. The conformity requirements include flexible language to allow regulators to apply them appropriately to various situations, without compromising the intent of the Plan. Actions for additional research and activities are included to identify key measures required to move the Plan forward during subsequent reviews or amendments.
- The Plan is consistent and fully integrated with the existing regulatory system, current legislation, agreements (including the IMA and IRDA - Interim Resource Development Agreement), processes and timeframes.

## **KEY CHANGES IN THE FINAL DRAFT PLAN**

- The Final Draft incorporates many of the governments' requested changes and addresses key concerns around cumulative effects thresholds, consistency with existing regulatory processes, the role of the Plan in relation to Dehcho Process negotiations, and the role of the Committee in implementation.
- The Committee completed a legal review of the Plan at the request of the GNWT and Canada, met with the Parties to discuss their concerns, and made significant revisions to the Final Draft as a result of that work.
- The Plan identifies an area for future oil and gas rights issuance as per the IMA and IRDA.
- The Plan delineates pipeline and infrastructure corridors and rules for the development of both the Mackenzie Valley Pipeline (including the recently completed negotiations for a corridor around Wrigley) and a new pipeline for the Netla-Arrowhead area around Fort Liard to allow existing discoveries to move into production.
- The Plan is integrated with and supports all current sites moving through the NWT Protected Areas Strategy in the Dehcho territory.

## **APPROVAL PROCESS**

- Only the Plan is subject to approval; the Background Report is not meant to be formally approved, but contains supplementary information to support the Plan.
- The completed Plan was forwarded to the Dehcho First Nations on May 15, 2006.
- DFN gave approval-in-principle to the Plan on May 31, 2006, subject to final changes requested by Pehdzeh Ki First Nation, and subject to ratification at the DFN Annual Assembly in Kakisa on June 27-29, 2006 (see attached resolution).
- As per section 10 of the IMA, the Plan is now being forwarded to the GNWT Minister of ENR for approval and the Minister of DIAND for consideration.
- The Committee is available to work with the Parties to facilitate agreement on a Final Plan.



**DEHCHO FIRST NATIONS**  
BOX 89, FORT SIMPSON, N.W.T. X0E 0N0  
TEL : (867) 695-2355/2610 FAX : (867) 695-2038  
EMAIL. [dcfn@dehchofirstnations.com](mailto:dcfn@dehchofirstnations.com)



**Spring Leadership Meeting  
Fort Liard, NT  
May 31, 2006**

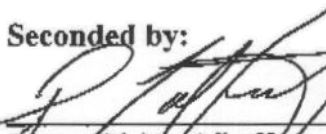
**Resolution # 01**

**RE: Dehcho Land Use Plan Approval**

**Moved by:**

  
Chief Stanley Sanguez  
JMR First Nation

**Seconded by:**

  
Proxy Richard Lafferty  
Fort Providence Metis

**Certified copy of resolution  
made at Fort Liard, NT  
May 31, 2006**

  
Herb Norwegian  
Grand Chief

**WHEREAS**, the Dehcho Land Use Planning Committee (DLUPC) was established through the Interim Measures Agreement signed in 2001.; and

**WHEREAS** the DLUPC has conducted extensive community consultations throughout the Dehcho Territory including 140+ meetings, 2 regional forums, 11 Leadership, Elders, and Negotiating meetings.

**WHEREAS** the DLUPC has submitted a final draft to the Dehcho First Nations for approval.

**WHEREAS**, Pehzch Ki First Nation has requested the addition of special management zones where mining and oil/gas would be prohibited but forestry, tourism, and agriculture would be permitted in a letter dated May 26, 2006 and in a map shown in a document entitled "Linear Notes for the Dehcho Land Use Planning Committee and the Dehcho Land Withdrawals, May 28, 2006".

**NOW THEREFORE BE IT RESOLVED**, that the Dehcho First Nations approve-in-principle the final draft land use plan, as set out in Section 10 of the Interim Measures Agreement, subject to the changes requested by Pehzch Ki First Nation, and subject to ratification at the Kakisa Annual Assembly in June 2006.