



Dehcho Land Use Planning Committee

January 15, 2007

TO: DLUPC DISTRIBUTION LIST

RE: Plan Approval Update

Dear Planning Partners,

I'd like to take this opportunity to wish you a Happy New Year and update you on the approval process for the Final Draft Dehcho Land Use Plan.

As you know, the Plan was submitted to the Dehcho First Nations on May 9, 2006 for their approval. DFN requested further changes to the land use zoning around Wrigley as a condition of that approval and ratified the amended Final Draft Plan by unanimous approval at their Annual Assembly in Kakisa on June 28, 2006.

The amended Final Draft Plan was submitted to the Minister of Environment and Natural Resources (ENR) for the GNWT, and the Minister of Indian and Northern Affairs Canada (INAC) for their approval and favourable consideration on June 13, 2006. The Committee received letters from the approving ministers for the GNWT and Canada in August and September, respectively, indicating they were reviewing the Plan and would consider meeting the Committee once complete to discuss any outstanding issues.

Over the course of late October and November the Land Use Plan was discussed at main table negotiations on the Dehcho Process. Canada and the GNWT indicated that they had concerns with the level of conservation, the impact of the proposed Conformity Requirements on the regulatory regime, and the fact that the Plan does not adequately reflect the land selection model proposed in Canada's offer to DFN in May 2006. They believe the Committee's work is done and have suggested that the Committee be replaced by side table negotiators who would undertake revisions to reach consensus on an Interim Plan that was acceptable to all three Parties. They further indicated that they will not approve and implement the Interim Plan until a detailed Agreement-in-Principle (AIP) is completed at the negotiations table. These positions are outlined in the attached PowerPoint presentation and November 22, 2006 letter presented by the federal and territorial negotiators to DFN's Chief Negotiator.

While the Dehcho Land Use Planning Committee takes its direction for plan development primarily from the Dehcho First Nations Interim Measures Agreement (IMA), the IMA does not provide clear direction on Plan approval, stating only that the completed Plan will be forwarded to the Dehcho First Nations for approval (S. 9), and following that approval, will be forwarded to the GNWT and Canada for their approval and consideration (S. 10). It does not specify a process should any of the Parties reject the Plan.

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However, a process for this does exist under Part 2 of the *Mackenzie Valley Resource Management Act (MVRMA)* and is consistent with approval processes used in every land use planning process in northern Canada. Under S. 43 (5) of the MVRMA, where an approving Party does not approve the Plan, they are to notify the other Parties and the Planning Committee in writing of the reasons for not approving the Plan. Under S. 43 (6), the Planning Committee will consider those reasons, make any changes to the Plan it feels are appropriate and resubmit the Plan for approval.

The June 2005 Pipeline Settlement Agreement provided for timely implementation of the completed plan. Section 13.1 states: "The Parties agree to implement a land use plan that is approved by the Dehcho First Nations, approved by the GNWT Minister of Environment and Natural Resources and favourably considered by the Minister of Indian and Northern Affairs Canada, as soon as possible after the Plan's completion."

The (IMA) Appendix 2 section 24 identifies an ongoing role for the Planning Committee. "Following consideration and plan approval, the Planning Committee will monitor land use in the Dehcho territory for conformity to the Plan." Ongoing funding is provided for the Committee to implement the Plan under Appendix 3 of the IMA.

Based on these agreements, the Committee wrote the approving ministers for the GNWT and Canada on December 11, 2006 seeking clarification regarding their concerns with the Plan and the ongoing role of the Committee. The Committee briefed Dehcho Process Negotiators on December 18, 2006 regarding the challenges faced in Plan development and the role it could play to facilitate further revisions. Federal and territorial negotiators indicated that they will respond to the Committee's presentation at the next negotiation session.

We will endeavour to keep you informed of events in Plan approval as they arise. As always, check our website periodically for new correspondence under the Public Comments tab at http://www.dehcholands.org/public_comments.htm. If you have any questions, please contact me at (867) 699-3164 or hwiebe@dehcholands.org.

Sincerely,



Heidi Wiebe, Executive Director
Dehcho Land Use Planning Committee

Attach: November/06 INAC PowerPoint Presentation – Dehcho Land Use Plan: Moving Forward
November 22, 2006 Letter from Federal and Territorial Negotiators to DFN Negotiator
December 11, 2006 Letter from DLUPC to Ministers of ENR and INAC
December 18, 2006 Briefing Note to Dehcho Process Main Table Negotiators

Dehcho Land Use Plan

Moving Forward

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 Canada

Introduction

- Canada and the GNWT are providing their comments and observations because they want to work with the Dehcho to develop an interim land use plan that can be implemented at AIP
- Additional issues will arise as the parties negotiate the text of the AIP and land use plan
- We acknowledge the considerable technical work of the Land Use Planning Committee
- The Dehcho Process has advanced to a stage where we now need to negotiate an interim land use plan that can be acceptable to all parties
- An AIP and interim land use plan together should provide greater certainty and clarity for all parties regarding development and conservation

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Canada and GNWT requirements for a Land Use Plan

- The Minister and the Premier have directed the Federal and GNWT negotiating teams to work rapidly to finalize an AIP and interim land use plan
- The proposed interim land use plan is helpful in providing detailed technical information with respect to land use specific to the Dehcho Region
- The next step is for the interim plan to be negotiated as part of the Dehcho Process. To do this, some key issues need to be addressed. For example,
 - there is an imbalance in zoning in the proposed plan between conservation and economic development
 - the proposed plan does not adequately reflect the land selection model
 - the proposed conformity requirements would not provide for an efficient and clear regulatory regime; some do not fit well within the current legislative and policy framework.

Specific Canada/GNWT requirements

- The AIP and interim land use plan negotiations must provide for a sufficient area open for non-renewable resource development
- The proposed land use plan sets out a variety of restrictions on mineral, oil and gas development. In our view, approximately 69% of the Dehcho Region would be prohibited from development
- Canada would envision an area no greater than 40% of the Dehcho Region in which mineral and oil and gas development would be prohibited
- Land selections in the Dehcho Process would also have to be consistent with the goal of maintaining a maximum area of 40% of the Dehcho Region in which mineral and oil and gas development is prohibited

Conformity Requirements

- A number of listed conformity requirements continue to cause concern
- Some matters proposed as conformity requirements should instead be addressed in AIP chapters or through the current regulatory regime
- Conformity requirements of an interim land use plan must also fit within the existing legal and policy framework

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Infrastructure Requirements

- The draft land use plan contemplates a special infrastructure corridor
- Canada considers it necessary for the corridor to be a minimum of 3 kms wide
- The corridor should provide for a number of uses, such as pipelines, utilities and roads

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Land Use Planning Side Table

- The work of the Land Use Planning Committee has been completed
- Negotiation of the Interim Land Use Plan will now be dealt with in the Dehcho Process
- The Land Use Planning Committee should be replaced by a side table reporting to the main table negotiators in the Dehcho Process
- Technical expertise will remain available to all parties and we should discuss the specific roles and responsibilities of technical experts

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Interim and Final Land Use Plan

- An interim plan will work within the existing legal and policy framework for resource management in the NWT and can take effect once an AIP is reached
- An AIP and interim land use plan would replace a number of provisions in the Interim Measures Agreement
- A final land use plan will be a product of a ratified Dehcho final agreement and can only be implemented after the Final Dehcho Agreement
- Canada and the GNWT are prepared to work with the Dehcho, through negotiations, to achieve an implementable interim and final plan.

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Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada



Northwest
Territories Aboriginal Affairs and Intergovernmental Relations

November 22, 2006

Georges Erasmus
Chief Negotiator
Dehcho First Nations
PO Box 89
Fort Simpson, NT
X0E 0N0

Dear Georges,

On November 3, at the request of the Dehcho, the Dehcho federal and territorial negotiators met with you to provide more information on their position on the current version of the interim land use plan and the linkage to the Dehcho Land, Resource and Self-government negotiations. At the end of that meeting you indicated that you would have further questions.

Subsequent to our meeting on November 3, Elders and leaders who met in Fort Providence the week of November 8 decided to recommend to the upcoming Special Assembly that:

Negotiations with Canada on an Agreement-in-Principle based on land selection may be considered only after Canada has provided assurances that the Land use Plan will be implemented and the role of the Land Use Planning Committee, as set out in the IMA, will be respected.

After Canada has agreed to implement the land use plan and honour existing agreements, the negotiating team will be mandated to begin negotiations with Canada on an Agreement-in-Principle based on land selection.

Canada and the Government of the Northwest Territories respectfully submit the attached document, "Achieving a Dehcho Agreement-in-Principle and an interim Land Use Plan", to you, and to the Dehcho Chiefs, in an effort to provide you with as much information as possible prior to the Dehcho Special Assembly.

Canada encourages the Dehcho to respond to the federal offer by providing a clear counter offer so the parties can move as quickly as possible to reach an agreement-in-principle (AIP) and a final agreement.

The negotiating teams representing Canada and the Government of Northwest Territories remain optimistic that sufficient common ground between the Parties can be found so that negotiations leading to an AIP can proceed.

Sincerely,



Lynne Partel
Associate Chief Federal Negotiator
Government of Canada



Carolyn Laude
Acting Chief Negotiator
Government of the Northwest Territories

Encl.

- c.c. Dehcho Chiefs and Métis Presidents – see distribution list
Mr. Bob Overvold, Regional Director General, INAC, Northwest Territories
Gabriela Sparling, Deputy Minister, GNWT, Aboriginal Affairs and Intergovernmental Relations
Bob Bailey, Deputy Minister, GNWT, Environment and Natural Resources

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Achieving a Dehcho Agreement-in-Principle and an interim Land Use Plan

Canada's Position

The federal offer tabled by Canada on May 30, 2006, represents a significant opportunity to negotiate a fair and reasonable agreement with the Dehcho First Nations that is also consistent and comparable with other settlements in the Mackenzie Valley and the rest of Canada.

The Minister has instructed his Chief Federal Negotiator to negotiate an interim land use plan that is acceptable to Canada. He also instructed that this interim plan can only be implemented upon completion of an Agreement-in-Principle that is based on a land selection model.

Canada encourages the Dehcho to respond to the federal offer by providing a clear counter offer so the parties can move as quickly as possible to reach an agreement-in-principle and a final agreement. The sooner the parties can reach a final agreement, the sooner the Dehcho people can begin to benefit from the agreement and plan for their future.

GNWT Position

The GNWT supports the federal offer made to the Dehcho on May 30, 2006. The offer is comparable to other agreements in the Northwest Territories including the selection of surface and sub-surface lands. The GNWT is prepared to commence substantive Agreement-in-Principle negotiations based on the Federal offer.

Canada and the GNWT's position on the current Land Use Plan

Canada and the GNWT cannot accept the land use plan in its current form because concerns expressed by both governments to the Committee previously have not been adequately addressed. Specifically:

- there remains an imbalance in zoning in the proposed plan between conservation and economic development
- the proposed plan does not adequately reflect the land selection model
- the proposed conformity requirements continue to cause concern because they do not provide for an efficient and clear regulatory regime and some do not fit well within the current legislative and policy framework.

The draft land use plan includes a special infrastructure corridor. Canada considers it necessary for the corridor to be a minimum of 3 kilometres wide to provide for a number of uses, such as pipelines, utilities and roads.

Canada



Canada's and GNWT specific concerns about the imbalance in zoning

The current draft plan effectively makes 69% of the Dehcho region off limits to almost all non-renewable resource development.

- 25% advanced joint conservation initiatives (Nahanni and Edehzhie)
- 25% conservation zones (includes 3 PAS areas and conservation zones)
- 11% Special Management zones closed to oil & gas and mining
- 8% Special management zones that allow oil & gas but no mining

This far exceeds even the largest conservation ratios that exist anywhere in Canada or the world. In Canada's and the GNWT's view, it does not allow for an adequate balance between conservation and development.

Canada's position regarding the appropriate zoning balance

Canada would envision an area no greater than 40% of the Dehcho Region being off limits to mineral and oil and gas development both in the interim land use plan and after a final agreement is in place. This would likely mean approximately 25% for Nahanni National Park and Edehzhie and 15% that can be applied to protecting other sensitive or special areas.

At a 40% conservation ratio, Canada's position compares extremely well with conservation efforts across Canada and the world. For example:

- 14.2% of land in the NWT is currently protected in some way. The Dehcho region already has the highest conservation ratio in the territory with interim land withdrawals representing 34% of the Dehcho region right now (Gwich'in have 10% and Sahtu are looking at a proposed 29%).
- 9.4% of land in Canada is currently protected in some way. NWT has the highest conservation ratio, followed by BC at 14.1% and Newfoundland & Labrador at 13.1%.
- Approximately 11% of the Earth's land is currently set aside for protection. Here are some ratios from around the world:

North America – 11%	South America – 19 %
Central America – 22%	Venezuela – 34%
Alaska – 30%	Germany – 29%

Canada's position on managing development on other lands

By setting a limit of 40% on lands that are off limits to development, Canada is not suggesting that the remaining 60% of the Dehcho region be open to unchecked development.

Canada would see the Land Use Plan providing guidance that could apply to development in some of the areas that are open for development. This could mean recognizing the special characteristics of some areas by requiring regulatory authorities to give specific consideration to the particular values of the zones ("values" are described in the background report of the current plan) when considering development applications.

In areas that are identified as "general use" zones, the existing regulatory process and consultation requirements would continue to apply.

After final agreement, the Dehcho Resource Management Authority would play a key role in managing the regulatory process throughout the Dehcho region.

How Canada and the GNWT proposes to move forward on the Land Use Plan

Canada and the GNWT want to see the Land Use Plan brought back to the Dehcho Process where it will be negotiated at a side table.

What this means for the Land Use Planning Committee

This means the Land Use Planning Committee in its current form would no longer be needed, however, Canada and the GNWT want to ensure that the technical expertise of the Dehcho Land Use Planning Committee is retained to support all three parties at this side table. The details of how this transition takes place will need to be negotiated as soon as possible.

Relationship between the Land Use Plan and the Agreement-in-Principle

An Agreement-in-Principle and an interim Land Use Plan will be negotiated together. Their completion will be key steps towards a Dehcho final agreement and a Dehcho Land Use Plan that will replace the interim plan at the time of final agreement.

Linking the Agreement-in-Principle and the interim land use plan is necessary because:

- the land use plan must be consistent with the land provisions of an AIP and final agreement
- it allows the parties to look at the land use plan and land selection together to ensure that the appropriate balance between conservation and development is achieved overall
- it allows the parties to look at the land use plan and the Agreement-in-Principle together to see if some land management objectives which can't be achieved in the Land Use Plan can be addressed in a Dehcho agreement (which is the only mechanism to make changes to laws)
- when an Agreement-in-principle is reached, interim land withdrawals can be put in place to protect both conservation zones identified in the interim land use plan and lands identified for selection by the Dehcho in a coordinated way
- Dehcho land selections will need to reflect a representative mix of lands (i.e. conservation and development lands). Therefore, the Dehcho will want to take the land use plan into account when they select lands.

Protection of lands in advance of an interim land use plan

Current Interim Land Withdrawals protect 34% of the Dehcho region. These withdrawals expire in August 2008. If the parties are involved in productive negotiations towards an AIP at that time, these withdrawals can be extended.

We would encourage the Dehcho to nominate a member to the MVEIRB and to establish a Dehcho land and water panel as per the IMA to provide for Dehcho input into the current regulatory process.

What this means for the Dehcho

The federal offer tabled on May 30, 2006, provides the basis to negotiate an agreement that will:

- give the Dehcho important tools for land and resource management, governance, conservation, land use planning and development
- give the Dehcho a substantial say in decision-making throughout their settlement area as well as the ability to make laws on Dehcho lands
- renew the relationship between the Dehcho, federal and territorial governments based on respect and a shared understanding of jurisdiction and authorities.

Under Canada's approach, a combination of conservation zones and other land owned by the Dehcho would allow the Dehcho an opportunity to be a world leader in conservation and environmental stewardship and to play a direct role in how and when development happens on a large portion of the Dehcho.

The Dehcho Process provides support and momentum for the creation of an expanded Nahanni National Park, the final boundaries of which could make it one of the three largest national parks in Canada. It also provides support and momentum for the Edehzhie Protected Area.

In addition, the DRMA and other regulatory mechanisms that will be negotiated as part of the Dehcho Process, would ensure the Dehcho have significant influence on how development takes place throughout the region.

This, by any standard would be a significant achievement for all parties.

Dealing with existing problems with the Interim Measures agreements

Canada and the GNWT recognize that all parties have issues that need to be addressed in the implementation of interim measures. However, these interim measures are creations of the Dehcho Process and, to improve them, the parties need to be involved in productive negotiations towards a Dehcho final agreement.

November 22, 2006



Dehcho Land Use Planning Committee

December 11, 2006

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

Hon. Jim Prentice, Minister of Indian and Northern Affairs Development
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

RE: Dehcho Land Use Plan Revisions and Committee Role

Dear Sirs,

The Government of Canada, the Government of the Northwest Territories and the Dehcho First Nations have stated that they want an approved land use plan for the Dehcho territory. At a meeting with Bob Overvold, Regional Director General for INAC on November 24, 2006, we were given a copy of the November 22 letter from the federal and territorial negotiators to Georges Erasmus, Dehcho First Nations Chief Negotiator, regarding Dehcho Process negotiations and the federal/territorial response to the Dehcho Land Use Plan. In this letter, your negotiators stated concerns with the level of conservation and the conformity requirements, and your intent to terminate the Committee.

Following its mandate under the Dehcho First Nations Interim Measures Agreement, the Committee has completed the Final Draft Dehcho Land Use Plan based on extensive research and over 140 consultations, on time and on budget. The IMA outlines an ongoing role for the Committee to implement and monitor conformity of land uses with the Plan, and allocates ongoing funding for this purpose until the effective date of a Dehcho Final Agreement.

The Committee completed 3 rounds of revisions to address the substantial comments provided by your departments on earlier drafts of the Plan. Leading up to submission of the land use plan for approval the Committee requested on at least 3 separate occasions that both governments provide us with specific plan revisions on zoning and conformity requirements and substantiate these requests. We are again requesting direct and specific notification of your concerns with the zoning and conformity requirements of the Plan so that we may take appropriate steps to address them. This is consistent with the IMA and the *Mackenzie Valley Resource Management Act*. The MVRMA states "Where a party to which a land use plan is submitted does not approve the plan, that party shall notify the other parties and the planning board, in writing, of the reasons for not approving the plan." (S. 43 (5))

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It has always been the understanding of the Committee that following the submission of the plan that government would respond directly to the Committee with the above referenced information. We recognize that the land use plan requires negotiation between the three Parties to reach consensus on revisions. The Committee has an important role to play in the revisions, plan implementation and monitoring land use in the Dehcho territory for conformity to the plan. (IMA Appendix 2 Section 24)

An approved land use plan will benefit all parties by providing clarity and certainty regarding land use priorities and requirements. This information will inform and streamline the regulatory and environmental assessment processes. Government, industry and communities have commenced implementation of the plan. The Plan will promote economic development in advance of a final agreement by clearly outlining which areas are most suitable at this time and by promoting stronger relationships between communities and industry.

The Directors and staff of the Dehcho Land Use Planning Committee remain committed to achieving an approved and implemented land use plan that is acceptable to all three Parties. If however, you choose to undo five years of work and capacity building worth over \$4 million, then we respectfully request that you provide the Committee sufficient notice to meet all our financial and legal obligations. We look forward to your timely response on this important matter.

Sincerely,



Chief Tim Lennie
Vice-Chairperson
Dehcho Land Use Planning Committee

Cc: Dehcho Chiefs and Metis Presidents



Dehcho Land Use Planning Committee

December 18, 2006

DLUPC Negotiations Briefing Note

The Goal: An approved and implemented land use plan that is acceptable to all three Parties to guide sustainable economic development in advance of a Final Dehcho Agreement

The Benefits:

Planning provides clarity and certainty to industry, communities and governments about what type of development is appropriate and where it should occur. These decisions are based on a comprehensive analysis of regional values, priorities and extensive data collection, research and consultation with a broad range of public and private interests. It integrates local and regional needs into the decision making process up front, allowing land users to more accurately assess the costs and benefits of land use decisions, and design and implement their activities in a manner that promotes the well being of the region. Approved and implemented land use plans provide clear guidance to regulatory authorities by which to assess projects and determine their acceptability, reducing the enormous strain placed on the environmental assessment and regulatory processes. Increased clarity, certainty and efficiency in the regulatory environment promote greater investor confidence in resource development and will lead to increased sustainable development opportunities in the region.

The Challenge:

The federal and territorial governments have raised repeated concerns about the level of conservation in the Plan, and have suggested that the Conformity Requirements do not fit well with the current legislative and policy framework and would not provide for an efficient and clear regulatory regime. Their proposed solution is to abandon the multi-million dollar comprehensive land use planning process in its final stages and replace the Committee with side table negotiations. This is inconsistent with the structure and role of the Committee as established under the IMA, and the established approval process for land use plans in both the Gwich'in and Sahtu Settlement Areas and as provided for under the Yukon Umbrella Agreement and Nunavut Land Claims Agreement. In short the land use planning process is intended to be an open, transparent and public process. When land use plans are submitted for approval it is understood that modifications may be required prior to approval. In keeping with an open, transparent and public process if the approval body requires modifications it is expected to share its views and substantiation for revisions in writing to the planning body. By sharing the substantiation the approval body maintains an atmosphere of good faith and allows the planning body to review and address the concerns.

Background:

The Committee has noted the government concerns regarding the level of conservation and held numerous discussions with communities over the last year in which these concerns and the need for greater economic development opportunities were discussed. In some cases, communities recognized the need for additional development (e.g. opening oil and gas development near Jean Marie River, getting agreement between Fort Liard, Trout Lake and Nahanni Butte on lands for an oil and gas issuance cycle and the need for a pipeline to develop the commercial discoveries in the area). However, last year's disagreement over the issuance of prospecting permits between Canada and the Dehcho First Nations created strong mistrust in the communities of all land and resource management initiatives, leading communities to close many areas previously open to development.

Furthermore, the sequential approval process required the Committee to get buy-in first from Dehcho First Nations. This hindered the Committee's ability to equally consider the needs of other Parties during final revisions, until DFN approval had been received. The Committee was clear that the final revisions made would not be acceptable to the other Parties based on feedback to date and would likely require additional meetings to reach consensus on a final plan. As well in many cases there was no agreement within government departments on how government believed the land should be managed. This infighting within government departments spilled over into the stages of the planning process where individuals would work against each other to advance independent professional agendas. The Committee believed that submission of the plan for approval was the only way to draw out consistent departmental substantiation for the concerns being raised within government.

With respect to Conformity Requirements, the Committee made substantial revisions in the Final Draft to address the key concerns put forward by the governments at that time. If concerns remain with the language of the Conformity Requirements, then these need to be clearly communicated to the Committee, as per our prior requests, so that we may adequately address them. As the Committee has communicated consistently over the past 4 years we need government to share their concerns, solutions and the relevant rationale. Without it the Committee is forced to guess what a particular groups concerns or solutions maybe in any given situation.

The final concern raised was that the Plan does not reflect the land selection model currently being explored by the Parties. The Committee does not view this as problematic. A land use plan directs land use, regardless of ownership, while a land selection model identifies ownership of the land. They can and do work together. As examples, the approved Gwich'in, North Baffin and Keewatin Plans all operate in settlement areas that used land selection and apply equally to Crown and Gwich'in or Inuit Owned Lands. However, given that land would likely be selected for economic development purposes, it suggests that more lands may need to be opened for development to accommodate the economic needs of all land owners following ratification of a final agreement.

The Opportunities:

The DLUPC is committed to working with all three Parties in a balanced forum to identify appropriate revisions to the zoning and Conformity Requirements. The IMA provides for an ongoing role for the Committee, to monitor conformity of land uses with the Plan and oversee Plan amendments and revisions. While the IMA does not provide detail about the approval process, this is described under the *Mackenzie Valley Resource Management Act*. Under section 43 (5), where a Party to which a land use plan is submitted does not approve the plan, that party **shall** [emphasis added] notify the other parties and the planning board, in writing, of the reasons for not approving the plan. Under 43 (6) the Board is expected to consider the reasons provided and make any modifications it considers desirable, which is why it is imperative that the substantiation be provided so that this information can be compared with the planning bodies existing data.

The Committee possesses considerable expertise on the history, issues, data and considerations integral to the Plan development process. This expertise will be required to facilitate revisions that will be acceptable to all Parties. The Committee can run sensitivity analysis to prioritize lands for conservation and development at different levels to focus negotiations on meaningful options. The Committee can also recommend creative solutions to overcome remaining concerns on Conformity Requirements while maintaining the intent and integrity of the message required for community support.

The Committee has spent four years working with communities, governments, industry and other planning partners and we have developed a reputation of integrity, respect and trust with our planning partners. It is important to sustain these relationships through Plan revisions to facilitate consensus between the Parties. Changing participants and project leads at this junction has the potential to undermine trust between the Parties. Furthermore, the Committee was established to ensure that decisions rested on a solid foundation of scientific information, and extensive research and consultations on the social, cultural, economic and ecological values and priorities of the region, rather than the political aspirations of the day. The Committee's neutrality and representation of all three Parties in a professional, cooperative environment is central to its integrity and success. Moving decisions to the

negotiation table undermines the reason for establishing the Committee in the first place, and the overall results of the process.

It takes years to establish the knowledge and capacity now held by the planning Committee. This knowledge will again be required once the Plan is approved in order to monitor conformity as per existing agreements. To disband the Committee at this time goes against federal and territorial commitments to the IMA, professional land use planning standards and capacity building in the north.

Next Steps:

The Committee needs to understand in detail the concerns regarding Conformity Requirements and zoning so that these can be addressed. We also require rationale and direction as to which areas the Parties wish to see opened to development so that this information can be considered and discussed with affected communities. As all zoning was based on extensive consultation, mapping and data collection, all revisions must be held to the same data standards. The Committee therefore requests a detailed outline of the reasons for rejecting the Plan, as per standard planning processes, and direction as to the possible solutions the governments would like to see. Following consideration of this information, the Committee will be in a position to assist the three Parties identify suitable revisions to address these concerns.

Given recent announcements, the Committee requires confirmation as soon as possible regarding its continuing role and the provision of ongoing funding as set out in the IMA. As a registered society under the NWT Societies Act, we have certain legal and financial obligations that must be met. The Committee is initiating research to ensure that it can meet those obligations, pending decisions made at the negotiations table.

Heidi Wiebe, Executive Director
Dehcho Land Use Planning Committee