



Working Draft Deh Cho Land Use Plan

Deh Cho Land Use Planning Committee
Regional Forum - March 29 - 31, 2005 - Hay River Reserve



Proposed Terms

Term Descriptions:				
Term	Description	Need/Issue	Zones Affected	Land Use Affected
Traditional Land Use, Occupancy and Harvesting	Nothing in this land use plan will impact or reduce in any way, the treaty and aboriginal rights and activities of the Dehcho Dene Descendants. Traditional Land Use, Occupancy and Harvesting will continue in all areas at all times. If Dehcho Dene Descendants are exercising their traditional rights outside their own traditional lands, they are encouraged to respect traditional Dene protocol by notifying the local leadership and/or individual land stewards.	To protect treaty and aboriginal rights and activities of the Dehcho Dene descendants.	Dehcho wide	All
Consultation	Regulatory Authorities will require that all applications for new land and water uses demonstrate full and meaningful consultation with affected communities and individuals as defined by the Dehcho First Nations Consultation Principles (DFN 2004, Appendix 2). Consultation will begin prior to the application and will continue throughout the life of the proposed development. Consultation includes full and direct reporting of development activities to the affected communities in plain language. Consultations will be done in English and South Slavey.	In recognition of the Dehcho Dene as the stewards of the land to respect local culture and ensure inclusion of elders.	Dehcho wide	All
Traditional Knowledge	Regulatory Authorities will require all applications for new land and water permits to document both traditional knowledge and scientific information.	To respect and use traditional knowledge in the Dehcho.	Dehcho wide	All
Protection of Significant Cultural and Traditional Use Sites	Developers will assess the impact of their proposed activities on known historical, archeological, cultural and traditional uses including burial grounds, sacred sites, cabins, trap lines, and cultural sites as identified by the Prince of Wales Northern Heritage Centre and local Dehcho First Nations. Developers, in consultation with Regulatory Authorities and local First Nations will develop appropriate mitigation to ensure the protection of important cultural and heritage areas.	The Dehcho Dene Descendants consider Traditional land use, occupancy and harvesting the most important use of the land, which needs to be respected. To protect wildlife and subsistence harvesting / Traditional Land Use areas.	Dehcho wide	All
Protect Plant Gathering Areas	Developers will undertake mapping with local communities to identify plant gathering areas to be avoided or mitigated for, including, but not limited to those listed in Appendix 3.	To protect Dene culture. Plants have both medicinal and spiritual uses.	Dehcho wide	All
3rd party dispositions	Existing activities in the Dehcho Planning Area will be allowed including development arising from rights existing at the time of Plan approval, even if the activities are not in keeping with the land zones. These existing uses will be allowed to continue as nonconforming activities. Renewal of permits, licenses and authorizations for existing activities will be allowed.	The Committee respects the interests and rights of 3rd party dispositions and wishes to prevent undue hardship while ensuring the goals of the plan are achieved.	Dehcho wide	All
Visual Quality	Regulatory Authorities will require Developers to provide communities with a views analysis of the proposed development for consideration of alternatives.	Community interest to protect areas of tourism and Traditional land use, occupancy and harvesting areas	Dehcho wide	All
Access Planning	The construction of new all-weather roads is prohibited in all conservation zones except those portions of zone 6 lying between Prairie Creek and the NWT highway system, and all of zone 12. New all-weather roads in Special Management Zones or General Use Zones are discouraged unless Developers can demonstrate support for this through an access planning study. This study will include future access needs by residents, governments and other stakeholders in the region. Developers will also complete a routing study, examining all feasible alternative routes, to determine the most environmentally sensitive route.	To plan for long term access in the region while reducing the number of roads needed.	Dehcho wide	All
Non-Consumptive Tourism	Regulatory Authorities will not issue any new Big Game Outfitters Licenses in the Dehcho territory.	Respect Dene Culture / Values, protect wildlife and subsistence harvesting (DFN Resolution # 4, May 6, 2004)	Dehcho wide	Tourism
Water Monitoring / Management	a. Regulatory Authorities will manage activities / water crossings upstream of and around community water intakes in accordance with the Canadian Drinking Water Quality Guidelines (Health Canada 2004).	Water is the most important resource to communities. Development must not impact the quality and availability of drinking water to communities	Dehcho wide	All
	b. Regulatory Authorities will ensure water users minimize the use/loss of water for industrial processes through best available technologies. Developers will demonstrate that all wastewater will meet or exceed CCME Water Quality Guidelines (CCME 2003). Regulator authorities will manage long term (20 years) water quality and quantity to stay within 10% of baseline levels as determined by monitoring.	To ensure no significant change in water table, to protect wildlife habitat (esp. riparian areas), fishing and impact on water quality	Dehcho wide	All
	c. No hydroelectric development that involves flooding or impoundment of water will be permitted on the Mackenzie and Liard Rivers. Run of the river hydroelectric projects will be permitted on other rivers outside of conservation zones, subject to the support of affected communities.	To ensure no significant change in water levels or flow, to protect wildlife habitat (especially riparian areas) and impact on water quality; support DFN Resolution # 2, November 8, 2001	Dehcho wide	All
Air Monitoring / Management	The Developer will conduct all its operations in conformity with Alberta Energy and Utilities Board Guide 60: Upstream Petroleum Industry Flaring, Incineration, and Venting (AEUB 2003). Ambient air quality for criteria pollutants will not exceed Maximum Desirable Level or Maximum Acceptable Level concentrations, whichever is lower, as established under the Canada Wide Standard by the Canadian Council of Ministers of the Environment (CCME 2003). Ambient air quality for toxic pollutants will not exceed Short-Term and Long-Term Effects Screening Levels established by the Texas Commission on Environmental Quality (TCEQ 2008)	To protect human and environmental health	Dehcho wide	Oil and Gas
Salvage Logging	Developers will minimize timber harvesting / clearing for nonforestry land uses by reducing width or reusing existing clearings/road of ways, roads, trails and operational areas, or using non-forested lands. Where timber cutting cannot be avoided, Developers will notify and provide opportunities for local forestry operations or communities to undertake salvage logging or make use of the cut wood for local building needs. All reasonable attempts will be made to avoid/wasting usable timber resources.	To respect Dene values and not waste resources. Minimize impact of industrial activities on wildlife, the environment, traditional land use, occupancy and harvesting and aesthetics and to maximize benefits to local communities	Dehcho wide	Oil & Gas + Mining + Forestry
Mining Reclamation	Regulatory Authorities will require Developers to submit a reclamation plan for approval and post sufficient security to cover the full costs of reclamation as a condition for operating approval. Reclamation and security requirements apply to both exploration and production phases. Regulatory Authorities will use the guidelines provided in Appendix 4 (Wenig and O'Reilly 2005) as a basis for setting reclamation and security requirements as applicable.	Community Interest: to ensure the timely reclamation of habitat and wildlife recovery; to ensure financial liability for cleanup falls entirely with the proponent and not society; to reduce risk to humans, wildlife and the environment, to improve image of industry	Dehcho wide	Mining
Revegetation	Developers will use seed mixes native to the Canadian Boreal Forest for revegetation.	Reduce invasive species and limit bison range to address community concern about Woodland Caribou and moose declines in these areas.	Dehcho wide	All
Tourism Guidelines	Tourism operators will apply SMART (Sustainable Model for Arctic Regional Tourism) Principles in planning and managing tourism operations in the region as listed in Appendix 5 (SMART 2005).	To assist the Dehcho tourism sector to adopt and innovate economically, environmentally and culturally sustainable tourism practices.	Dehcho wide	Tourism
Digital Post- Operation Mapping	Developers will provide to the Deh Cho Land Use Planning Committee, affected communities, and Regulatory Authorities digital mapping of their development (new roads, seismic, well sites, cut blocks etc...), as GPS waypoints, shapefiles, digitized air photos, or satellite imagery at a minimum resolution of 5 metres within 30 days following construction.	Facilitate baseline data collection, monitoring of development footprint and enforcement	Dehcho wide	All
Commercial Fishing	Regulatory Authorities will only permit commercial fishing on all lakes except Great Slave Lake with the support of local leadership.	To support community interests; existing regulatory regime will continue on Great Slave Lake.	Dehcho wide	Fishing
Use of Guides	Developers and tourism operators will notify local communities of the location of their activities and are encouraged to hire local guide to accompany them.	Community Interest, protect wildlife, subsistence harvesting / Traditional Land Use, share Dene culture and encourage tourists to use local businesses and services	Dehcho wide	All
Municipal Infrastructure	All existing municipal infrastructure outside of current municipal boundaries will continue as a nonconforming use for as long as it is required. Any plans for future expansion of municipal boundaries or infrastructure should be brought to the attention of the DCLUPC during plan revisions so the can be zoned appropriately.	To harmonize the Regional Land Use Plan with municipal boundary and infrastructure needs	Dehcho wide	All
Dehcho Wide Forest Management	RWED, in consultation with First Nations will establish appropriate silviculture practices for the Dehcho, including selective/winter harvesting. RWED will work cooperatively with First Nations to increase the level of timber processed in the Dehcho territory.	To maintain healthy stands, protect wildlife habitat and employ appropriate measures, and ensure resources for future generations in accordance with Dene values	Dehcho wide	Forestry
Community-Based Forest Management	No new forest management authorizations will be issued in these zones without the support of the affected community leadership. Exceptions will be granted for subsequent timber cutting licenses that have no significant changes, free timber cutting permits, forest management authorizations issued in relation to the incidental use of timber, research licenses, and scaling licenses that will not jeopardize the community's annual harvest and processing plans. Selective winter harvesting will be practiced unless community approval is granted for other methods. Harvesting operations will use a line skidder and all timber >4" top wide used. Material too small to process into lumber will be sold as firewood. The community will have right of First Refusal on all merchantable timber harvested during existing and future industrial activities within the First Nations' traditional lands.	To facilitate access to land with minimal damage, maintain healthy stands, protect habitat, employ appropriate techniques, prevent waste, ensure resources for future generations, and to support existing First Nation Forestry enterprises	19, 20, 28	Forestry
GHL	Regulatory Authorities will restrict hunting to GHL license holders only in this zone unless otherwise approved by the local First Nation. This does not restrict hunters operating under existing outfitter licenses.	To protect subsistence harvesting and wildlife	27	All
Protected Area Candidate Site (PAS)	These areas will be managed according to the DCLUP until the Protected Area Candidate Site and management plan are approved. The conservation zone will be reassessed during the next revision cycle.	To support community interest in PAS	1, 4, 5	All
Trout Lake MUZ	Regulatory Authorities will not approve any all weather roads in this zone.	In support of community interest	22, 29	All
Sport Fishing	There will be no catch and release fishing. Tourists will catch only what they intend to eat during their visit and then stop.	Respect Dene Values - Catch and release harms the fish and is disrespectful; protect fish stocks and subsistence harvesting	5, 28	Tourism
Leave No trace Principle	Regulatory Authorities will encourage individuals and tourism operators using the identified Conservation Zones to follow Leave No Trace guidelines during their stay (RWED, 2004).	Protect wildlife, traditional land use, occupancy and harvesting, aesthetics of tourism areas, prevent cleanup falling to local authorities/ land owner	Conservation Zones only	Tourism
Use of Traditional Materials	Individuals wishing to harvest traditional materials will contact the local First Nations for approval and guidance. RWED, in consultation with First Nations, will encourage full use and sharing of all animal parts.	Respect Dene Values - only take what you need, protect traditional land use, occupancy and harvesting, ensure adequate supply and sustainable use of cultural materials for the communities for clothing, crafts and shelter.	8, 9	Tourism
Lake Tourism	There will be no new lodges without the written support of Sambaa K'e First Nation	Community Interest in sustainable community based tourism	5	Tourism
Visitor Quotas	Regulatory Authorities, in consultation with local communities will determine the need for visitor quotas restricting total number of visitors and group size to maintain the wilderness experience and protect the ecological and cultural values of the region.	Community Interest, protect wildlife and subsistence harvesting / Traditional Land Use, maintain wilderness experience / sustainable business	1, 4, 5, 6, 7, 25, 27	Tourism
Mackenzie Pipeline	Subject to regulatory approval and any conditions imposed on them by the appropriate Regulatory Authorities and Agencies, development of the Mackenzie Valley Pipeline Components will be permitted within the Special Infrastructure Corridor (Zone 30). The pipeline components will still be subject to all conditions in each of the underlying zones to the extent possible without prohibiting that use. All future expansions or lines and related infrastructure, will be subject to the full extent of the conditions in each of the underlying zones. It is not anticipated that feeder pipelines will extend across any Conservation Zones during the next 5 years. Any revisions to address future expansion of the pipeline and related infrastructure will be addressed during Plan revision.	To identify a Pipeline Corridor, beyond which the pipeline would not extend	30, 1, 2, 3, 4, 5, 19, 21, 22	Oil & Gas
Cumulative Impacts Management	Regulatory Authorities will manage cumulative impacts for new developments in the General Use and Special Management Zones using a minimum, the species, indicators and thresholds set out in Table 8. Boreal Woodland Caribou, as the most sensitive terrestrial species, is the primary tax for establishing and implementing thresholds. Woodland Caribou thresholds will apply throughout the plan area. Developers will demonstrate that their activities will not exceed the critical thresholds. Once a threshold is reached, approval of new developments will be managed through a "no net loss" system. With the approval of regulators, Developers may reclaim other lands to lower the index or use technologies that do not lead to an increase in cumulative effects.	To manage the cumulative impacts of development to protect wildlife habitat, subsistence harvesting and land to provide for future generations in accordance with Dene values	All Special Management Zones and General Use Zones	All
Seasonal Restrictions	No licensed activities will be permitted during seasonal closures as listed in Table 9 unless Developers can demonstrate that there will be no adverse effects on wildlife. Aircraft will maintain a minimum altitude of 650 metres when flying over these sites during seasonal closures. The Developer will consult with Dehcho First Nations, RWED and the Government of Canada to obtain the most updated wildlife distributions.	Protect wildlife during critical life stages	Dehcho wide	All

Cumulative Impacts Management Terms:					
Indicator	Description	Threshold	Species	Zone	Land Use
Corridor / Road Density	Corridor and Road density will be used to manage impacts from linear development greater than 1.5 m wide. Any linear disturbance of 1.5m or less in width will not be included in this density analysis. Density should be calculated using Management Units to be defined shortly. Road density includes seasonal and all-weather varieties. Corridor density includes roads, trails, utility corridors, pipeline right-of-ways and seismic lines and is used for woodland caribou due to their sensitivity. Regulatory Authorities will initiate species monitoring and special management when Cautionary and Target Thresholds are exceeded, respectively. Where only a single threshold is present, this is considered the critical threshold. The Dehcho Boreal Caribou Working Group may revise this term for Boreal Woodland Caribou in consultation with the DCLUPC.	Critical: 1.5 km/km ² ; Target: 1.2 km/km ² ; Cautionary 1.0 km/km ²	Boreal Woodland Caribou	Special Management	All
		Critical: 1.8 km/km ² ; Target: 1.5 km/km ² ; Cautionary 1.0 km/km ²	Boreal Woodland Caribou	General Use	All
		0.6 km/km ² in winter range	Mountain Woodland Caribou	Special Management	All
		1.61 km/km ²	Moose	Special Management	All
Habitat Availability	Habitat availability is based on the % of habitat disturbed or altered for species found within the planning unit.	<10% loss of habitat for all VEC species (EBA, 2003)	All VECs	Dehcho wide	All
		<5% of available habitat disturbed	Boreal Woodland Caribou	Special Management	All
		<3% of moderate to high capability habitat disturbed	Moose	Special Management	All
		<30% of available habitat cleared	Marten	Special Management	All
Minimum Core Area	Core areas are relatively undisturbed source areas for plant and animal populations or metapopulations that are at least 500 m from human disturbances including roads, trails, seismic lines, well sites, industrial facilities, communities, etc. Core areas will be larger than the minimum home range or territories of the target species. Expressed as % of available habitat in large core areas.	Critical: >65% large core areas (greater than 1,000 Ha and 500 m wide); Target: >75% large core areas; Cautionary: >85% large core areas	All	Special Management	All
		Critical: >40% medium core areas (>200 ha and 350 m wide); Target: >50% medium core areas; Cautionary: >65% medium core areas	All	General Use	All
Minimum Patch size	Patches are areas of habitat secure from disturbance and mortality associated with human activities. Minimum patch size is set by the amount of range typically used by the species in a 2448 hour period.	>5 ha	Moose	Special Management	All
		>515 ha	Boreal Woodland Caribou		
		>1,000 ha of suitable habitat	Grizzly Bear		
Specialized Habitat Features	Special habitat features are areas or features that are critical to the survival or reproduction of the population. They include but are not limited to mineral licks, dens, wallows, nests, calving areas, spawning areas, staging areas, helping areas, and lambing areas, key migration routes.	No disturbance (minimum 250 m buffer)	All VECs	Special Management	All
		No Net loss (taking into account mitigation or compensation)	N/A	General Use	All
Significant Environmental Features	Sites of important ecological significance in the region which include but are not restricted to karst topography, hot and springs, waterfalls, ravines, cliffs and other unique geological features.	No disturbance	N/A	Special Management	All
		No Net loss (taking into account mitigation or compensation)	N/A	General Use	All
Stream Crossing Density	This is an indicator of sediment and mortality sources and stream habitat fragmentation in a watershed. It is expressed as the number of access corridor (road, trail, utility corridor or outline) crossings per km ² of stream or watershed. It is calculated using watersheds.	<0.32/km ²	Fish	Special Management	All
		<0.5/km ²	Fish	General Use	All

Description of Seasonal Restrictions:			
Species	Breeding Season (rutting, spawning, mating areas)	Birthing Season (calving, lambing areas, den and nest sites, spawning areas)	Migration (Migratory Bird Sites, staging sites, water bodies)
Bison	mid-July- late September (Peak early August)	April - July (Peak May)	NA
Woodland Caribou (Boreal & Mountain eco-type)	Early October - early November	Early-mid June	NA
Grizzly Bears	Late June - early July	Mid-Jan and mid-March	NA
Marten	July - August	Late-March / April	NA
Moose	Mid-September to late-November	Late-May, early-June	NA
Sheep	Mid-November - mid-December	Early May - late June	NA
Wolverine	Late April - early September	Late March - mid April	NA
Goats	November	Late-May to mid-June	NA
Fish	Will be established through consultation with Dehcho First Nations, RWED (Resources, Wildlife and Economic Development) and Department of Fisheries and Oceans (Canada)	NA	same as spawning periods
Migratory Birds, Waterfowl	NA	NA	March-May; September-October
Whooping Crane	Late April - May	May - September	late April - mid May - late September-October
Peregrine Falcon (subspecies anatum)	Early March - late August	Early March - late August	NA