



Dehcho Land Use Planning Committee

December 12, 2005

Chief Stanley Sanguéz
Jean Marie River First Nation
General Delivery
Jean Marie River, NT X0E 0N0

RE: JMR Discussions on Revised Draft Land Use Plan

Dear Chief Sanguéz,

Thank you for attending our meeting on December 7, 2006 to discuss the Revised Draft Land Use Plan. We felt the discussions were well-focused and very productive. As promised, I am sending you a copy of the notes we took from the meeting (attached) and have summarized key questions for you to discuss with your community in this letter. If you would like the Plan revised based on your community discussions, please send us written comments by January 27th, 2006, describing the specific changes that are needed.

There are 5 topics which were raised for further discussion with your community.

1. We discussed at length whether the 2 km buffer around the Five Lakes (Deep, Ekali, McGill, Sanguéz and Gargan) needs to change. You had initially thought 100 m would be enough. The discussion ended with a decision to maintain the 2 km buffer because there is little useful timber near these lakes but you may want to discuss this further and let us know your final decision.
2. There was a question about whether Zone 19 should be enlarged in the southwest corner to follow the outline of your proposed forestry area (we left the overlay on the map in your community for your reference). No clear decision was made on this. Please let us know if you would like this change.
3. There has been repeated discussion over the last few meetings about opening Zone 19 to oil and gas development. We need a final decision on this. For additional information, oil and gas development is discussed in your community's strategic plan as a desirable land use (this was mentioned at the prior round of discussions in the summer). Again, permitting oil and gas in the Plan does not automatically approve a project – it still has to proceed through consultation and regulatory requirements as per existing legislation. Please let us know your decision. Opening Zone 19 to oil and gas would help Plan approval.

4. We need to get a consensus between JMR and Fort Simpson about transferring the block of land between Zone 5 (Conservation Zone) to Zone 19, identified as high timber potential. Please ensure you send a delegation to the Fort Simpson meeting to facilitate discussions on this on January 10, 2006, 1:30 – 4:30 PM at the Recreation Centre.
5. Please discuss your community needs for the next 5 years in terms of access to resources, employment and other needs. Then look at the Zoning and make sure you have enough land and resources open to achieve your goals.

To repeat our discussion, we cannot guarantee we will be able to make all the changes requested – we have to balance all the interests and needs of the region to get the Plan approved - but we do need a clear idea of what you would like to see and will do our best to ensure the Plan meets your needs. If you need further information or wish to clarify any of these points please contact me at (867) 699-3162 or hwiebe@dehcholands.org.

Sincerely,



Heidi Wiebe, Executive Director
Deh Cho Land Use Planning Committee

**Dehcho Land Use Planning Committee
Pre-Forum Information Sessions
Jean Marie River
December 7, 2005
1:00 – 4 :00 PM**

Attendees:

Chief Stanley Sanguiez
Angus Sanguiez
Steve Herrett
Clarence Villeneuve, MACA
Tammy Neal
Raymond Minoza
Isadore P. Simon

Staff:

Heidi Wiebe, Executive Director
Paul Wilson, Land Use Planner

Opening Prayer:

Comments / Questions

Stanley: Number one - we have to make sure we are not locking ourselves out for forestry in particular.

Heidi: Identified areas on the map for forestry.

Stanley: It has nothing to do with community lands or boundaries does it?

Heidi: No, the Block Land Transfers, Development Control Zones etc. are not affected by the Land Use Plan.

Stanley: What we are trying to do is clear up government's mess in our community areas. Some people want to go ahead and continue to pay their \$200 on their lot.

Heidi: We don't get involved in that. That is MACA's area.

Stanley: With the TK Study with Imperial, our community is probably looking at PAS in the 5 lakes area - with us doing that catch up in that area, would that be part of this Plan?

Heidi: Well the area is currently a conservation zone in the Plan. The PAS is a separate process, but as you know it is a longer process. The conservation zone can provide short term or interim protection until a PAS area is approved.

Stanley: When does the Land Withdrawals expire? For Edehzhie its June 07.

Heidi: I believe it is Oct 07 because it depends on when the Order in Council is actually signed. For the DFN Land Withdrawals I believe it is August 08. Land Withdrawals are 5 years at a time.

Follow-up: The order in councils for both land withdrawals state the following expiry dates: Edehzhie expires June 30, 2007 and DFN land withdrawals expire on October 31, 2008.

Stanley: There is confusion in the communities regarding PAS. It takes a longer period of time. What processes are available in the Land Use Plan to provide that protection?

Heidi: The whole point of the conservation zone designation is to provide flexible, interim protection for 5 years. If you want long term, permanent protection then PAS is the way you should go. The Plan can protect the area in the interim until it is approved.

Stanley: The Elders having meetings all over the place with Sam Gargan – does that have anything to do with this Plan?

Heidi: We update the Elders regularly so they are informed about our process and they participate in our meetings and workshops.

Stanley: Requested clarification on existing dispositions term.

Heidi: Provided explanation.

Stanley: What happens if there is a problem all of a sudden when we get to approval? DFN will look stupid if there is a load of in-fighting. I believe it is going to have to be ratified by each community.

Heidi: This is a DFN issue, contact DFN directly. It is up to them as your government to decide how to approve the Plan.

Heidi: Provided additional clarification on amendments and exceptions.

Heidi: Provided clarification that forestry is permitted in the white and purple areas and anyone can make an application to harvest in these areas.

Stanley: Is there a date set for the Regional Forum?

Heidi: February 6-10th 2006.

Stanley: So if anyone would want a permit to develop within the areas, they would go to DLUPC?

Heidi: No, the Regulatory Agencies (e.g. MVLWB, Forestry, etc) will still issue permits and licenses after the Plan is approved but they will have to check the Plan first to see if that use is allowed. The Committee can help them make that decision, but it's still the government who issues the permits.

Stanley: Will each community get a resource person to check all new applications to see if they conform to the Plan?

Heidi: DFN has a resource management coordinator, David Cook. It would be part of his job to monitor conformity. Other than that it is up to each community to decide if they will hire a resource person to do this for them. There are no additional funds set aside for that though.

Clarence Villeneuve: My question is related to inside and outside – through the consultation process we are currently trying to alignment with the IMA? Can a letter from DFN override an affected local First Nation?

Heidi: A decision about which community is affected (if questioned) would have to come from DFN.

Stanley: I really have concerns regarding Edehzhie, the resource assessments found found Kimberlite indicators in the area assessed the first year. The Elders are concerned that the boundary may be revised?

Heidi: If they find mineral or oil and gas potential there will be pressure on the PAS working group to change the boundaries. If that happens, then the areas not protected would have to be considered under the land use plan during the next revision cycle to determine what should happen to them.

Stanley: After that assessment is completed there will be another round of consultations. This troubles me. The Horn Plateau is unique – no water flows into the area only out. Colmack Lake is north-west of here. Just north of boundary there is mineral staking going on now. To me I still sit on this committee and it really bothers me what will happen. It is going to come to us that we are going to have to change that boundary regardless. Bill was afraid to do the NRA. It always brings pressure.

Heidi: Just to clarify, we can't do anything with PAS - it is out of our control. Except as Paul said if the zone boundaries change, it essentially comes back into the fold and would have no specific zoning until the Plan is revised.

Stanley: What is the region's position with regards to buffers? We want access for logging – selective logging. I need to look at Imperial Oil, need to look at 5 lakes

Stanley: We might be interested in expanding Zone 19 on the east side once the elders and Margaret have reviewed the Imperial TK study around the lakes.

Heidi: We use 2 km buffers around water.

Stanley: Right up front the Federal Government are having problems with the level of conservation?

Heidi: Yes, they think it is too high and more area should be open for development. Does the community want to open Zone 19 to Oil and Gas? You have discussed this before.

Stanley: We will have to discuss it as a community and get back to you.

Heidi: We are still pursuing discussions with Fort Simpson to flip the block of timber potential from Zone 5 to Zone 19. Can you come to the Fort Simpson meeting on Jan. 10th to discuss this with them?

Stanley: Council will be at that meeting on January 10th 2006. Requested Heidi write a letter of the issues and he would hold a public meeting to follow up.

Heidi / Stanley: Discussed location of Notana Lake and possibility of including this in the JMR 5 Lakes Zone to make it 6 Lakes Zone. Finally decided to retain existing lakes buffer of 2 km.

Stanley: Still some concerns to be addressed by Imperial including Saddle Lake area south-east of McGill Lake.

Stanley: How is the regional TK protocol being implemented?

Heidi: That's a question for Sam Gargan. Any new research project should reference that document.

Stanley: With Ducks unlimited doing vegetation studies would they use TK?

Paul: They would be covered by Scientific Research Permits which the Plan does not talk about.

Stanley: How is the seismic going to take place? Some of our community people have requested that seismic be done by cat – not in sensitive areas. The cut lines are re-growing and preventing local people from traveling along the cut lines.

Heidi: The Terms in the Plan are currently requesting Developers to make cutlines as narrow as possible and use minimal impact techniques to they grow back faster and don't disturb the land and wildlife as much.

Stanley: What happens in the case where I have a problem with Check Point - I have problems with that lease over there at the highways site - because of the activities we have environmental concerns.

Clarence: commented – would be able to help on this issue.

Stanley: There needs to be a guarantee of reclamation. I am concerned about mines. Referenced mines north of Yellowknife.

Heidi: Reviewed new Mining Reclamation Term.

Stanley: Raised concerns over GHL – communities should be able to object. There is an Asian guy in Simpson who has a GHL and tried to hunt in their area.

Heidi: The GHL is a Dehcho Process issue.