



## IDENTIFICATION

| Department                     | Position Title                   |                                         |
|--------------------------------|----------------------------------|-----------------------------------------|
| Environment and Climate Change | Manager, Securities Coordination |                                         |
| Position Number                | Community                        | Division/Region                         |
| 23-14620                       | Yellowknife                      | Impact Assessment & Security Management |

## PURPOSE OF THE POSITION

The Manager, Securities Coordination is responsible for incentivizing industrial developers' reclamation and environmental protection activities within Government of the Northwest Territories and Government of Canada legislation and protecting the GNWT from the costs of reclamation, closure, and long-term management of industrial sites.

## SCOPE

The Manager, Securities Coordination (Manager) is located in Yellowknife and reports to the Director, Impact Assessment & Security Management. This unit manages the development and implementation of policies, systems, and processes necessary to incentivize remediation and environmental protection, and to identify, quantify and mitigate the environmental risk and financial exposure for the Government of the Northwest Territories (GNWT) associated with resource development projects, if an operator becomes financially incapable of meeting their remediation obligations.

The mandate of the Department of Environment and Climate Change (ECC or the Department) is to manage, administer and plan the sustainable use of public land in the Northwest Territories (NWT) in a fair and transparent manner that reflects the interests of the people of the NWT. Through its mandate, the Department has an interdepartmental and intergovernmental role in representing the GNWT and coordinating its involvement in territorial, national, and international matters related to public land. The NWT land management system features a complex regulatory regime governing the use of land, water, and resources. The Department must manage a complex set of multiple accountabilities within these regimes that define varying powers, authorities and responsibilities linked to the Department's role.



Administration of securities against environmental liability was not part of the original GNWT post-devolution organizational design but added to the Department of ECC' coordination role to correct significant gaps and program deficiencies noted by the federal Commissioner on Environment and Sustainable Development (CESD) of the Auditor General's Office in federal programs (that were transferring to the GNWT as part of devolution) related to management of environmental securities. As such, the Department has a cross-cutting role for securities management.

The Manager works within the legislative framework which includes administering the *Commissioner's Land Act*; the *Northwest Territories Lands Act*; the *Area Development Act*; and the *Mackenzie Valley Resource Management Act* as well as the settled Lands, Resources and Self-government Agreements within the NWT; Territorial Land Use Regulations, Mackenzie Valley Land Use Regulations; Territorial Lands Regulations and Territorial Quarrying Regulations – including the issuance of Land Use Permits; and environmental screening in the Inuvialuit Settlement Area. The Manager also works within a Cabinet approved policy framework by administering the Land Pricing Policy; the Land Lease Only Policy; the Municipal Lands Policy; the Sustainable Development Policy and the Recreational Leasing Policy.

Financial assurance (security) requirements under regulatory leases, licenses and permits are a primary tool to manage environmental risks and liabilities. The Manager's work takes place within a dynamic and continually evolving legislative and policy framework in which the manager must develop and implement new and sound management approaches to securities. The fluid legislative environment with few policy precedents increases the challenge and complexity of the job.

The Manager must have an understanding of the broad practices and procedures related to securities, while keeping pace with ongoing changes in specific legislation and interpretation of the legislation in the NWT. In order to contribute to improvements in the changing approach, the Manager is responsible for overseeing the research, analysis and development of advice and a suite of policies, procedures, directives and guidelines. This suite of advisory documents is required for GNWT to deliver a standardized and comprehensive approach to inform regulatory decisions and manage the GNWT's risk exposure associated with resource exploration development and extraction, while at the same time providing certainty and predictably to proponents.

Major industrial resource developments often require multiple authorizations with different terms and life cycles. The GNWT currently holds approximately \$650 million associated with over 150 authorizations under seven pieces of legislation and agreements, managed by seven departments and boards for over 80 industrial development projects. The Manager's section is responsible for continuous tracking of all of these securities to ensure the GNWT has minimized its exposure to financial risks on all fronts. The Manager is also accountable for



developing systems to identify and act upon risk exposure as it may emerge. The Unit designed and is now responsible for testing, implementing, and maintaining the custom-built Securities Administration and Processing System (SAPS) which responds to and addresses a key recommendation from the CESD.

The Manager contributes to regulatory decision-making and oversees the unit's technical experts who participate in detailed assessments conducted by line-department program experts. The Manager is not the final decision maker on the individual regulatory authorizations but works with the decision makers on specific matters that will lead to consideration of the form and number of financial assurances. The Manager, on a project-wide, multiple authorization basis, contributes to interdepartmental and intergovernmental activities to ensure that the GNWT is adequately secured. Considerable judgment and expertise must be applied, requiring an understanding of the environmental impacts of resource development, and associated cleanup costs. If amounts are set too low, or in an unenforceable form, environmental liabilities will be assumed by the GNWT. The Manager must build on operational experience from regulatory processes, to ensure that GNWT policies and procedures are developed to be practical, relevant, and provide efficient business practices. In protecting the public purse, the Manager must also ensure that GNWT's approaches are developed in a way that considers the GNWT's place within a global economy and the risk of the NWT becoming non-competitive versus the risk of being environmentally irresponsible.

The GNWT's approach to financial assurances is integrated and multi-departmental with complementary responsibilities found in Industry, Tourism, and Investment; Environment and Natural Resources; Justice; Executive and Indigenous Affairs and Finance as well as within resource management boards established under federal and territorial legislation to regulate land and water. As such, the Manager is accountable for identifying and reducing the potential for conflicting approaches and policy and operational gaps as well as identifying and mitigating risks that, across multiple regulatory instruments, a development project will be "double bonded" or under-secured in a manner that would be unacceptable to the proponent and/or unacceptable to the GNWT. Although the Manager is accountable for ensuring an overall coordinated and comprehensive approach, the Manager does not have line authority over staff in other Departments with legislative authorities for securities. This means that the Manager must establish collaborative and persuasive approaches and forums to resolve issues and foster cooperation across departments and agencies while supporting individual departments in meeting their regulatory objectives.

The manager must fill program gaps noted by CESD and therefore has latitude within the GNWT's broader financial and legislative framework.

The manager is required to manage financial and human resources of the unit. The manager



oversees the work of three technical specialists that are GNWT's subject matter experts in their respective fields. The work involves scheduling and assigning priorities in a changing environment that requires adapting to external pressures from industrial developers and regulatory boards. Work deadlines may also be driven by legislated time lines. While lead regulatory departments may meet timelines, failure for the Manager's unit to meet timelines may compromise the project and government-wide approach to managing financial assurances. The Manager must approve interdepartmental work plans on work s/he leads, and motivate staff and teams, ensuring their adherence to GNWT legislation, regulations, policies and strategies. The challenge is increased by the unit's reliance on interdepartmental teams to meet objectives, when the Manager has no line responsibility for the participants.

### **RESPONSIBILITIES**

**1. Leads the strategic and operational direction of the securities coordination unit to meet the GNWTs responsibilities for minimizing environmental risk and financial exposure associated with natural resource development.**

- Identifies strategic priorities concerning securities, financial assurances, and risk management,
- Provides strategic direction and oversight in the development, review, implementation, and evaluation of GNWT and federal legislation, regulations, strategic initiatives, policies, guidelines, and procedures that guide financial assurances, risk assessment and securities.
- Builds effective and collaborative relationships with key partners and stakeholders including within ECC, other GNWT and federal Government departments, Indigenous governments and organizations, resource management boards and industry.
- Establishes and manages the development of financial securities and assurances processes and procedures to implement provisions of legislation, regulation, legal instruments, and policy.

**2. Manages research, analysis, and development of advice on financial securities and assurances under regulatory instruments and ensures thorough and rigorous evaluation of these securities, appropriateness of amount and form of financial securities and assurances.**

- Provides oversight, reviews, and provides expert advice on research and analysis of the form and number of financial securities and assurances.
- Reviews and comments on detailed analysis reports on the form and amount of financial securities and assurances.
- Prepares recommendations on alternative options for the form and amount of financial securities and assurances.
- Manages the preparation of briefing notes, decision papers, and other document relating to the form and amount of financial securities and assurances, assessment of proposed



projects in support of final recommendations for the setting of the form and amount of financial securities and assurances.

- Prepare support materials for GNWT and departmental decision-makers (e.g., ministerial decision papers, cabinet decision papers, ministerial briefing notes, correspondence).

**3. Leads GNWT information sharing and consensus building on setting the form and amount of financial securities and assurances to ensure a consistent and coordinated approach to the project decision making process at the highest political levels.**

- Supports the Director and Senior Management Team in building consensus among all GNWT Departments involved in setting the form and amount of financial securities and assurances.
- Works closely with representatives of regulatory decision makers, such as institutions of public government, federal and territorial government departments, and Indigenous governments, to support timely and robust decision processes.
- Manages and reviews divisional, departmental and GNWT wide submissions to Executive Council and Financial Management Board to ensure the quality and accuracy of the submission and that strict deadlines are adhered to.
- Participates in negotiations between proponents, the Department, and other key departments in terms of setting the form and amount of financial securities and assurances.

**4. Lead the coordination of the GNWT's external engagement responsibilities, on program and policy approaches to securities, financial assurances and risk management to ensure an effective consultation and engagement process that meets legislative requirements.**

- Prepares correspondence, reports and documents concerning any matters relating to, or a breach of, financial assurance terms and conditions.
- Conducts senior level negotiations with relevant parties including Indigenous Governments as private landowners and federal government representatives for split-interest projects.
- Consults with proponents respecting financial assurances and negotiates any changes proposed by operators or by GNWT over the life of a project.
- Provide implementation information to relevant parties once terms and conditions amendments have been finalized.

**5. Manages the human resources, financial and administrative functions of the Unit to provide effective and efficient services within budgeted frameworks.**



- Develop and implement annual work plans that establish short and long-term objectives.
- Manages human resource functions within the Unit, including staffing, direction setting and performance evaluations.
- Manages the annual budget for the Unit is approximately 1 million dollars and project future budget requirements in a fiscally responsible manner.
- Oversees contract management, including preparing terms of reference and statements of work to direct contractors.
- Develops objectives and performance indicators for the Unit including individual staff goals, ensuring they are complimentary to the Division's goals and objectives.
- Provide positive leadership and advice to Unit staff.
- Encourage employee development through performance appraisals, training plans, and professional development opportunities.
- Support objectives of succession planning within the unit and the Division.
- Participate as a member of the Divisional management team in planning the short and long-term objectives for the Division

## **WORKING CONDITIONS**

### **Physical Demands**

No unusual demands.

### **Environmental Conditions**

No unusual demands.

### **Sensory Demands**

No unusual demands.

### **Mental Demands**

The incumbent is exposed to regularly recurring tight deadlines, competing priorities and travel over which the incumbent has no control as they are driven by external factors related to industrial developments and quasi-judicial regulatory processes.

Overtime is a common occurrence.



## **KNOWLEDGE, SKILLS AND ABILITIES**

- Knowledge of relevant federal and territorial legislation, agreements, frameworks, strategies and policies as they relate to environmental securities for natural resource development as well as operational guidelines developed by land and water boards. They include but are not limited to: Mackenzie Valley Resource Management Act and its regulations; Waters Act and its regulations, the NWT Lands Act, its regulations, the Commissioner's Land Act and its regulations; Settled Lands, Resources and Self-Government Agreements; Chapters 3 and 6 of the Northwest Territories Lands and Resources Devolution Final Agreement and associated delegation instruments under the Mackenzie Valley Resource Management Act; and the GNWT and Mackenzie Valley Board's Guidelines for Closure and Reclamation Cost Estimates for Mines.
- Knowledge of the aspects of the Financial Administration Act, Financial Administration Manual, and practices that relate to managing and reporting on risks and liabilities.
- Knowledge of methods and processes for setting amount and type of financial securities and assurances related to resource development in the NWT and elsewhere in Canada and defensible approaches to comparative studies (benchmarking).
- Knowledge of the mandate, roles and responsibilities of the Departments within the GNWT with respect to setting amount and type of financial securities and assurances related to resource development in the NWT.
- Knowledge of the broad regulatory and policy framework governing the development of natural resources in the Northwest Territories.
- Knowledge of key partners and stakeholders including industry, NGOs, Indigenous governments, municipal governments, and federal departments.
- Interpersonal skills in order to motivate and manage an interdepartmental multi-disciplinary team of experts to integrate diverse views and tactics into a unified GNWT approach.
- Representational skills to present ideas and approaches to peers and senior management through different modes ranging from formal presentations to participating persuasively in meetings and discussions.
- Analytical and critical thinking skills in order to work within program gaps and integrate multiple approaches into a cohesive GNWT approach.
- Computer skills Including word processing, database, spreadsheet, graphics, internet and electronic mail.
- Budgeting, planning and financial management skills.
- Skills in interpreting legislation and guidelines, conducting in-depth research and report on findings in an effective, efficient manner.
- Ability to plan, organize, integrate, and coordinate activities and to provide clear directions.
- Ability to quickly develop and apply creative, innovative solutions to problems.

- Ability to analyze complex situations with changing political and economic factors.
- Ability to attend to a number of tasks at the same time and excellent organizational and planning skills.
- Ability to achieve results in an environment of continual change, uncertainty, limited resources, lack of formal policy guidance and complex issues that often have underlying political implications of territorial scope.
- Ability to react and respond quickly to urgent demands from Senior Management.
- Ability to operate independently to manage projects.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion and cultural awareness, as well as safety and sensitivity approaches in the workplace.

**Typically, the above qualifications would be attained by:**

A Graduate Degree in biophysical or natural sciences, Natural Resource Management, Environmental Studies, Environmental Science, Geography, Economics, Business, Civil or Environmental Engineering or similar relevant disciplines, or a Law Degree along with five (5) years of experience in the resource development and regulatory field and at least three (3) years of direct management and public policy related experience.

Equivalent combinations of education and experience will be considered.

**ADDITIONAL REQUIREMENTS**

**Position Security** (check one)

- ☐ No criminal records check required.
- ☒ Position of Trust – criminal records check required.
- ☐ Highly sensitive position – requires verification of identity and a criminal records check.

**French language** (check one if applicable)

- ☐ French required (must identify required level below)
  - Level required for this Designated Position is:
  - ORAL EXPRESSION AND COMPREHENSION
    - Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
  - READING COMPREHENSION:
    - Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
  - WRITING SKILLS:
    - Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
- ☐ French preferred

**Indigenous language:** Select language

- ☐ Required
- ☐ Preferred