



Establishment of Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

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Purpose of the Preliminary Screening

The *Mackenzie Valley Resource Management Act* (MVRMA) establishes an integrated system of land and water management that includes land use planning, environmental impact assessment (EIA) and review, and the regulation of land and water use through associated institutions of public government.

Section 124(2) of the MVRMA requires the Government of the Northwest Territories (GNWT) to conduct a preliminary screening of any development that it proposes to undertake, that is not otherwise subject to permitting or licensing by the land and water boards. “Development” is defined in Section 111(1) of the MVRMA and includes “the establishment of a park under territorial law”. This means the GNWT is responsible for carrying out a preliminary screening for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA) under the *Wildlife Act*.

The purpose of the preliminary screening is to determine whether there might be any significant impacts on the environment or significant public concerns with the establishment of the TDNWCA. If the GNWT determines that significant adverse impacts are likely or that significant public concerns exist, it is required to refer the matter to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment. In determining significant adverse impacts, the GNWT will consider the significance of a development’s potential adverse effects (e.g. their magnitude, duration, geographic extent and likelihood). Throughout the preliminary screening, the development is examined as a whole, not solely from a regulatory perspective. The GNWT will consider evidence concerning any likely adverse cultural, socio-economic and cumulative impacts over time.

Description of Proposal

Structure of Thaidene Nënë Wildlife Conservation Area and Enabling Legislation

While discussions with the Yellowknives Dene First Nation are ongoing, the GNWT has also collaborated with the Łutsel K’e Dene First Nation (LKDFN), Northwest Territory Métis Nation (NWTMN) and Deninu K’ue First Nation (DKFN) and signed formal establishment agreements with each group for the creation of the Thaidene Nënë Territorial Protected Area, the NWT’s first territorial protected area created through regulations under the *Protected Areas Act*. This collaboration also included a GNWT commitment in the LKDFN establishment agreement for creation of the TDNWCA under the *Wildlife Act*.

Efforts to establish the TDNWCA are being done with the full recognition and support of the signatories to the completed establishment agreements (LKDFN, NWTMN, and DKFN).

The *Wildlife Act* provides for the creation of wildlife conservation areas in regulation for the purpose of conservation and management of wildlife and wildlife habitat in the NWT.

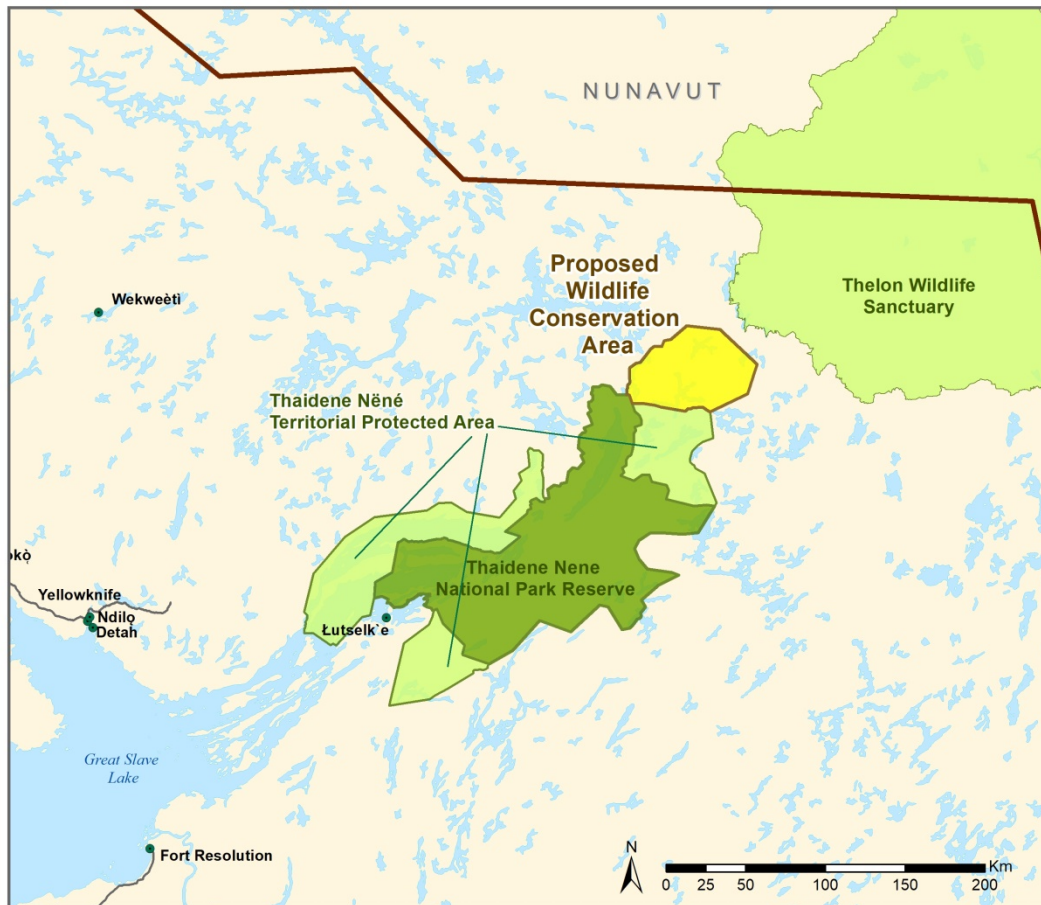


Location and Map

The greater Thaidene Nënë area is a celebrated cultural landscape with rich wildlife populations and unique geography located between the east end of Great Slave Lake and the Thelon Wildlife Sanctuary in the NWT. Map 1, below, shows the proposed TDNWCA within the yellow polygon, while Map 2 (next page) shows grid reference lines at a smaller scale to help the reader better understand the precise location of TDNWCA. Geographic Information System (GIS) spatial shapefiles are available upon request. Appendix 1 provides the precise spatial metes and bounds descriptors for the proposed TDNWCA.

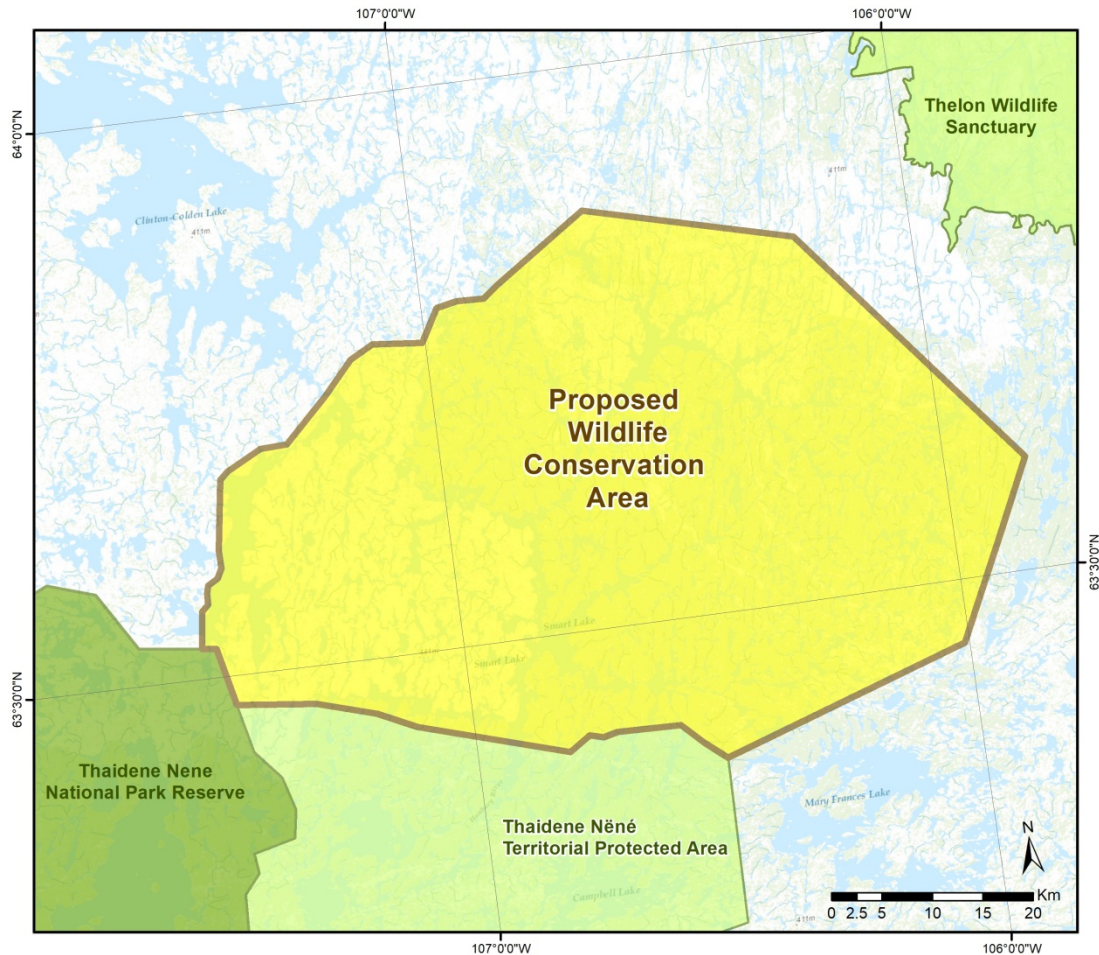
The TDNWCA area totals about 3,120 km².

Map 1





Map 2



Cultural, Ecological and Socio-economic Values

The TDNWCA area spans a transition zone from boreal forest to tundra. It is important habitat for large and small mammals, fish, as well as providing key waterfowl staging areas and critical nesting areas for birds of prey.

The recreational benefits and ecological goods and services of value to the residents of the NWT and others will continue in this area. Many local residents and visitors already use the proposed TDNWCA for a variety of activities, including hunting game, fishing and sightseeing. Local residents and visitors will continue to be able to enjoy these activities once the TDNWCA established under the *Wildlife Act*.

The proposed TDNWCA has a pre-existing surface and sub-surface land withdrawal through the *Land Withdrawal Order (Thaidene Nene (East Arm of Great Slave Lake) Proposed Conservation Area)* under the *Northwest Territories Land Act*, which has no expiry.

Governance Structure

There is no proposed or established management structure for the TDNWCA. Any decision or wildlife/habitat management actions with respect to the TDNWCA will be made using the best available



information, including Indigenous knowledge and values, local and community knowledge, and scientific knowledge after full consultation and collaboration with all Indigenous governments with rights in the area.

Visitor Access

Visitation to remote northern areas such as the TDNWCA is generally low compared to southern areas closer to communities or areas with road access.

Prohibited and Allowable Activities

With the land withdrawal order in place, mining and oil and gas developments, including exploration, are prohibited, as are non-renewable and/or large scale energy developments. Specific details are provided in the Order itself here: www.justice.gov.nt.ca/en/files/legislation/northwest-territories-lands/northwest-territories-lands.r34.pdf. Additionally, there are no known historical mineral claims, mining leases, or significant petroleum discoveries.

No new wildlife harvesting restrictions will be put in place and all existing restrictions in-place for conservation, public health, and public safety under the *Wildlife Act* and its regulations will continue in the TDNWCA. A person who has an Aboriginal or treaty right to harvest game within the TDNWCA will continue to be able to exercise that right without a licence, provided they can show identification evidencing that right as per sections 17, 18, and 19 of the *Wildlife Act*. Similarly, there will be no changes for licenced harvesters within the TDNWCA.

In addition to hunting, activities currently enjoyed as part of the northern lifestyle will be able to continue within the TDNWCA, including:

- sport fishing
- berry picking and gathering other non-timber forest products
- artisanal uses of biotic and abiotic resources
- cultural learning activities
- wildlife viewing
- hiking
- camping
- snowmobiling
- dogsledding
- snowshoeing
- building campfires
- geocaching
- canoeing
- kayaking
- transport and use of firearms for authorized purposes
- aircraft operations



Project Effects

The creation of the TDNWCA will have no adverse impact to any of valued ecosystem components in the area. This includes no changes to the current state of groundwater, surface water, land, non-renewable resources, air, climate, vegetation, wildlife, fish, or wildlife/fish habitat. Nor will there be any changes to the social and economic, cultural and heritage values within the TDNWCA. Furthermore, the current prohibition on development and/or large scale energy projects is not a result of the establishment of the TDNWCA. These restrictions are related to the land withdrawal which has no set expiry.

The approach of using a land withdrawal is the same as is used for the Thelon Wildlife Sanctuary. The withdrawal will be held until protection mechanisms can be put in place under the new *Mineral Resources Act*, or there is an approved land use plan for the area. No concerns with this approach are anticipated.

Corridors

There are no planned infrastructure developments related to transportation or transmission corridors through the TDNWCA.

Infrastructure

There are no infrastructure needs for the creation of the TDNWCA.

Timeline

As per the GNWT commitment to create the TDNWCA, as per the Thaidene Nënë Establishment Agreement with LKDFN, the area must be created within 18 months of the establishment of the protected area. The Thaidene Nënë Territorial Protected Area was established August 23, 2019. The TDNWCA will need to be created by February 23, 2021.

The TDNWCA will be held in regulations under the *Wildlife Act* until there is an approved land use plan for the area, or other legislation can provide protection.

Public Engagement

Between 2015 and 2019, discussions and consultation between the GNWT and Indigenous governments and organizations refined the boundaries of the Thaidene Nënë Territorial Protected Area and Thaidene Nene National Park Reserve. This time period also identified adjacent lands for the creation of the TDNWCA. This was done to address all related conservation and cultural interests in the area at the same time.

Through 2015 to 2017, stakeholder engagements were primarily focused on the negotiations of establishment agreements and a land transfer agreement for the creation of the National Park Reserve and its associated areas under the, at the time pending, territorial *Protected Areas Act*.

In concurrent meetings between 2015 and 2019, with LKDFN and Parks Canada, as well as other meetings with NWTMN, North Slave Métis Alliance (NSMA), Tłı̨chǫ Government (TG), Yellowknives Dene



First Nation (YKDFN), and the Deninu Kue First Nation (DKFN) the creation of the TDNWCA was discussed and no concerns were raised.

Formal GNWT section 35 consultation was held from July to early August 2019. The TG, LKDFN, DKFN, NWTMN, YKDFN, NSMA, Dehcho First Nation, West Point First Nation, and Kát'odeeche First Nation were consulted on the establishment of the National Park Reserve and the Territorial Protected Area, and the TDNWCA was also identified in all of the consultation letters.

As of November 6, 2019, the LKDFN formally requested that the GNWT accomplish all the processes required for the TDNWCA designation as expeditiously as possible. All groups are being invited to participate in review processes for the establishment of the TDNWCA through this preliminary screening.

Appendix 1 – Precise geographic location description

The conservation area under the *Wildlife Act* mirrors the description of legal metes and bounds descriptors in the *Land Withdrawal Order (Thaidene Nënë (East Arm of Great Slave Lake) Proposed Conservation Area)*:

In the Northwest Territories;

In the vicinity of the East Arm of Great Slave Lake;

All that parcel of land and land covered by water, being more particularly described as follows, all geographic coordinates being 1983 North American Datum, Canadian Spatial Reference System, and any references to straight lines meaning points joined directly on a 1983 North American Datum, Canadian Spatial Reference System, Universal Transverse Mercator projection plane surface:

Commencing at a point at latitude 63°28'28" North and longitude 107°27'50" West;

Thence northwesterly in a straight line to a point at latitude 63°31'34" North and longitude 107°29'28" West;

Thence westerly in a straight line to a point at latitude 63°31'40" North and longitude 107°31'12" West;

Thence northerly in a straight line to a point at latitude 63°33'38" North and longitude 107°30'39" West;

Thence northeasterly in a straight line to a point at latitude 63°33'58" North and longitude 107°29'51" West;

Thence northerly in a straight line to a point at latitude 63°34'34" North and longitude 107°29'50" West;

Thence northeasterly in a straight line to a point at latitude 63°34'58" North and longitude 107°29'33" West;

Thence northeasterly in a straight line to a point at latitude 63°35'18" North and longitude 107°28'20" West;

Thence northeasterly in a straight line to a point at latitude 63°35'49" North and longitude 107°27'44" West;



Thence northerly in a straight line to a point at latitude 63°36'45" North and longitude 107°27'47" West;

Thence northerly in a straight line to a point at latitude 63°40'30" North and longitude 107°26'36" West;

Thence northeasterly in a straight line to a point at latitude 63°40'54" North and longitude 107°25'38" West;

Thence northeasterly in a straight line to a point at latitude 63°41'53" North and longitude 107°21'22" West;

Thence easterly in a straight line to a point at latitude 63°41'57" North and longitude 107°18'06" West;

Thence northeasterly in a straight line to a point at latitude 63°44'17" North and longitude 107°12'47" West;

Thence northeasterly in a straight line to a point at latitude 63°46'01" North and longitude 107°09'13" West;

Thence northeasterly in a straight line to a point at latitude 63°46'42" North and longitude 107°06'22" West;

Thence easterly in a straight line to a point at latitude 63°46'26" North and longitude 107°00'22" West;

Thence northeasterly in a straight line to a point at latitude 63°48'11" North and longitude 106°58'06" West;

Thence easterly in a straight line to a point at latitude 63°48'24" North and longitude 106°55'35" West;

Thence easterly in a straight line to a point at latitude 63°48'22" North and longitude 106°52'16" West;

Thence northeasterly in a straight line to a point at latitude 63°48'55" North and longitude 106°50'41" West;

Thence northeasterly in a straight line to a point at latitude 63°52'20" North and longitude 106°39'07" West;

Thence easterly in a straight line to a point at latitude 63°49'25" North and longitude 106°14'06" West;

Thence southeasterly in a straight line to a point at latitude 63°36'02" North and longitude 105°50'12" West;

Thence southwesterly in a straight line to a point at latitude 63°26'39" North and longitude 106°00'36" West;

Thence southwesterly in a straight line to a point at latitude 63°22'19" North and longitude 106°30'29" West;

Thence northwesterly in a straight line to a point at latitude 63°23'16" North and longitude 106°33'00" West;

Thence northwesterly in a straight line to a point at latitude 63°24'23" North and longitude 106°35'31" West;

Thence westerly in a straight line to a point at latitude 63°24'28" North and longitude 106°43'08" West;



Thence southwesterly in a straight line to a point at latitude 63°24'18" North and longitude 106°44'51" West;

Thence westerly in a straight line to a point at latitude 63°24'30" North and longitude 106°46'29" West;

Thence southwesterly in a straight line to a point at latitude 63°23'45" North and longitude 106°49'02" West;

Thence northwesterly in a straight line to a point at latitude 63°26'07" North and longitude 107°06'43" West;

Thence northwesterly in a straight line to a point at latitude 63°27'05" North and longitude 107°11'21" West;

Thence northwesterly in a straight line to a point at latitude 63°28'01" North and longitude 107°18'21" West;

Thence westerly in a straight line to the point of commencement.