

# **GNWT Thaidene Nene (TDN) Public Engagement Session**

**Hay River – July 28, 2015**

## **Summary of Proceedings**

### Overview

- Meeting began with introductions by the Minister of Negotiations Core Team and Merrell-Ann Phare (GNWT Chief Negotiator for TDN), Shannon Cumming (ADM, Environment and Natural Resources, GNWT), and Darin Bagshaw (Environment and Natural Resources, GNWT), and Steven Nitah - Lutsel K'e Dene First Nations (LKDFN); brief intro to TDN by Minister Miltenberger; followed by TDN presentation from GNWT Chief Negotiator Merrell-Ann Phare.
- Meeting was attended by approximately 17 people. In attendance were MLA Robert Bouchard and Tom Colosimo (Industry, Tourism and Investment, GNWT).
- Notes taken by Claudia Haas (Environment and Natural Resources, GNWT).

### Opening Remarks by Minister Miltenberger

TDN was first identified in the 1970's as a proposed National Park and the land was permanently withdrawn. In 2007, a larger study area was identified (over 33,000km<sup>2</sup>) and the remaining area was withdrawn. With devolution, GNWT became the land owner. Establishing this park is a priority for GNWT.

The GNWT negotiating team was provided with the instruction to make the federal footprint as small as possible and supplement the National Park with 'northern tools' to conserve other important lands. Since last October, we have compressed about 4 years of complex negotiations into a 6 month period. There have been many meetings with the Aboriginal governments and also meetings with the federal government. The three levels of government (GNWT including Cabinet, Aboriginal governments, and the federal government) have seen and approved the consultation boundaries map provided here.

There are going to be two separate engagement processes:

- the GNWT will implement territorial engagement process over the next few weeks; and, following that,
- the federal government will conduct their own engagement process on the federal area of interest. Parks Canada has asked that the GNWT not discuss the values within the federal area, so any questions on that should be addressed to Parks Canada during their engagement process.

The multi-coloured map is shows consultation boundary lines for the areas intended to be addressed through national designation, the areas intended to be territorial conservation, and the areas excluded all together. The negotiating team has shrunk the federal footprint by 57% and have excluded more areas than was originally proposed. The GNWT expects there to be small site-specific boundary

discussions, but overall these are the broad boundaries to be engaged on. Our job here is to lay out what has been negotiated and then to report back to Cabinet.

Minister Miltenberger, also Finance Minister, reminded that Canada and the GNWT are in a time of fiscal restraint. This affects what activities the GNWT can complete so fiscal consideration will be factored in when Cabinet reviews all the TDN material.

The Minister indicated that the session was being recorded, and that summary notes were being prepared and would be made publicly available.

#### GNWT Presentation on Thaidene Nënë by GNWT Chief Negotiator Merrell-Ann Phare

The Chief Negotiator provided a history of the TDN area and the impetus for the GNWT moving forward with the protection of TDN and described the collaborative process used to date to come up with the consultation boundaries. The broad interests were described and maps were provided around the room showing the ecological and cultural interests, caribou use interests, energy interests, transportation interests, and mineral interests. The Chief Negotiator described in general terms what led to the decisions on what is proposed for territorial conservation designations and what is proposed to be excluded all together from the TDN area of interest under land withdrawal. The federal interest area is shown on the map in dark green but the Chief Negotiator indicated that Parks Canada will consult on their interests in this area separately.

The Chief Negotiator described the Northern Tools (tools available to the GNNWT include legislative and regulatory instruments, policy, strategies, frameworks, actions plans, formalized decision-making processes, and models) that could be used given the key attributes required for TDN, namely permanence, no industrial development, respect for Aboriginal and treaty rights, and allowance of the northern lifestyle. To this effect, the Chief Negotiator provided a broad list of activities that all negotiating parties agree are compatible in the territorial park, and explained that there would be many opportunities for the public to engage in discussions on this issue and Northern Tools in the future as progress is made on achieving TDN. The Chief Negotiator also described the third party interests that exist in TDN, namely individuals that have title or leases in the area and that these rights would be respected, as agreed to in the Devolution agreement. The Chief Negotiator briefly described the collaborative governance and the building of a conservation economy that is being considered for TDN. She finished the presentation indicating the proposed next steps, including a presentation to Cabinet at the end of August on the outcomes of these consultations.

#### Themes of Comments and Questions

##### 1. TDN Process

- Garry Carter stated this collaborative process was good to see and wondered if the GNWT was going to use this same sort of process to resolve other outstanding issues across the territory. The Minister agreed and stated how he saw this process working for more than just protected areas and that he has had similar comments from others, including the NWT and Nunavut Chamber of Mines.

## 2. Federal Footprint and Involvement

- MLA Robert Bouchard asked if the results of the public sessions would be provided to Parks Canada so they were aware of what was heard with respect to allowable activities. The Minister stated that the GNWT have been keeping Parks Canada informed and will continue to do so. He indicated that currently there is agreement between the parties about the allowable activities, however GNWT can only commit to the activities that would occur in the territorial portion. Steven Nitah spoke about Lutsel K'e's desire to be heavily involved in the management and operations of TDN and that they are happy to work with both levels of government. He also spoke about how National Parks provide good marketing at a national and international level, which helps to encourage people to use the area and come to Lutsel K'e, providing opportunities to diversify their economy.

## 3. Mining Development

- Jack Rowe asked about what infrastructure would be allowed for barging north to the diamond mine and for access corridors further north. The Chief Negotiator responded that the conceptual agreement is this would be allowed but that the details on how this would work in practice still have to be worked out. The Minister assured that the language would address this issue.

## 4. Specific Operational Questions

- MLA Robert Bouchard and Wally Schumann (Hay River Métis businessperson) asked for clarification about whether the activities and governance presented is just for the territorial portion or if this applied for the entire study area. The Chief Negotiator clarified that what was being presented was only for the territorial portion. She noted that so far there is agreement with the Aboriginal Governments and Parks Canada that this would be consistent throughout TDN, with the goal of having a seamless visitor experience. It was also reiterated that the details of how this will be done in practice was still being worked out.
- Harold Moore asked specific questions about infrastructure for visitors, whether trails would be built to the back-country for access, including trails for motorized vehicles for older visitors, and if the park would be operated year around. The Chief Negotiator indicated that the scale of visitor development had not yet been discussed but anticipated some visitor centres and that tourism opportunities would be geared towards people of all ages and income brackets. She also clarified that the park would operate year-round. The Minister clarified that the focus of discussions to date has been on the boundaries and that there are many details to work out. Steven Nitah spoke about gearing the tourism strategy to the demand and that the area has a lot of potential.
- MLA Robert Bouchard asked whether visitors would notice any difference from right now to after the parks were established. The Chief Negotiator stated she did not think there would be much difference since the goal is to maintain the northern lifestyle. Steven Nitah spoke about how the parks will enhance visitors' experience and specified examples of increasing accessibility and local search and rescue opportunities.
- Wally Schumann (Hay River Métis businessperson) asked how the administration of the water will be dealt with given other federal government departments still have a role,

e.g. Department of Fisheries and Oceans (DFO). The Minister clarified that the GNWT manages the water and DFO manages the navigation and fish, and these authorities would continue. Allowable activities would be set out in the park establishment documents and that there would continue to be collaboration between the governments. The Minister reiterated that the goal is for a seamless experience for people who enter the East Arm.

- Garry Carter asked about park permits and who would require one, while MLA Robert Bouchard asked about the process to apply for a park permit. The Chief Negotiator replied that a permit or something equivalent that assured the interests of public safety be needed by everyone entering the park, in addition to any other permits/licenses required now, e.g. fishing licenses. The GNWTs hope was to negotiate to have only one park permit required for the entire area. The details of how to apply for the permit have not been worked out yet but the goal is to make it as easy as possible.
- Jack Rowe asked whether there would be another meeting when more of the operational details are worked out. The Minister committed to having more meetings to keep everyone informed and that the legislative amendments will also be a public process, similar as was done for the *Wildlife Act*.