

SAHTU DENE AND METIS

COMPREHENSIVE LAND CLAIM AGREEMENT: APRIL 1, 2008 – MARCH 31, 2009



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FOREWORD

The Implementation Committee is pleased to provide its 14th annual report on the implementation of the Sahtu Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA). The report covers 12 months from April 2008 to March 2009.

The Committee consists of a senior official from each of the parties: the Sahtu Secretariat Incorporated, the Government of the Northwest Territories (GNWT), and the Government of Canada. It functions by consensus and serves as a forum where parties can raise issues and voice their concerns.

The role of the Implementation Committee is to oversee, direct, and monitor the implementation of the Agreement. This Annual Report describes achievements and developments during the year. Information is contributed by various territorial and federal departments, The Sahtu Secretariat Incorporated (SSI), and other bodies established under the Agreement.

Implementing the Agreement presents opportunities and challenges, and progress by the Implementation Committee is being achieved through a relationship defined by mutual respect and a commitment to fulfilling the obligations set out in the Agreement. We are committed to strengthening the partnerships that are essential to the successful implementation of the Agreement.



Rocky Norwegion

The Sahtu Secretariat
Incorporated



Scott Alexander

Government of the
Northwest Territories



Kimberly Thompson

Government
of Canada

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GLOSSARY OF ACRONYMS AND ABBREVIATIONS

C&A	Central and Arctic Region
CCG	Canadian Coast Guard
CIMP	Cumulative Impact Monitoring Program
CRA	Canada Revenue Agency
CWS	Canadian Wildlife Service
DAAIR	Department of Aboriginal Affairs and Intergovernmental Relations (NWT)
DFO	Department of Fisheries and Oceans
DoT	Department of Transportation (NWT)
EC	Environment Canada
ECE	Department of Education, Culture, and Employment (NWT)
ENR	Department of Environment and Natural Resources (NWT)
GIS	Geographic Information System
GNWT	Government of the Northwest Territories
GSC	Geological Survey of Canada
INAC	Indian and Northern Affairs Canada
ITI	Department of Industry, Tourism, and Investment (NWT)
JRP	Joint Review Panel
MGP	Mackenzie Gas Project
MOU	Memorandum of Understanding
MVEIRB	Mackenzie Valley Environmental Impact Review Board
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
NTGO	Northwest Territories Geoscience Office
NWT	Northwest Territories
PAS	Protected Areas Strategy
PWGSC	Public Works and Government Services Canada
PWS	Public Works and Services
RRC	Renewable Resources Council
RRCO	Renewable Resource Communications Officer
SDC	Sahtu Dene Council
SDMCLCA	Sahtu Dene and Metis Comprehensive Land Claim Agreement
SEB	Sahtu Enrolment Board
SEED	Support to Entrepreneurs and Economic Development
SLUPB	Sahtu Land Use Planning Board
SLWB	Sahtu Land and Water Board
SRRB	Sahtu Renewable Resources Board
SSA	Sahtu Settlement Area
SSI	The Sahtu Secretariat Incorporated

FEATURES OF THE AGREEMENT

IN JULY 1993, THE SAHTU DENE AND METIS VOTED TO APPROVE THE SDMCLCA. AFTER BEING APPROVED BY THE GOVERNMENTS OF THE NORTHWEST TERRITORIES (NWT) AND CANADA, THE AGREEMENT WAS SIGNED ON SEPTEMBER 6, 1993. THE SAHTU DENE AND METIS LAND CLAIM SETTLEMENT ACT CAME INTO EFFECT ON JUNE 23, 1994.

Sahtu Dene and Metis became the owners of 41,437 square kilometres of land in the NWT (approximately 1.7 percent of the territory), an area slightly larger than Vancouver Island. The beneficiaries also receive an annual capital transfer of \$75 million (in 1990 dollars) over a 15-year period. Over the same period, the Sahtu Dene and Metis repaid to the Government of Canada their outstanding negotiating loans which totalled approximately \$10.8 million at the time of the Agreement.

In their settlement area, the Sahtu Dene and Metis have wildlife harvesting rights and guaranteed participation in institutions of public government established for environmental and resource management. They also receive an annual share of resource royalties from the Mackenzie Valley.

The SDMCLCA clarifies rights of ownership and land and resource use, and allows for the negotiation of self-government agreements to be brought into effect through territorial and/or federal legislation. Each community is negotiating a distinct self-government agreement.



HIGHLIGHTS

THE MAJOR HIGHLIGHTS OF THE 14TH ANNUAL IMPLEMENTATION COMMITTEE REPORT ON THE IMPLEMENTATION OF THE SDMCLCA INCLUDE:

- The continued collaborative work of the Implementation Committee on the action items and tasks arising from the November 2007 Three-Year Economic Measures Review.
- The undertaking of eight research projects totalling over \$195,000 under the Sahtu Renewable Resources Board (SRRB).
- The establishment by the Mackenzie Valley Land and Water Board (MVLWB) of six working groups to research standard procedures and consistency for Land Use Permits and Water Licences issued under the *Mackenzie Valley Resource Management Act* (MVRMA). Six work plans were presented, accepted, and approved at a MVLWB meeting in Inuvik in June 2008.
- The Mackenzie Valley Environmental Impact Review Board (MVEIRB) managed 16 environmental assessments, two impact reviews, and reviewed 81 preliminary screening applications.
- The Sahtu Secretariat Incorporated (SSI) finalized a report that sets out how the seven Sahtu financial corporations can preserve their tax exemption after the fifteenth year of establishing the SDMCLCA.
- In late 2007, public hearings on the Mackenzie Gas Project (MGP) were concluded by the Joint Review Panel (JRP). The next phase of the JRP mandate is to prepare a detailed final report for submission to the National Energy Board and the federal government.
- The Community of Délîné is near completion of a final self-government agreement. In June 2008, a Handshake Agreement was signed marking the point where the text of the agreement undergoes legal and technical review by the parties. The communities of Fort Good Hope, Tulita, and Norman Wells are continuing to negotiate their self-government agreements. Colville Lake is still considering their options.
- The Department of Industry, Tourism, and Investment (ITI) implemented the Support to Entrepreneurs and Economic Development Policy (SEED) in September 2008. The focus is on increased business activities, improved management skills and business capacity, a more diversified NWT economy, and an equitable distribution of benefits among NWT communities.

IMPLEMENTATION COMMITTEE

THE SAHTU IMPLEMENTATION COMMITTEE IS COMPRISED OF THREE SENIOR OFFICIALS REPRESENTING EACH OF THE THREE PARTIES TO THE SDMCLCA.

In 2008-2009, the SSI was represented by Rocky Norwegian, Implementation Director of SSI; GNWT was represented by Scott Alexander, Director, Implementation, Department of Aboriginal Affairs and Intergovernmental Relations (DAAIR); and Canada was represented by Kimberly Thompson, Director, Implementation Branch, Indian and Northern Affairs Canada (INAC).

As provided for in section 29.2 of the SDMCLCA, the Implementation Committee:

- Oversees and monitors the implementation of the Agreement and the Implementation Plan.
- Addresses disputes between the parties.
- Prepares public annual reports on the implementation of the Agreement.
- Adjusts the schedule for carrying out implementation activities, reallocating implementation resources, and amending the Implementation Plan as required.

Implementation Committee Meetings were held on May 7, 2008 in Yellowknife, on September 8, 2008 in Norman Wells, and on December 3, 2008 in Edmonton. Implementation Committee activities included:

- Oversaw Board funding and appointments for the Sahtu boards.
- Discussed access to Sahtu Settlement Lands.
- Parties continued to work on the Sahtu Implementation Plan renewal.
- Completed the Sahtu Trust amendment.
- Discussed the Northern Regulatory Regime Improvements Initiative and the subsequent McCrank Report and its impacts on the Sahtu Agreement.

IMPLEMENTING BODIES

PROVISIONS IN THE SDMCLCA INCLUDE THE POWER TO ESTABLISH IMPLEMENTING BODIES RESPONSIBLE FOR DETERMINING ELIGIBILITY FOR ENROLMENT AS A BENEFICIARY OF THE AGREEMENT, SETTLING DISPUTES RELATED TO THE INTERPRETATION OF THE AGREEMENT, MANAGING WILDLIFE RESOURCES, PLANNING AND REGULATING LAND AND WATER USE, AND CONDUCT BOTH ENVIRONMENTAL IMPACT ASSESSMENTS AND REVIEWS OF DEVELOPMENT PROPOSALS.

The membership, functions, time frame, and method for the establishment of each body are specified in the SDMCLCA and Implementation Plan. Current membership of these implementing bodies, excluding the Regional Resources Councils (RRCs), is listed in Appendix 1.

4.1 SAHTU ENROLMENT BOARD

Pursuant to Chapter 4 of the SDMCLCA, the SSI is responsible for both the costs and the appointment of a seven-person Sahtu Enrolment Board (SEB) with one person representing each of the seven Aboriginal communities in the Sahtu region (see Appendix 1).

The responsibilities of the SEB include the following:

- Accept applications and signed consent forms for enrolment.
- Establish an Enrolment Registry and enter the names of each person eligible to be enrolled.
- Maintain the Enrolment Register.
- Maintain a record of applications for which enrolment was rejected.
- Notify each applicant whose name has not been entered into the Enrolment Register of the reasons for the decision to refuse enrolment and of that applicant's right to appeal any decision with respect to enrolment.
- Remove from the Enrolment Register the names of persons who are not minors and who have notified the Board in writing that their name is to be removed, and the names of minors whose parent or guardian have notified the Board that the minor's name is to be removed from the Register.

The SEB conducts meetings at least three times per year in the Sahtu region to review, approve, or decline applications for enrolment. However, in 2008-2009, the SEB held only two meetings: the first in June and the second in November 2008. In addition, from June 24 to June 27, 2008, the SEB conducted a Sahtu Tour and visited Tulita, Norman Wells, Fort Good Hope, and Colville Lake to ensure all community members had their identification. As well, help was provided to community members with their enrolment applications.

An Ancestral Project was completed in December 2003 and the SSI now has an extensive database to assist in determining eligibility for enrolment. As of December 31, 2008, there were 3,179 people enrolled pursuant to the SDMCLCA.

4.2 SAHTU ARBITRATION PANEL

The Sahtu Arbitration Panel resolves disputes in accordance with the SDMCLCA. The Panel is composed of eight members representing the SSI, the GNWT, and Canada.

During 2008-2009, the Panel did not visit the Sahtu Settlement Area (SSA). In November 2008, Panel members joined with members from the Gwich'in Arbitration Panel to continue their training on such issues as social and cultural context, independence and bias, and in the making of arbitration decisions. This training had begun in November 2007. Professors Michele LeBaron and Val Napoleon prepared written materials and guided the Panels in this ongoing educational undertaking.

Inquiries were made on a possible submission to the Panel for arbitration, however, the Panel was later advised that the matter was being settled by the parties and it is not expected to come before the Panel. Work on updating the Arbitration Panel's web site continued.

4.3 SAHTU RENEWABLE RESOURCES BOARD

The SRRB was established as the main instrument of wildlife and forest management in the SSA. It is the responsibility of the SRRB and affiliated organizations to protect, conserve, and manage renewable resources in a co-operative spirit that will ensure sustainable public use for all time. The SRRB is a regional public board representing beneficiary and non-beneficiary interests in the SSA. The seven-member board is comprised of three members and three alternates nominated by the SSI, three members and three alternates nominated by the territorial and federal governments, and a Chairperson nominated by the members. All appointments are made jointly between the Governor in Council and the GNWT Executive Council. As of March 31, 2009, the chair position, two member positions, and one alternate position were vacant.

The SRRB continue to implement the objectives and goals as mandated in 1995. The Board and staff continue to develop and expand their close co-operative working relationship with RRCs, regional and territorial co-management boards, territorial and federal governments, and private agencies.

THE SEB CONDUCTS
MEETINGS AT LEAST
THREE TIMES PER
YEAR IN THE
SAHTU REGION.

Bluenose Caribou Herd

The Advisory Committee for the Cooperation on Wildlife Management — formerly the Bluenose Caribou Herd Advisory Committee — consists of wildlife co-management boards in the NWT and Nunavut. The Committee met in June and November 2008 to develop strategies that address declines in the barren-ground caribou herds and to discuss other management issues common to all Boards. The Committee created a Working Group to develop a management plan for the Bluenose Caribou Herds for 2009 and 2010. The Working Group met for the first time in January 2009 to begin discussions and to develop terms of reference for the group. Recommendations made by the Board for the Bluenose-West Caribou Herd,

following its public hearing in November 2007, were accepted by the Minister of the Department of Environment and Natural Resources (ENR) and the Minister of INAC in June 2008. The Board spent much of its time during the summer and fall of 2008 discussing the recommendations with affected communities, other wildlife co-management boards, and with government. Legislated changes will be in place for the 2009-2010 hunting season.

Environmental Assessment

During 2008-2009, there was little activity within the SSA with respect to hydrocarbon exploration and development, mineral interests, and the proposed pipeline route along the Mackenzie Valley. The Environmental Assessment Specialist reviewed and provided comment on 12 land use permit and water licence applications for the SSA along with 20 scientific licence applications, and ten wildlife research permit applications. The SRRB participated in several workshops regarding cumulative effects, seismic guidelines, and best management practices for oil and gas.

AT YEAR-END, THE
FUND WAS VALUED
AT APPROXIMATELY
\$3 MILLION.

Wildlife Studies Fund

The intent of the Wildlife Studies Fund is to provide the SRRB with enough investment interest income to annually fund wildlife research within the SSA. At year-end, the fund was valued at approximately \$3 million. The fund has grown at a slower rate than anticipated and as such, the Board plans to continue with a slightly more aggressive investment portfolio. The Board seeks input from community RRCs on priorities for research in the SSA and continues to withdraw funds to finance research activities.

4.4 SAHTU LAND AND WATER BOARD

The SLWB regulates land and water use throughout the SSA.

Activities

Eight meetings took place during the Board's 11th year of operation. These meetings were held in Délínê, Fort Good Hope, and Norman Wells. Two of these meetings were conducted by teleconference. As well, the Board Chairperson and Executive Director attended two meetings of the NWT Board Forum in Calgary and Inuvik. Other tasks and activities of the SLWB included the provision of professional development to staff through courses and workshops in such areas as Geographic Information System (GIS), finance and administration, writing skills, database software, preparation and presentation of evidence, water quality

and bio-monitoring, uranium mineral exploration, northern oil and gas environmental issues, first-aid, and administrative justice practices and procedures.

Results and Achievements

As required, Board members considered Land Use Permits and Water Licences, renewals, extensions, assignments, and administered the terms and conditions of permits and licences. In 2008-2009, the SLWB received and processed eight Type "A" Land Use Permit applications. With respect to Water Licences, two Type "B" applications were received and processed. Administration related to water licences involved 21 industrial annual reports, six municipal annual reports, 40 miscellaneous annual reports, and one annual abandonment and restoration report.

Schedule of Major Events

The SLWB participated in two meetings with the MVLWB to coordinate policy and administrative, financial, and regulatory matters related to permits and licences throughout the Mackenzie Valley.

The MVLWB established six working groups to research standard procedures and consistency for Land Use Permits and Water Licences issued under the MVRMA. Staff from the SLWB attended the initial workshop held in January 2008 in Yellowknife. The working groups reviewed existing policies and procedures to develop, where required, new policies, procedures, and guidelines in order to achieve consistent application throughout the Mackenzie Valley.

Assessment of Achievements

Significant achievements over the year included granting a Land Use Permit to one mineral exploration company working in the Déliné District. Land Use Permits and associated Water Licences were approved for oil and gas exploration (seismic and drilling) for three projects in the K'asho Got'ine District. One of these projects was a heli-assisted summer seismic operation. It is significant that interest for oil and gas exploration has continued over the past year with five extensions for Land Use Permits and three renewals for Water Licences.

In May 2008, the Board accepted and approved Imperial Oil Resources' final Interpretive Report (2002-2006) for its Aquatic Effects Monitoring Plan at Norman Wells. The report was accompanied by a Plain Language Report which was distributed to RRCs in Tulita, Norman Wells, and in Fort Good Hope.

In November 2008, INAC Inspectors for Land Use Permits and Water Licences met with the SLWB to present a summary report about the number of inspections carried out, the methods and observations from these inspections, and to discuss the terms and conditions of enforcement.

The Board received supplemental funding to undertake a major project to upgrade the SLWB's Public Registry in order to make it available online to potential clients, landowners, government departments, and the general public. The Board maintains a web site to better inform the public about its responsibilities and procedures (www.slwb.com).

WATER LICENCES
WERE APPROVED
FOR OIL AND
GAS EXPLORATION.

4.5 SAHTU LAND USE PLANNING BOARD

The Sahtu Land Use Planning Board (SLUPB) had an active year during 2008-2009.

Administrative Issues

The Board developed a multi-year budget and work plan to identify the financial and human resources and the concrete steps needed to complete the Sahtu Land Use Plan. The Work Plan was submitted to INAC to secure additional resources and necessary staff. This was followed by a review of financial protocols and operational policies to update and improve SLUPB processes.

The SLUPB met four times to hold training workshops and review progress on the Plan. The Board held monthly teleconferences between meetings to address administrative matters. Board members participated in a mix of internal and external training opportunities including orientation on the history of the Board, plan development, the MVRMA, mining, and finance and administration.

The SLUPB worked to maintain regular cost effective communications with planning partners throughout the year about Board activities and progress on the Plan. In addition, the board attended a number of events and meetings. The SLUPB web site was updated regularly to provide easy access to Board documents, including previous drafts of the Plan, written comments, maps, presentations and upcoming events (www.sahtulanduseplan.org).

The Sahtu Land Use Plan

Follow-up meetings were held in Tulita and Colville Lake to address outstanding issues resulting from the community consultations that took place in 2007. These provided the direction needed to complete the zoning and to address some planning issues. Between February and April 2009, the results of these consultations, and the comments received concerning earlier drafts of the Plan were reviewed and incorporated into a second draft. The goal was to address major issues identified in previous comments, fill in missing sections, give the Plan more structure, and make it more acceptable while still maintaining the spirit and intent of the existing content. The second draft of the Sahtu Land Use Plan will be released for public comment in May 2009. Following additional consultation and feedback, the Board will identify appropriate changes for the third draft.

4.6 MACKENZIE VALLEY ENVIRONMENTAL IMPACT REVIEW BOARD

During 2008-2009, the MVEIRB managed 16 environmental assessments and two impact reviews. Two environmental assessments were cancelled and the Review Board carried forward six others into the 2009-2010 fiscal year. Currently, there are eight environmental assessments awaiting ministerial decision, four of which were completed and submitted during the 2008-2009 year. The two environmental impact reviews are being carried forward into the next fiscal year.

In 2008-2009, the MVEIRB reviewed 81 preliminary screening applications. The SLWB screened 11 of these applications. Twenty-two of the total applications were for mineral exploration and mining, 15 were within the transportation sector, and another 15 were applications for quarries. The rest of the preliminary screening applications were for oil and gas development, research projects, remediation, logging and harvesting, tourism and recreation, and other development activities.

There were two active environmental assessments of proposed developments in the SSA in 2008-2009: the Selwyn Resources Mineral Exploration and the Hunter Bay Mineral Exploration. The latter assessment was cancelled in October 2008. The only active environmental impact review of a proposed development in the SSA was the MGP.

Strategic Plan (2008-09 to 2010-11)

The Review Board has developed a three-year strategic plan with a focus on pursuing excellence in environmental impact assessment and the integrated resource management system envisioned by the MVRMA. The strategic initiative serves to make the environmental impact assessment process more efficient and to re-brand the Board to become more effective in communications.

Cultural Impact Assessment Guidelines

As part of its continuing effort to provide resources to all parties in order to assist in quality environmental impact assessments in the Mackenzie Valley, the Review Board is developing *Cultural Impact Assessment Guidelines*. Over the winter in 2008-2009, the Review Board visited seven communities for preliminary discussions about what elements of culture need to be protected, about how development may be impacting on cultural components, and how cultural considerations can be best examined during environmental impact assessment. The Review Board also developed a cultural impact assessment library and gave presentations and workshops on cultural impact assessment in Yellowknife, Edmonton, and at the annual conference of the International Association for Impact Assessment in Perth, Australia in May 2008. Continued drafting and consultations are scheduled for the 2009-2010 fiscal year.

THE REVIEW BOARD
HAS DEVELOPED
A THREE-YEAR
STRATEGIC PLAN.

4.7 NWT BOARD FORUM

The NWT Board Forum is a bi-annual gathering of NWT resource co-management boards, public boards, governments, and their departments. It was established to promote the exchange of information and to facilitate discussion on matters of common interest. The Board Forum meets in different communities throughout the NWT. Activities included:

- The development of strategic and business planning guidelines and templates for use by NWT Board Forum members.
- The development of an NWT Board Forum one-stop shop web site portal. The site provides a wealth of information on resource management, the regulatory process, flow charts, membership, and other information useful to the public.
- The development of a consolidated statement of the NWT Board Forum's research priorities for distribution to researchers and funding agencies interested in the NWT.
- Meeting the ongoing training needs for Board members.

THE SAHTU SECRETARIAT INCORPORATED

THE SSI WAS FORMED BY THE SEVEN SAHTU LAND CORPORATIONS — FOUR DENE LAND CORPORATIONS AND THREE METIS LAND CORPORATIONS — ON JUNE 23, 1994, WITH THE ENACTMENT OF THE SAHTU DENE AND METIS LAND CLAIMS SETTLEMENT ACT.

The mandate of the SSI includes:

- Providing information that would assist participants to negotiate and enter into arrangements with industry and territorial and federal governments with respect to the implementation of the Agreement.
- Undertaking any other activities related directly or indirectly to the interests and concerns of its participants with specific reference to the implementation of the Agreement.
- Coordinating educational activities or other activities related to the environmental impact on the lands, air, waters, and health of SSA residents.
- Coordinating discussions with industry and governments whose activities or decisions affect the environment in a manner which adversely affects the interest of SSA residents.
- Assisting and enabling members to intervene and participate in any hearings, environmental impact assessments, policy or legislative reviews, or other decision-making or review processes which relate to the environmental or economic interests and concerns of its members.

The SSI participates in the implementation of the SDMCLCA with the GNWT and Canada through the appointment of a member to the Sahtu Implementation Committee in accordance with Chapter 29 of the Agreement. The SSI also has a coordinating role in activities involving other designated Sahtu organizations as per Chapter 7 of the Agreement.

The SSI Board of Directors conducted three meetings during the year in the Sahtu region: on October 7-9, 2008 on November 29-30, 2008 and on February 16-20, 2009. As well, two special meetings were held by teleconference on October 15, 2008 and on November 12, 2008.

5.1 ANNUAL GENERAL MEETING

The SSI Board of Directors and its members must meet annually in the Sahtu region to review the report of the Directors, the financial statements, the report of the auditor, to appoint an auditor for the upcoming year, and to discuss other business issues. The Annual General Meeting also provides a discussion forum to address all issues and concerns relating to the SDMCLCA and its implementation. At this time, all Sahtu regulatory boards have the opportunity to report to the participants of the SDMCLCA.

For fiscal year 2008-2009, the SSI Annual General Meeting was held on August 27-29, 2008 in Norman Wells, NWT.

5.2 SAHTU TRUST

Under the provisions of the SDMCLCA, the SSI was assigned the right to transfer payments and for the repayment of the land claim loans. The SSI also received the first \$3,000,000 of resource royalty payments from the Government of Canada.

Through a Declaration of Trust, the Sahtu Trust was created with the SSI as the Trustee. The Trust was assigned Chapter 8 and Chapter 10 rights with respect to capital transfer payments and the repayment of the land claim loans. The Sahtu Trust fiscal year ends on December 31.

The Sahtu Trust has two classes of beneficiaries: individual beneficiaries who are enrolled as participants pursuant to Chapter 4 of the SDMCLCA, and institutional beneficiaries.

On September 6th of each year, the federal government makes a payment to the SSI which is deposited into the Sahtu Trust. In 2008, the federal government made the 15th and final payment of \$3,853,940 less \$533,902 for the repayment of negotiation loans to the SSI.

Twice each year, the income and interest earned by the Sahtu Trust is paid, less fees, on a per capita basis (enrolment) to the seven financial corporations. The twelve-month income of the Sahtu Trust up to December 31, 2008 was \$4,511,501. Including unrealized gains, the fund earned at -5.6% rate of return for the year.

5.3 NORMAN WELLS PROVEN AREA

Pursuant to Chapter 9 of the SDMCLCA, the Government must consult with the SSI with respect to matters discussed with Imperial Oil Ltd. or other parties about any amendment, renegotiation, or renewal of the Proven Area Agreement.

The Government and the SSI are to establish a joint committee for the purpose of reviewing current and future operations pursuant to the Proven Area Agreement. To satisfy this requirement, Canada, SSI, and Imperial Oil/ESSO meet at least once each year in Tulita, Fort Good Hope, or Norman Wells. The 2008 meeting took place in Norman Wells on April 30, 2008.

5.4 TAXATION

In 2008-2009, the SSI staff continued to prepare for the 15-year tax issue for the seven financial corporations. Merrill Shepard and Lorne Bedard prepared a report on the issue which is available to the public.

The report sets out the relatively simple steps that the financial corporations need to take in order to preserve their tax exemption after the fifteenth year. The financial corporations should seek the assistance of their accountants to ensure that they follow these steps. The steps require that the financial corporations meet the disbursement obligations of public foundations under the federal *Income Tax Act*. This requires an annual disbursement of 4.5 percent of the value of the assets of each financial corporation. This requirement can be met in part by their administration costs (up to 3 percent of the value of those assets). It can also be met by expenditures on permitted activities under Chapter 11 of the SDMCLCA. The report by Merrill and Lorne includes other ways in which the financial corporations are able to deal with the year-15 rules.

5.5 ECONOMIC MEASURES

During the course of 2008 and 2009, there were various initiatives undertaken to support the Economic Measures provisions of the SDMCLCA. Initiatives included:

- Procurement Workshops: The SSI entered into a contribution agreement with Canada to host 'How to do Business with the Federal Government' workshops in February 2009.
- The Memorandum of Understanding on Contracting: The SSI finalized negotiations with the GNWT for a contracting Memorandum of Understanding (MOU) in support of the economic objectives outlined in Chapter 12 of the Agreement. On April 1, 2007, this MOU came into effect and will continue until March 31, 2012.

Under the MOU, planned projects that are expected to exceed \$5,000 during the fiscal year are sent to the Business Development Officer and, in turn, are provided to Registered Sahtu Businesses in advance of public release. This provides an opportunity to prepare bids in advance. The desired outcome is for registered Sahtu Businesses to be awarded 50 percent of the GNWT contracting by value within the SSA.

- Sahtu Business Policy and Sahtu Business List: As a result of the MOU on contracting, a Sahtu Business Policy and a corresponding Sahtu Business List was developed and implemented. The Sahtu Business Policy outlines a small set of criteria which serve to designate a true Sahtu Business which is then eligible to be listed for procurement opportunities. Though the set of criteria was passed by the SSI Board of Directors in 2007, and is publicly available on the SSI web site, the Sahtu Business Policy remains a work in progress. The business listing is updated on a continual basis to ensure it is as comprehensive and up-to-date as possible. Canada has started to utilize this list for their reporting purposes.

5.6 COMMUNITY RENEWABLE RESOURCES COUNCILS

Pursuant to section 13.9 of the SDMCLCA, five RRCs were created to advise the SRRB and to encourage and promote local community involvement in conservation, research and wildlife management, and harvesting studies.

Under the Agreement, designated community organizations (land corporations) appoint RRCs for each community. The active RRCs in the SSA during the year were in Colville Lake, Délîné, Fort Good Hope, Tulita, and Norman Wells. These Councils play a key role in the implementation of the SDMCLCA by bringing community input to decisions made pursuant to the regulatory provisions of the Agreement.

To facilitate this process, the five Sahtu RRCs met regularly and consulted with their local land corporations and the SRRB to discuss developments in regulatory and policy regimes and local hunting and trapping issues.

5.7 MACKENZIE GAS PROJECT

The proposed MGP includes natural gas development in the Mackenzie Delta, gathering lines, processing facilities, and pipeline facilities to transport the gas south through the Mackenzie Valley to northern Alberta. Access to Sahtu land is required for this project. The SDMCLCA provides for benefit plans and access provisions in the event of oil and gas development.

As defined in Chapter 19 of the Agreement, title to all settlement lands outside of municipalities is vested to the district land corporations in the three districts of Délîné, Tulita, and K'ahsho Got'ine. Responsibility for the ownership and management of these lands rest with the following three district land corporations on behalf of the land claim participants; Délîné Land Corporation, Tulita District Land Corporation and K'asho Got'ine District Land Corporation.

5.8 LANDS AND RESOURCES

The SSI continued to train a Sahtu participant for the position of Land and Resource Manager. It is through this position that the SSI participates and consults with the district land corporations, the five Sahtu RRCs, and the Sahtu co-management boards on matters related to land and resources. During 2008-2009, activities included:

- Reviewed and assisted the RRCs with Harvester Compensation, with their annual reports and financial statements, and with the coordination of their annual funding.
- Reviewed amendments to the MVRMA.

5.9 NWT SPECIES AT RISK ACT

During the year, the SSI participated in a legal and technical review of proposed changes to the *Species at Risk (NWT) Act*. Input was obtained from the SRRB and the RRC communities and was consolidated by ENR into a territorial report which was then submitted to the Minister of ENR. The process is complete and the new legislation is expected to be enacted in 2010.

Negotiations have now started for the drafting of the NWT *Wildlife Act*. The working group for the Sahtu is continuing to participate in these negotiations, with Howard Townsend now taking the place of Freda Taniton for the SSI.

5.10 ABORIGINAL SUMMIT, DEVOLUTION, AND RESOURCE REVENUE SHARING

In the mid-1990s, the Aboriginal Summit was organized in order to be involved in constitutional discussions and economic development issues. Later, the Summit became part of the Western Coalition, bringing an Aboriginal perspective to the division of the NWT. When the Intergovernmental Forum was created in 2001, the Aboriginal Summit became the vehicle for Aboriginal participation on a government-to-government-to-government basis with the GNWT and Canada on devolution and other Intergovernmental Forum initiatives.

The Aboriginal Summit represents the coming together of the majority of Aboriginal government leaders from across the NWT in order to work collaboratively on devolution negotiations and other common territory-wide issues where it is important to express the views of its members with one voice. It is not a political body that represents NWT Aboriginal governments, but rather, a forum for discussion on topics that affect all Aboriginal governments and an instrument to make collective gains at the devolution table for the benefit of individual Aboriginal governments.

On August 28, 2008, during the Sahtu Annual General Meeting, the Devolution Team Sahtu presented a resolution to members seeking a new mandate and additional resources. However, the resolution was not passed. In May 2007, the GNWT, along with the SSI, Northwest Territory Metis Nation, Inuvialuit Regional Corporation, and the Gwich'in Tribal Council agreed to a draft devolution Agreement in Principle and this was forwarded to INAC. This proposed Agreement-in-Principle was later used as the basis for further discussions.

5.11 SELF-GOVERNMENT NEGOTIATIONS

The SDMCLCA provides for the negotiation of self-government agreements through GNWT and federal legislation. Provisions relevant to self-government are contained in Chapter 5 and Appendix B of the Agreement.

The communities of Délîné, Fort Good Hope, Tulita, and Norman Wells are negotiating self-government agreements pursuant to Appendix B of the Agreement and the federal government's inherent right to self-government policy. Colville Lake is still considering their options.

Délîné Community

The Community of Délîné is close to completing the Délîné Final Self-Government Agreement. On June 19, 2008 there was an Open House and Handshake Agreement event in the community that featured information, presentations, activities about the self-government agreement, and the next steps in the process of signing a final agreement. With the Handshake Agreement the text of the agreement undergoes legal and technical review by the parties. No major changes to the text are expected. Attention is shifting to completing the financing and implementation agreements that must be negotiated before the final self-government agreement can be signed.

Negotiations Process

- **Final Agreement Implementation and Financing:** A great deal of work remains with respect to implementation and financing — both internally and among the three parties. The parties are close to completing a tri-partite Implementation Plan. The financial transfer agreement structure is still under discussion, as is the Own Source Revenue agreement structure.

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- **Transition Team:** A transition team made up of senior staff leads the planning and decision making on implementation priorities. A June 2008 meeting established a transition framework to guide the process and identified specific goals and activities in relation to education.

Future Plans and Projects

Priorities for the self-government team and Chief Negotiator include completing a Chief Negotiator's draft of the Final Self-Government agreement to be reviewed and approved by leaders, completing implementation and financing negotiations, and developing a community transition plan that details the approach to implementing the self-government agreement in the community.

Fort Good Hope Community

The community of Fort Good Hope process for self-government has been accepted and a report on how the community plans to proceed is expected.

Norman Wells Community

The community of Norman Wells signed a self-government framework in June 2008 and currently continues several negotiation sessions. The community has resolved its fiscal source.

Colville Lake Community

The community of Colville Lake self-government is in the preliminary stages of research. Once completed, a series of workshops will take place with the objective to develop a constitution. Once a constitution has been formalized, it will provide the necessary steps and timeframes to proceed on achieving self-government.

Tulita Community

Subject to fiscal ability and the financial situation, the Tulita Secretariat continues ongoing sessions regarding self-government.

GOVERNMENT OF THE NORTHWEST TERRITORIES

THE GNWT AGREED TO PERFORM VARIOUS IMPLEMENTATION ACTIVITIES PURSUANT TO THE SAHTU IMPLEMENTATION PLAN AND RELATED FUNDING AGREEMENTS.

6.1 ABORIGINAL AFFAIRS AND INTERGOVERNMENTAL RELATIONS

The DAAIR worked closely with the SSI, GNWT, federal officials, and the various implementing bodies established by the SDMCLCA. The Department coordinated the implementation activities of all GNWT departments, prepared regular status reports for the Sahtu Implementation Committee, and prepared the GNWT component of this annual report.

A DAAIR official actively participated as the GNWT representative on the Sahtu Implementation Committee dealing with such issues as economic measures, a new annual report format, access, communications, board funding requests, board appointments, and the reallocation of implementation resources.

In accordance with Chapter 5 and Appendix B of the Agreement, DAAIR participated in the Délîné, Norman Wells, and Tulita self-government negotiations.

6.2 MUNICIPAL AND COMMUNITY AFFAIRS

The Department of Municipal and Community Affairs processed resource royalty payments to the SSI based on GNWT sand and gravel sales. Solicitations for the property tax rebate program for Sahtu citizens leasing Sahtu municipal lands were expanded to include the local band governments and land corporations in addition to the SSI.

Assistance with the planning of the implementation of the Délîné Self-Government Agreement was provided from the Sahtu Regional Lands Office. This included a lands verification exercise and the identification of unauthorized occupancies.

6.3 ENVIRONMENT AND NATURAL RESOURCES

The mandate of the ENR is to promote and support the sustainable use and development of natural resources and to protect, conserve, and enhance

the NWT environment for the social and economic benefit of all NWT residents. In managing natural resources and the environment, ENR performs various implementation activities.

ENR continued to meet its obligations through ongoing consultation with the SSI, SRRB, SLUPB, and the SLWB. ENR promotes, assists with, and advises these organizations on wildlife management, forest management, and resource development issues.

Forest Management

ENR supports the economic viability of sustainable resources within the SSA. The Department continues its work in the areas of forest fire prevention, detection, monitoring, and fire suppression action through various training opportunities. ENR awards contracts to the local Sahtu community organizations to provide fire-fighting services.

NWT Wildlife Act

ENR continued its consultations with various Sahtu organizations on the development of the new NWT *Wildlife Act* with a focus on the integration of provisions from the land claim agreement.

Research and Management Projects

ENR continued to work closely with the SRRB and the Government of Nunavut, ENR/Inuvik, Gwich'in Renewable Resources Board, and the Wildlife Management Advisory Council (NWT) on several joint research and management projects. These included:

- **Barren-Ground Caribou Photo Census:** The biggest census project was a photo census of the Bluenose-West and Bluenose-East herds. ENR staff worked closely with the SRRB and the community RRCs to review the census results and to discuss possible management actions that would assist in the recovery of the herds.
- **Duck-Banding Project:** ENR, the SRRB, and the Tulita RRC continued to work together on a duck-banding project at Willow Lake near Tulita. Using funds received by ENR from the U.S. Fish and Wildlife Service, this project has been contracted to the Tulita RRC for the past 13 years. The project continues to provide valuable information about waterfowl migration routes, survival, and mortality. The community-based project features international cooperation, and a particular focus on Tulita youth involvement through funding provided by the SRRB.
- **Sahtu Wildlife Health Monitoring Project:** This project balances traditional knowledge and science in order to monitor the health and condition of barren-ground caribou and moose. As well, the project is serving to educate Sahtu students. This project utilizes knowledgeable hunters, biologists, and veterinarians to collect samples in order to learn how to identify wildlife diseases, and to record, properly store, and ship samples to labs for analyses. A highlight of this joint initiative is the annual school tour of all Sahtu schools. Visiting veterinarians, biologists, and ENR regional and SRRB staff travel each winter to all communities to give presentations to all students from kindergarten to Grade 12. January 2009 marked the seventh consecutive year of these school visits. It has become an important component of the Sahtu Divisional Board of Education Career and Technology studies curriculum. The visits introduce students to the world of science and technology, and demonstrate how the results of these studies are used at the local level in resource management.

NWT Protected Areas Strategy

The ENR in the Sahtu Region provides office space and direct supervision for a NWT Protected Areas Strategy (PAS) Regional Coordinator using funds provided by INAC, Ducks Unlimited Canada, and the GNWT. The PAS Regional Coordinator works with land corporations, Band and Metis Councils, the SLUPB, SRRB, and other parties in the NWT PAS Secretariat to identify candidate areas for protection and to facilitate their movement through the PAS process.

Legislation

ENR continues to work closely with the SSI and the SRRB on new wildlife legislation to protect species at risk in the NWT. The *Species at Risk (NWT) Act* was introduced to the Legislative Assembly in October 2008.

A Wildlife Working Committee, including representation from the SSI and the SRRB, met in 2008 to start drafting a new *Wildlife Act*. It is anticipated that the Bill will be introduced to the Legislative Assembly in February 2011.

6.4 EDUCATION, CULTURE, AND EMPLOYMENT

The Department of Education, Culture, and Employment (ECE) is responsible for the planning, delivery, and management of a broad range of employment, social, educational, and cultural programs and services in the SSA.

As part of an ongoing NWT Ice Patch Research project, the Culture and Heritage Division conducted a science camp for Sahtu Dene Youth in the Mackenzie Mountains in the summer of 2008. A Sahtu beneficiary was contracted to participate in the fieldwork and the science camp. The Band in Tulita was contracted to provide support services.

Through the Historic Places Initiative Cost-sharing program, the Culture and Heritage Division provided funding to the Tulita First Nation and World Wildlife Fund for the *Shuhtagot'ine Nene Traditional Knowledge Study* and funding to the Délîné First Nation for the *Délîné—Birthplace of Hockey Project*.

In 2008-2009, ECE's Community Literacy Development Fund supported a number of projects in Tulita, Délîné, and Colville Lake. The projects included:

- A Youth and Elders Workshop in Tulita to promote traditional knowledge of Dene cultural history from Elders to youth.
- Development of a picture storybook of the Yamoria brothers' travels. The objective of this particular initiative was to pass on the tradition and legends of Yamoria before they are lost. These storybooks will be available to all children of Tulita.
- Conducted a Tulita Radio Project workshop to train participants as radio operators so they can run the local radio station in both English and Slavey.
- Published a Dene Leaders Book using funds provided by the Délîné Self-government team. The book developed by the Corporation's Self-Government team is about Dene leaders and is part of their community communication and capacity building efforts.

- Support was provided for the Colville Lake Digital Storytelling Project. The aim was to record traditional knowledge in a multimedia format. Eight women participated in making a short documentary about an annual community hunt.

The Cultural Enhancement program assisted in providing funds for the Sahtu Region Traditional Knowledge Research and Monitoring Workshop entitled Communities and Caribou in the Sahtu Region. The objectives was to communicate up-to-date results of the SRRB's community-based caribou traditional knowledge studies, evaluate the regional implications, provide recommendations, develop a Sahtu Caribou traditional knowledge monitoring program, and to strengthen the capacity and role of community RRCs in order to monitor the caribou stewardship.

The Early Childhood Program and the Healthy Children's Initiative program are two programs which directly impact the well-being of the Northern children. The Early Childhood Program provides base funding for all early childhood centres. The Healthy Children's Initiative program is based on such guiding principles as building on the existing strengths of the child, the parent, the family, and the community and on being culturally based. Funding was provided to the Norman Wells Early Childhood Society, the Sister Celeste Child Development Centre in Tulita, and the Fort Good Hope Daycare.

In 2008-2009, the Culture and Heritage Division continued to fund the Délîné Oral History Archiving and Literacy project with the Délîné First Nation. The Division provided professional archival services and trained participants in archival methods. The goal of the three-year research project is to harness Dene Traditional Knowledge as a tool in the transition to self-government under the Délîné Self-Government Agreement-in-Principle. The project consists of collecting, digitizing, and archiving existing oral history recordings and transcribing recorded traditional knowledge as they relate to language, culture, and governance. Additionally, this project will be used to retain traditional knowledge identified in Elders' stories about the sustainable stewardship of caribou herds. The recordings will be safeguarded in the Délîné Knowledge Centre.

THE CULTURE AND
HERITAGE DIVISION
CONDUCTED A
SCIENCE CAMP FOR
SAHTU DENE YOUTH.

6.5 INDUSTRY, TOURISM, AND INVESTMENT

ITI continued to meet its obligations under the SDMCLCA through ongoing consultation with the SSI and by maintaining close working relationships with Sahtu communities and local community development corporations. In 2008-2009, ITI promoted, assisted, and advised these bodies on economic, business, and resource development opportunities, including parks management and tourism development, traditional economies, and minerals, oil, and gas.

Economic Development

In 2008-2009, ITI worked with the Sahtu on such economic development opportunities as the Support to Entrepreneurs and Economic Development (SEED), the Sahtu Contracting MOU, Capacity Building for Economic Development in the Sahtu, and the Business Incentive Policy.

The SEED Policy was implemented in September 2008 and ITI provides funding assistance through the program. It was developed to replace the existing Business Development Fund and Grants to Small Business Policies. SEED is focused on:

- Increasing business activities and employment through financial support to businesses.
- Improving management skills and business capacity.
- Diversifying the NWT economy.
- Promoting the equitable distribution of benefits among NWT communities.

Information about the SEED Policy was distributed to businesses and Aboriginal and community stakeholders, including the SSI. Financial training is a priority for Aboriginal small businesses and organizations. Through SEED, ITI has funded such capacity building initiatives as Simply Accounting training courses in Tulita and Délînhê.

The Sahtu MOU on contracting between the GNWT and the SSI is from April 1, 2007 to March 31, 2012. The SSI and ITI regional staff continued to work together to implement the MOU. A list of 2009-2010 Capital Projects was mailed to the SSI in October 2008 in addition to the contracting report for 2007-2008.

The Capacity Building for Economic Development in the Sahtu initiative was developed to assist community economic development. Through this program, the Sahtu Regional Office of ITI has conducted Economic Development Officer training workshops in Norman Wells. These had excellent results and four Community Economic Development Officer positions were filled in the region.

ITI is consulting on the proposed changes to Business Incentive Policy. In January 2009, the GNWT issued a news release seeking the input of Aboriginal and business stakeholders on proposed changes to the policy. The Minister of ITI extended an offer to provide a briefing session to the SSI and welcomed their feedback by the end of March 2009.

Tourism and Parks

ITI continued to work with INAC, the Norman Wells Land Corporation, the Fort Norman Metis Land Corporation, and the Tulita Dene Land Corporation on the transfer of federal lands to the GNWT for the establishment of the Doi T'oh Territorial Park and the Canol Heritage Trail. Management planning for both initiatives has been completed under a co-management agreement with the Tulita District Land Corporation. However, final park establishment cannot proceed until the contaminated areas along the trail have been addressed. ITI will continue to work with the Federal Government on this issue in the coming year.

ITI worked closely with various Sahtu organizations on the implementation of the Tourism Product Diversification and Marketing Program. The program was launched in January 2008 with the intent to assist the tourism industry in diversifying product offerings and in expanding market shares. In March 2009, ITI hosted a Tourism Product Development Conference and Workshop which brought together local industry representatives, including the SSI, to discuss the Sahtu tourism industry.

In 2008-2009, ITI received funding to implement Cultural Interpretation programming throughout the NWT. In the SSA, funding was provided for the development of a local arts and crafts display for the ITI

regional office. ITI also worked closely with Délîné on the development of a community interpretive walking trail. This project is ongoing and is expected to be completed by the end of 2009.

In July 2008, ITI invited the SSI to comment on the proposed parks and campgrounds fees, regulations, and on-line reservation system. The consultation was completed in August and an independent review panel made a number of recommendations that were accepted by the Minister of ITI in December 2008. These recommendations are being implemented for the summer 2009 camping season.

Traditional Economy

In an effort to provide a balance to resource-based development, ITI provides support for traditional economic activities by Sahtu beneficiaries.

During 2008-2009, ITI partnered with the SRRB, Sahtu District Education Council, and all five Sahtu schools to achieve significant results in support of the traditional economy. For example, the partnership successfully introduced, developed, and delivered an updated program based on the Take a Kid Trapping Program. The program proved successful by incorporating a back to the land theme for school students and by teaching the participants respect for the land, respect for other people, skills to survive, and traditions to honour. Future plans include additional trapper training, hide tanning, and Take a Kid Trapping projects.

ITI has a program that assists with the marketing and sale of wild fur from the NWT. The wild fur from the territory always has been considered among the very best in the world. ITI, in participation with the SSI, are proud to continue this tradition of quality into the 21st century under the brand name Genuine Mackenzie Valley Furs™.

Minerals, Oil, and Gas

ITI is providing funding under the Aboriginal Capacity Building Program to support projects that ensure maximum Sahtu participation and benefits from ongoing petroleum exploration and development activities. All three Sahtu district land corporations received contributions from the program that allowed them to participate in trade shows, symposiums, and conferences related to oil, gas, and minerals. Two such shows were the Inuvik Petroleum Show and the Mineral Round-up in Vancouver.

Under the Aboriginal Capacity Building Program, the SSI delivered a comprehensive range of employment and training support programs and services to assist Sahtu beneficiaries within the SSA to find employment. A pre-employment and travel transportation assistance program was delivered which included biannual advance visits to each community to meet with community employment officers and councils, to assist with resume writing, and to provide pre-employment screening and counselling. As well, assistance was provided to students in the completion of applications for post-secondary education programs and for funding.

6.6 JUSTICE

The Department of Justice's Legal Division continued to support implementation of the SDMCLCA by providing legal advice to GNWT departments as required, and is continuing to work on the Sahtu Land Use Plan.

Plans of surveys have been registered for all municipal parcels, and pursuant to requests, certificates of title have been issued for all but nine of the municipal parcels. Thirty-eight plans of survey have been registered for specific sites, and pursuant to requests, certificates of title have been issued for all specific sites. Two hundred and five (205) plans of survey have been registered for portions of the boundaries of the settlement land parcels and, pursuant to requests, 127 certificates of title have been issued for settlement land parcels out of a total of 221 parcels.

6.7 TRANSPORTATION

The Department of Transportation (DoT) is committed to building aboriginal, local, and northern capacity through government contracting. The department ensures that all GNWT contracts initiated in the Sahtu Region are guided by GNWT Policy documents, MOUs, and agreements.

In 2008-2009, the DoT initiated 52 new contracts totalling approximately \$3.6 million in the Sahtu Region. Thirty-five contracts totalling \$3.1 million were awarded to Sahtu Dene and Metis businesses. These represent 87 percent of the total value of all contracts awarded.

The Department has ongoing contracts with Sahtu businesses for airport and winter road operation and maintenance. Contracts for airport operation for 2005-2010 total \$2.3 million and are in place with local Sahtu communities, bands, and/or businesses.

The DoT also has assisted with the supply of sand and gravel, although not as a designated supplier. Granular materials were made available from DoT stockpiles for the school site in Tulita and gravel from the future airport site in Colville Lake was made available to the community.

6.8 PUBLIC WORKS AND SERVICES

In support of the economic measures provisions of the SDMCLCA and consistent with the GNWT's preferential contracting policies and procedures intended to maximize local, regional, and northern business opportunities and employment opportunities, Public Works and Services (PWS) awarded three contracts in 2008-2009 to registered Sahtu beneficiary businesses within the SSA or within Sahtu communities. The total value of the three contracts was \$46,000.

PWS also maintained six office leases with Sahtu beneficiary businesses in the Sahtu communities of Délíñê, Fort Good Hope, Norman Wells, and Tulita with a combined annual value of \$793,044.

6.9 NORTHWEST TERRITORIES HOUSING CORPORATION

In support of the economic measures provisions of the SDMCLCA and consistent with the GNWT's preferential contracting policies and procedures intended to maximize local, regional and northern employment and business opportunities, the Northwest Territories Housing Corporation awarded nine of the 16 contracts within the SSA to businesses owned by Sahtu beneficiaries. The total value of these contracts was approximately \$1.4 million and represents 86 percent of the value of all contracts awarded.

GOVERNMENT OF CANADA

7.1 FEDERAL COORDINATION OF IMPLEMENTATION ACTIVITIES

The Implementation Branch of INAC continues to be responsible for monitoring the fulfillment of federal government obligations contained in the Agreement and accompanying Implementation Plan. The Branch has a senior official who sits on the Implementation Committee and consults with the SSI and the GNWT on issues that may arise relating to federal obligations.

The Implementation Branch provides funding to the implementing bodies, the SSI, and the GNWT as identified in the Implementation Plan. Throughout the fiscal year, the Implementation Branch, in conjunction with the NWT Regional Office, reviewed additional funding requests received from the SLUPB that would allow the Board to continue work on the draft Sahtu Land Use Plan. The Implementation Committee endorsed these additional funding requests. During the 2008-2009 fiscal year, the Implementation Branch's responsibilities included the following:

- The co-ordination and production of the 2005-2007 Sahtu Annual Report and the co-ordination of the 2007-2008 Annual Report has begun.
- In association with the parties of the Implementation Committee and the NWT Regional Office, the Branch continued to revise the Commercial Land Access Pamphlet.
- Proceeded with final revisions to the Revised Sahtu Implementation Plan. The Plan is expected to be finalized and printed in the upcoming year.

7.2 ECONOMIC ACTIVITY AND EMPLOYMENT

Indian and Northern Affairs Canada

INAC is responsible for carrying out economic and business development programs. The Community Economic Development Program provides human resource services, business advisory services, resource management, and other economic development programs. In 2008-2009, Community Economic Development Program funding within the SSA was provided to the Fort Good Hope Economic Development Corporation, Techit?q Ltd., Berah Gatone Tue Enterprises, and Tulita Developments Ltd.

The focus of the Community Support Services Program is to carry out projects and activities related to economic development. In 2008-2009, the program supported attendance at the December 2008 Northern Economic Development Practitioners Conference in Yellowknife.

Public Works and Government Services Canada

Public Works and Government Services Canada (PWGSC) handles procurements on behalf of federal departments and agencies. It continues to provide opportunities for Sahtu Dene and Metis firms by advertising procurements using the government electronic tendering system and by notifying Sahtu Dene and Metis claimant groups when procurements that involve the delivery of goods, services, and construction are destined for the SSA.

Assistance and information on the procurement process was provided as requested during the year. PWGSC also offered seminars on how to do business with the federal government, which are available to Sahtu Dene and Metis firms upon request.

7.3 ENVIRONMENTAL AND WILDLIFE MANAGEMENT

Indian and Northern Affairs Canada

Cumulative Impact Monitoring Program

The Renewable Resources and Environment Directorate of INAC has worked with various Valued Component Advisory Teams and experts to develop standardized protocols for monitoring the environment. To help further implement the Cumulative Impact Monitoring Program (CIMP), INAC is developing a collaborative pilot monitoring project for the Mackenzie Delta area to help Northerners understand and document potential changes to this important environment. The pilot project will foster and promote:

- A standardized system of data collection.
- Capacity building.
- Community engagement and ownership of the program.
- Integration of scientific and traditional ecological knowledge.
- Standardized protocols for organizing and reporting information.
- Public accessibility to information.

The pilot project will also enhance the communities' role as environmental stewards and is intended to expand to other regions in the future. The results and lessons learned may provide a template for expanding the program to other settlement areas.

Through the 2008-2009 Call for Proposals process, approximately 24 monitoring/research and capacity/training projects were allocated funding. Five of these projects occurred within the SSA.

INAC continues to work towards securing long-term funding for the NWT CIMP. Further information on CIMP can also be obtained from the web site (www.nwtcimp.ca).

NWT Environmental Audit

The first Environmental Audit was completed in December 2005. The CIMP Working Group and “directly affected parties” collectively identified lead organizations for each of the 50 recommendations outlined in the Audit. The SSI participated in prioritizing and, where possible, implementing the 2005 Audit recommendations. In September 2007, INAC released a departmental response, the *INAC Draft Action Plan*. Preparations are now underway for the second Audit which is scheduled to be complete in 2010. In late 2008 and early 2009, INAC worked with the Audit Sub-Committee, including representation from the SSI, to prepare the Audit Terms of Reference in order to initiate the contracting process for selecting an independent Auditor.

Environment Canada/Canadian Wildlife Service

Wildlife management in Canada is shared by federal, provincial, and territorial governments. The Canadian Wildlife Service Agency (CWS) of Environment Canada (EC) manages national interests with respect to wildlife, important wildlife habitats, migratory birds, endangered species, research on nationally important wildlife issues, control of international trade in endangered species, and international treaties. These roles and responsibilities derive from the *Migratory Birds Convention Act*, the *Canada Wildlife Act*, the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*, *Species at Risk Act*, and the *Canadian Environmental Protection Act*.

During 2008-2009, EC/CWS participated in the operations of the SRRB, including serving as the Interim Chair for much of the year. As well, the EC/CWS appointee provided input into the SRRB's contribution to the environmental assessment of industrial activity proposed for the SSA. A summary of EC/CWS activities include:

- **Migratory Bird Management:** Through a seat on the SRRB, EC/CWS advised the Board of all changes to migratory bird regulations that may impact the Sahtu. The SRRB is aware that migratory birds are managed according to a well-defined set of regulations. The Board is provided with annual migratory bird harvest statistics as compiled by EC/CWS and the United States Fish and Wildlife Service. It has not been necessary to set a total allowable harvest for migratory birds in the SSA. The Harvest Study will provide data on which a total allowable harvest could be determined.

EC/CWS is in the process of amending the *Migratory Birds Regulations* to allow for the ‘incidental take’ of migratory birds under permit. The SRRB has been kept apprised of this process.

- **Management of Migratory Wildlife Species:** EC/CWS sits on the Arctic Goose Working Group of the Arctic Goose Joint Venture. This is a cooperative Canada/USA body that coordinates the management and research of these birds in both countries. This Group deals with the over-population of Snow Geese in the Arctic, especially in the Central Arctic. Sahtu Dene and Metis harvest Snow Geese from the Western Arctic population where the problem is less severe.
- **Management of Migratory Species Which Cross International Boundaries:** EC/CWS, through its seat on the various Flyway Committees, the North American Waterfowl Management Plan, and other international initiatives, is closely involved in the management of migratory bird species that cross international

THE COLLABORATIVE
PILOT MONITORING
PROJECT WILL
ENHANCE THE
COMMUNITIES' ROLE
AS ENVIRONMENTAL
STEWARDS.

boundaries. The SRRB is kept apprised of issues arising from these international initiatives which may affect the Sahtu.

Department of Fisheries and Oceans

In fiscal year 2008-2009, the DFO continued to support the work of the SRRB in its mandate of wildlife management in the SSA and in implementing the SDMCLCA. DFO sponsored or co-funded a number of activities with SRRB. In the Western Arctic Area, DFO's Central and Arctic Region (C&A) and Fisheries and Aquaculture Management received \$75,800 of implementation funding in 2008-2009 to undertake activities, including:

- Continuation of the Great Bear Lake assessment of lake trout stock by DFO Science. This ongoing initiative included the hiring of two local field workers from Délîné to assist with the projects.
- Completed the fifth year of itinerant angler surveys on the Keith Arm of Great Bear Lake in July and August 2008. The surveys provide information on sport fisheries resource use in an area important to the community. Through a contract with the Délîné RRC, two Délîné beneficiaries distributed creel survey forms. The surveyors also used the opportunity to promote barbless hooks, garbage management, and proper fishing techniques.

Canadian Coast Guard

The Canadian Coast Guard (CCG), C&A, is responsible for providing the Marine Aids to Navigation Program, Marine Communications and Traffic Services, and Environmental Response Services. Through the Canadian Coast Guard Auxiliary, CCG supports marine search and rescue activities on the Great Slave Lake, Mackenzie River, the Mackenzie-Athabasca Waterway system, and the Western Arctic waters.

Many CCG Arctic activities are delivered in partnership with other federal departments and agencies, academic institutions, and northern communities. With respect to the SSA, and in accordance with the SDMCLCA (Annex A, Project 21-8), a summary of planned CCG activities for the 2008 navigation season was submitted to the SSI in advance of the season. Notification of newly established sites has been provided to the SSI since 1997.

The CCG Auxiliary has opened a new Unit in Fort McMurray to address the recreational boating on the Athabasca River and the increased international commercial traffic that is coming from Alaska up the Mackenzie River, across Great Slave Lake, down the Slave River, and ultimately arriving in Fort McMurray. An additional CCG Auxiliary Unit for Norman Wells is under development to provide coverage on the Mackenzie River.

As part of Canada's commitment to conserve and protect Canadian waters, the Government of Canada, through Budget 2007, provided funding over three years to CCG to ensure Canada has the capacity to respond to oil spills in the Arctic. During 2008-2009, an evaluation of requirements and a Request for Proposal for the purchase of equipment and first-response systems for the first phase was initiated. In 2009-2010, the CCG will complete the purchase and distribution of environmental response equipment packages in the North.

THE DEPARTMENT
OF FISHERIES AND
OCEANS CONTINUED
TO SUPPORT THE
SRRB IN WILDLIFE
MANAGEMENT.

7.4 HERITAGE

Parks Canada

National Parks in the Sahtu Area

The National Park in the SSA is Tuktut Nogait National Park. The Délîné Land Corporation appointed one person to sit on the Tuktut Nogait National Park Management Board. The Board held one meeting in Paulatuk in August 2008, another in Inuvik in November 2008, and held one teleconference in October 2008.

The Délîné Land Corporation has the right of first refusal for new licences for commercial and economic activities related to wildlife and tourism in the Sahtu portion of Tuktut Nogait National Park. Such activities must be consistent with the SDMCLCA and includes any commercial naturalist activity or commercial guiding and outfitting activities in respect of sport fishing.

Saoyú – Æehdacho National Historic Site

In September 2008, Parks Canada, the Délîné Land Corporation, and the Délîné RRC signed the Saoyú-Æehdacho National Historic Site of Canada Protected Area and Cooperative Management Agreement. As well, an Impact and Benefit Plan has been prepared with respect to the National Historic Site.

Negotiation Towards Nááts'ihch'oh National Park Reserve

In January 2008, an MOU was signed between the Minister of the Environment and the Tulita District Land Corporation to begin work leading to the establishment of a national park reserve in the southwest corner of the SSA, near Tulita. The area in the Mackenzie Mountains includes the headwaters of the South Nahanni River, and is part of the Greater Nahanni Ecosystem. The proposed name is Nááts'ihch'oh.

Since the signing of the MOU, Parks Canada has entered into a contribution agreement that supports the Tulita District's negotiations for an Impact and Benefit Plan for the proposed Nááts'ihch'oh National Park Reserve. Funding also has been provided for a Traditional Knowledge Study. The Parties intend to conclude the Impact and Benefit Plan early in 2010.

AN IMPACT AND
BENEFIT PLAN HAS
BEEN PREPARED
WITH RESPECT TO
THE NATIONAL
HISTORIC SITE.

7.5 LAND AND WATER MANAGEMENT

Indian and Northern Affairs Canada

Land Use Planning

The Environment and Conservation Division of the INAC NT Region continued to enjoy an open and supportive relationship with the SLUPB. Since completion of the first draft of the Sahtu Land Use Plan 2007 and INAC's subsequent comments, a number of changes have taken place: new Board members have been appointed to the SLUPB, a new Plan Development Consultant has been hired, and a number of new staff members have been hired. These changes have re-energized the Board's momentum and work plan. Accordingly, the SLUPB made progress in early 2009 in preparing the Draft 2 Plan for subsequent distribution in May 2009 for review and comment.

Completion of this Land Use Plan has become a priority given the activity surrounding the proposed MGP.

Northwest Territories Geoscience Office

In 2008-2009, the Northwest Territories Geoscience Office (NTGO) undertook a number of activities with respect to geoscience research, information management and dissemination, and outreach activities.

Geoscience Research

- **Regional Geoscience Studies and Petroleum Potential, Peel Plateau, and Plain Project:** This project investigated the basin architecture and petroleum potential of the Peel Plateau and Plain. The project is a joint venture between NTGO, Geological Survey of Canada (GSC), and the Yukon Geological Survey. This was the wind-up year for the project; minor fieldwork in the summer rounded out the research and enabled a comprehensive program volume and digital atlas to be released in March 2009.
- **Sekwi Mountain Bedrock Mapping and Integrated Studies:** The wrap-up of this project took place in 2008-2009. NTGO and the GSC spearheaded a collaborative effort to better define the regional lithological and structural characteristics, stratigraphy, and mineral potential of this region. Contributions from university personnel and industry played a key role. The project also is addressing the structural history and petroleum potential of the Plateau Fault system. The project supported five university theses which are completed or nearing completion. A series of new maps and cross-sections, as well as a comprehensive volume of the geology of NTS (National Topographic System) 106A and NTS 105P of the Mackenzie Mountains are in progress. Preliminary maps and reports are available. A geological guide to the Canol Trail was also created and released as NWT Educational Publication 2008-02.

Information Management and Dissemination

- **Digital Discovery and Dissemination:** NT GoMap is a web-based GIS application that provides geological information for the Sahtu and the NWT via an interactive map interface. It provides clients with significant capabilities to search for and download customized, user-defined information. Information layers from both internal and external sources can be viewed. NTGO geological and publications databases can also be queried. Activities during 2008-2009 saw several improvements to functionality and performance of GoMap. Growing client demand for GoMap was addressed in part by migration to a two-server environment.

Outreach Activities in the Sahtu

- **Community Mapping Project:** A two-week community mapping project was carried out during the summer of 2008 near Délîné. An investigation of local bedrock and surficial geological features, cultural sites, and other points of interest around the community were undertaken with the help of two outreach geologists, four local high-school students, and two local guides. The program provides a basic hands-on geological education and training opportunity plus temporary employment.

Natural Resources Canada, Surveyor General Branch

As per the SDMCLCA and associated Implementation Plan, the Natural Resources Canada, Surveyor General Branch (Yellowknife, NWT) has responsibility for, and control over, the legal surveys that determine the boundaries of all Sahtu parcels of land described in section 19.4 *Boundaries and Surveys*, Volume I of the Agreement.

The implementation survey activities of all the Sahtu Parcels have been completed in previous years. As well, the majority of plans have already been recorded in the Canada Lands Surveys Records and registered with the Land Titles Office in Yellowknife. The plans pending registration have been ratified by the Délîné, K'ahsho Got'ine, and Tulita land corporations and are awaiting administrative changes (Order-In-Council) to the SDMCLCA. These changes are clarification of land parcel descriptions presented to the respective councils of the land corporations and have been agreed to by all parties. With the passing of the Order-In-Council, anticipated within the 2009-2010 fiscal year, these plans will be recorded in the Canada Lands Survey Record and registered with the Land Titles Office.

In 2008-2009, discussions regarding Parcel 26 between the K'ahsho Got'ine Land Corporation and Canada resulted in an agreement by all parties to modify and ratify the Parcel as originally surveyed and create a new Parcel 26A. Work is in progress on finalizing the legal description of this parcel. The Order-In-Council is anticipated during the 2009-2010 fiscal year. Survey work for Parcel 26A is expected to occur as soon as funding becomes available. The resulting survey plan is to be recorded in the Canada Lands Survey Record and registered with the Land Titles Office.

7.6 SELF-GOVERNMENT NEGOTIATIONS

Negotiations with Délîné and the GNWT on the text of the draft Délîné Final Self-Government Agreement are mostly completed. The main focus of tripartite negotiations has shifted to the fiscal negotiations. Parallel bilateral work continue between Canada and GNWT to resolve outstanding self-government cost-sharing issues.

Fort Good Hope, Norman Wells, Tulita and Colville Lake are all in earlier stages of negotiations or are preparing for negotiations towards a self-government agreement.

7.7 OTHER IMPLEMENTATION ACTIVITIES

Treaty Payments

INAC's Registration, Revenue, and Band Governance unit held annual treaty payment meetings with the Behdzi Ahda" First Nation on June 2, 2008, Fort Good Hope on June 2, 2008, Délîné First Nation on June 3, 2008, and Tulita Dene on June 3, 2008.

THE PROJECT
SUPPORTED FIVE
UNIVERSITY THESES.



APPENDIX 1: MEMBERSHIP OF IMPLEMENTING BODIES

The Sahtu Secretariat Board

Ethel Blondin-Andrew (Chairperson)
Peter Menacho
Rocky Norwegian
Roger Odgard
Wilfred McNeely Jr.
James Caesar
Clarence Campbell
Trudy Kochon

Sahtu Arbitration Panel

Deborah Hanly (Chairperson)
Karen Showshoe
Larry Chartrand
Anton Melnyk
Francis Price
James Davis
Douglas McNiven
Richard Hill

Sahtu Enrolment Board

Alphonsine McNeely (FGH Metis Local #54, Land Corporation)
Doug Yallee (Tulita Land Corporation)
George Barnaby (Yamoga Land Corporation)
Tanya McCauley (FN Metis Local # 60 Land Corporation)
Cece McCauley (Norman Wells Land Corporation)
Helen Oudzi (Ayoni Keh Land Corporation)
Albertine Ayha (Délîné Land Corporation)

Sahtu Renewable Resources Board

Vacant (Chairperson)
Paul Latour (CWS)
Steve Hannah (GNWT)
Leonard Kenny (SSI)
Vacant (SSI)
Rosa Etchinelle (SSI)
Patrick Bobinski (DFO)
Bruce MacDonald (CWS alternate)
Gordon Zealan (DFO alternate)
Keith Hickling (GNWT alternate)
Camila Rabisca (SSI alternate)
Robert Kally (SSI alternate)
Vacant (SSI alternate)

Mackenzie Valley Environmental Impact Review Board

Richard Edjericon (Chairperson)
Danny Bayha (SDC)
Darryl Bohnet (Government of Canada)
Fred Koe (GTC)
Gerry Loomis (GNWT)
John Ondrack (GNWT)
Percy Hardisty (Dehcho First Nation)

Sahtu Land and Water Board

Larry Wallace (Chairperson)
George Barnaby (SSI)
Walter Bayha (SSI)
Violet Doolittle (Government of Canada)
Phillipe di Pizzo (GNWT)

Sahtu Land Use Planning Board

Judith Wright-Bird (Chairperson)
Danny Bayha (GNWT)
Colin Bayha (SSI)
Stephen Kakfwi (SSI)
Bob Overvold (Government of Canada)



APPENDIX 2: WEB SITE ADDRESSES

Species at Risk (NWT) Act

A draft of the legislation <http://www.nwtwildlife.com/pdf/Bill%20014%20consult%20dr.pdf>

A brochure about the draft legislation

<http://www.nwtwildlife.com/pdf/SARA%20Public%20Consultation%20Document.pdf>

Sahtu Arbitration Board

www.sahtuarbitration.com

Sahtu Land and Water Board

www.slwb.com

Sahtu Land Use Planning Board

www.sahtulanduseplan.com

Sahtu Renewable Resources Board

www.srrb.nt.ca

The Sahtu Secretariat Incorporated

www.sahtu.ca

Mackenzie Valley Environmental Impact Review Board

www.mveirb.nt.ca

Aboriginal Business Canada

www.ainc-inac.gc.ca/ecd/ab/abc/index-eng.asp

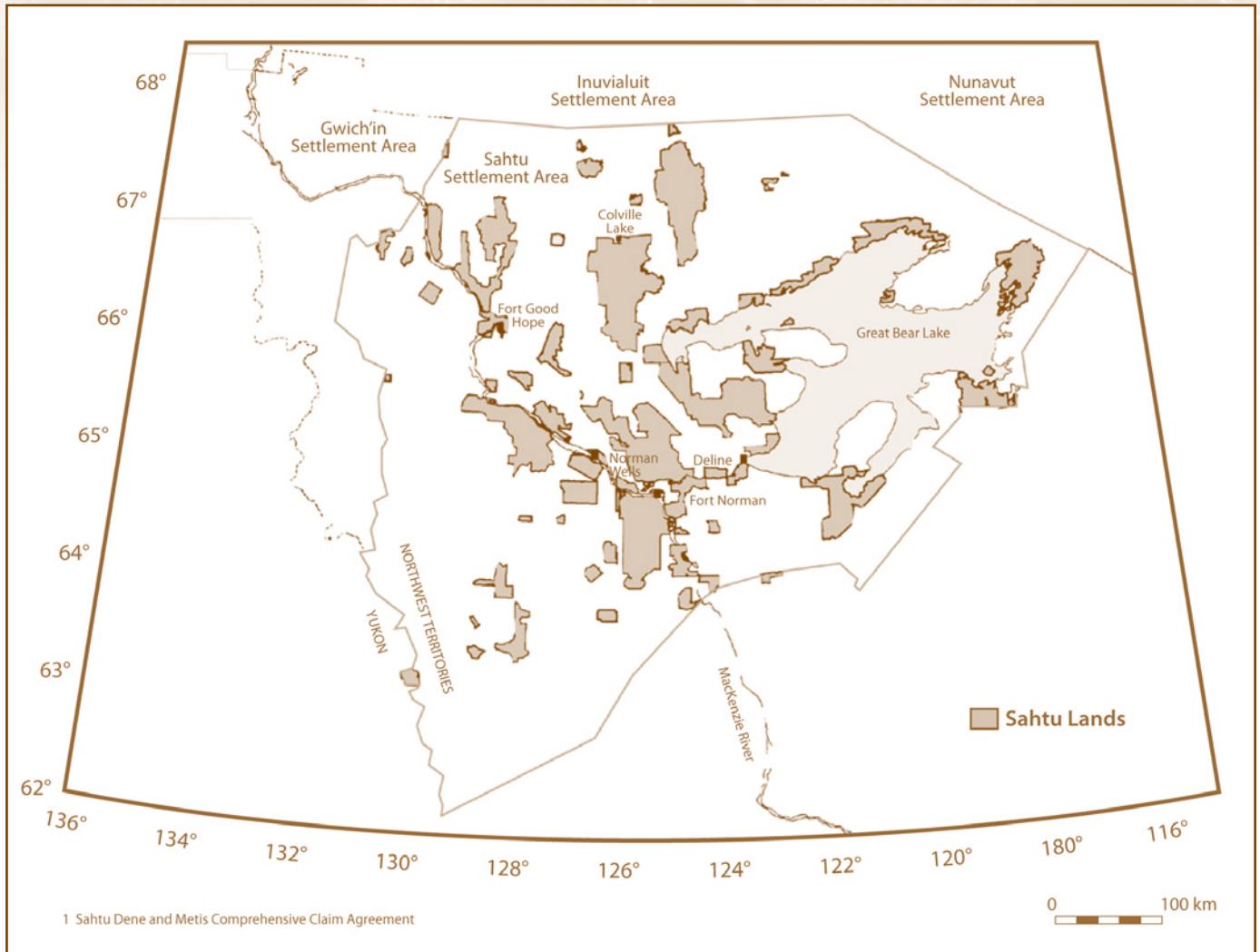
Department of Aboriginal Affairs and Intergovernmental Relations (DAAIR)

www.daair.gov.nt.ca

Indian and Northern Affairs Canada (INAC)

www.ainc-inac.gc.ca

APPENDIX 3: MAP OF SAHTU SETTLEMENT AREA



APPENDIX 4: SCHEDULE OF CAPITAL TRANSFER PAYMENTS, 1994-2008

DATE	SCHEDULE OF PAYMENTS (\$)	LOAN REPAYMENT (\$)	TOTAL PAID TO THE SSI (\$)
June 23, 1994	9,000,000	0	9,000,000
September 6, 2004	3,853,940	(533,903)	3,320,037
September 6, 2005	5,780,911	(800,854)	4,980,057
September 6, 1996	7,707,881	(1,067,805)	6,640,076
September 6, 1997	9,634,851	(1,334,757)	8,300,094
September 6, 1998	9,634,851	(1,334,757)	8,300,094
September 6, 1999	9,634,851	(1,334,757)	8,300,094
September 6, 2000	9,634,851	(1,334,757)	8,300,094
September 6, 2001	9,634,851	(1,334,757)	8,300,094
September 6, 2002	9,634,851	(1,334,757)	8,300,094
September 6, 2003	9,634,851	(1,334,757)	8,300,094
September 6, 2004	9,634,851	(1,334,757)	8,300,094
September 6, 2005	9,634,851	(1,334,757)	8,300,094
September 6, 2006	7,707,881	(1,067,805)	6,640,076
September 6, 2007	5,780,910	(800,854)	4,980,056
September 6, 2008	3,853,940	(533,902)	3,320,038
TOTAL	130,399,122	(16,817,936)	113,581,186

APPENDIX 5: IMPLEMENTATION PAYMENTS, 1994-1995 TO 2008-2009

FISCAL YEAR	IMPLEMENTATION PAYMENT (\$)
1994-1995	688,458
1995-1996	1,205,791
1996-1997	1,622,443
1997-1998	1,970,533
1998-1999	2,869,978
1999-2000	3,168,335
2000-2001	3,660,641
2001-2002*	5,062,399
2002-2003	4,787,102
2003-2004	5,149,481
2004-2005**	6,666,638
2005-2006	7,448,360
2006-2007	9,150,343
2007-2008	7,162,192
2008-2009	8,501,215
TOTAL	69,113,909
* These amounts include payments to the SSI, the GNWT and the implementing bodies (including MVEIRB beginning in 2001-2002).	
** Please note that the Implementation payment amounts for fiscal years 2004-2005, 2005-2006 and 2006-2007 have been revised from previous years' annual reports.	

APPENDIX 6: PAYMENTS UNDER SECTION 10.1 WITH RESPECT TO RESOURCE ROYALTIES PAID TO GOVERNMENT, 1993-2008

FISCAL YEAR	RESOURCE ROYALTIES PAID TO THE SSI (\$)
1993	123,697
1994	194,819
1995	204,357
1996	278,782
1997	244,261
1998	211,263
1999	231,949
2000	343,224
2001	499,505
2002*	664,127
2003	1,175,380
2004	1,351,949
2005	1,324,731
2006	649,495
2007	1,283,361
2008	2,033,552
TOTAL	10,814,452

* As a result of an out of court settlement with the SSI on May 17, 2002, an additional \$8,738,354 was paid to the SSI.

APPENDIX 7: PROPERTY TAXES REIMBURSED TO THE GOVERNMENT OF THE NORTHWEST TERRITORIES, 1994-2008

FISCAL YEAR	REIMBURSED AMOUNT (\$)
1994 and 1995 (two years paid in one)	8,666
1996	9,739
1997	9,544
1998	9,562
1999	9,623
2000	18,945
2001	16,509
2002	16,362
2003	15,414
2004	15,267
2005	15,267
2006	15,240
2007	15,803
2008	15,804
TOTAL	191,745