

SAHTU DENE AND METIS

Comprehensive Land Claim Agreement: April 1, 2015 – March 31, 2016



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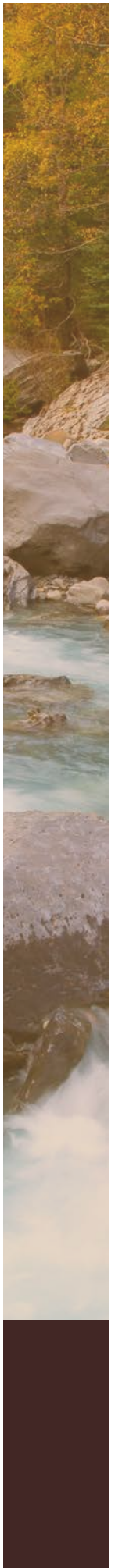
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Glossary of Acronyms and Abbreviations

INAC	Indigenous and Northern Affairs Canada
CLCA	Comprehensive Land Claims Agreement
CPN	Contracting Policy Notice
DAAIR	Department of Aboriginal Affairs and Intergovernmental Relations (GNWT)
GNWT	Government of the Northwest Territories
IC	Implementation Committee
MVEIRB	Mackenzie Valley Environmental Impact Review Board
NWT	Northwest Territories
SDMCLCA	Sahtu Dene and Metis Comprehensive Land Claim Agreement
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



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OVERVIEW AND BACKGROUND

On September 6, 1993, the Sahtu Tribal Council (later succeeded by the Sahtu Secretariat Incorporated (SSI), the Government of the Northwest Territories (GNWT) and the Government of Canada (Canada) signed the *Sahtu Dene and Metis Comprehensive Land Claim Agreement* (SDMCLCA), and the accompanying Implementation Plan. The SDMCLCA took effect on June 23, 1994.

Under the Agreement, the Sahtu received title to 41,437 square kilometres of land in the Sahtu Settlement Area (SSA) of the Northwest Territories (NWT), 1,813 square kilometres of which includes mines and minerals.

Other major provisions of the SDMCLCA include:

- \$130 million in tax-free capital transfers over a period of 15 years;
- wildlife harvesting rights and the right of first refusal for commercial wildlife activities in the SSA;
- establishment of institutions of public government to manage wildlife and regulate land, water, and the environment in the SSA;
- guaranteed Sahtu nominees/appointees on institutions of public government; and
- the right to negotiate self-government.

Section 29.2 of the SDMCLCA provides for the establishment of an Implementation Committee. The Implementation Committee is comprised of three senior officials, each representing one of the signatories to the Agreement (Canada, the GNWT and the SSI).

The Implementation Committee oversees and monitors the ongoing obligations of the Parties pursuant to the SDMCLCA, and the completion of activities required to fulfill those obligations, as described in the Implementation Plan. The Implementation Committee also serves as a forum to resolve any issues that may arise with respect to the implementation of the agreement. The Implementation Committee reports annually on the implementation of the agreement through the publication of an annual report. This report covers the 12 month period from April 1, 2015 to March 31, 2016.



This year, Implementation Committee meetings were held on April 14, 2015 in Norman Wells, and on December 11, 2015 in Ottawa. Implementation Committee meetings are held in person each year to plan, coordinate and review implementation activities and to discuss any implementation issues identified by the Parties. This annual report provides an overview of activities undertaken and issues considered by the Implementation Committee during this period, including progress made towards the resolution of outstanding issues and future actions to be taken to advance the resolution of those issues.

Summary of Agreement Provisions

- **Eligibility and Enrolment:** An Enrolment Board comprised of seven people, one from each of the Sahtu communities, appointed by the Sahtu Tribal Council, was established to enroll those who are entitled to be registered as participants under the SDMCLCA. Ongoing enrolment of participants is the responsibility of the SSI.
- **Self-Government:** The SDMCLCA obligates government to enter into negotiations with the Sahtu Dene and Métis with a view to concluding self-government agreements that take into consideration the unique circumstances of the Sahtu Dene and Métis. Self-government agreements cannot contradict or be inconsistent with the SDMCLCA, nor can they affect the rights of the Sahtu Dene and Métis as Canadian citizens. Self-government agreements are intended to address the desire of the Sahtu Dene and Métis to have self-government exercised as close to the community level as is reasonably possible.
- **Dispute Resolution:** An Arbitration Panel was established to resolve disputes in accordance with the provisions of the SDMCLCA. The panel is comprised of four to eight members appointed by the Parties.
- **Sahtu Organizations:** Designated Sahtu organizations are committed to executing the Sahtu responsibilities outlined in the SDMCLCA. A designated Sahtu organization must be a trust, society, or corporation established pursuant to federal or territorial legislation. All rights exercisable by a designated Sahtu organization, such as receiving and managing financial payments, and owning and managing land, were assigned by the Sahtu Tribal Council prior to the signing of the SDMCLCA.
- **Financial Compensation:** In accordance with the SDMCLCA, Canada paid approximately \$130 million over a period of 15 years to the SSI, as the organization representing the Sahtu Dene and Métis. The SSI commenced the repayment of the Sahtu Dene and Métis negotiation loans in 1995, through the deduction of loan repayment costs from federal capital transfer payments as per section 8.3, Loans Against Capital Transfer, of the SDMCLCA.



- **Resource Royalties:** As set out in Chapter 10 of the SDMCLCA, government must pay to the Sahtu, on a quarterly basis, a percentage of resource royalties received from resource development projects undertaken in the Mackenzie Valley. With the implementation of the *Northwest Territories Devolution Agreement* on April 1, 2014, these payments are now being made to the Sahtu by the GNWT, on behalf of government.
- **Economic Measures:** Government economic development programs in the SSA, which are in place from time to time, take into consideration the need to support the Sahtu traditional economy; encourage the development of commercially viable Sahtu businesses and enterprises; provide the Sahtu with business and economic training and educational assistance; and encourage Sahtu employment in major projects and developments in the public service and public agencies. Government is required to consult with the SSI when proposing new programs, and every three years the Parties are required to review the effectiveness of programs relating to the economic development objectives and measures set out in Chapter 12 of the Agreement.
- In addition to their obligations under Chapter 12 concerning contracting and procurement, Canada and the GNWT will utilize best practices and procedures intended to maximize employment and business opportunities for aboriginal people, as well as for local and regional small to medium sized businesses.
- **Wildlife Harvesting and Management:** Chapter 13 of the SDMCLCA sets out the Sahtu's wildlife harvesting rights in the SSA and provides for the establishment of the Sahtu Renewable Resources Board (SRRB). It is the responsibility of the SRRB, in collaboration with the other Parties, to protect, conserve and manage, in a sustainable manner, renewable resources within the SSA to meet the needs of the public today and in the future. For more information, please visit the SRRB's website at www.srrb.nt.ca.
- **Land and Water Regulation:** Chapter 25 of the SDMCLCA provides for the creation of the following implementing bodies pursuant to legislation:
 - **Sahtu Land and Water Board (SLWB)** - regulates land and water use throughout the SSA. For more information, please visit the Board's website at www.slwb.com; and



- **Sahtu Land Use Planning Board (SLUPB)** - tasked with developing a land use plan for the SSA and for reviewing and proposing amendments to the plan. For more information, please visit the Board's website at www.sahtulanduseplan.org.

Chapter 25 also provides for Sahtu-nominated membership on the Mackenzie Valley Environmental Impact Review Board (MVEIRB), established pursuant to the *Mackenzie Valley Resource Management Act*, which conducts environmental impact assessments of development proposals within the Mackenzie Valley. The SDMCLCA also allows the SSI to refer development proposals that may impact upon the SSA to MVEIRB, and provides an opportunity for the SSI to nominate members to Review Board panels which are established from time to time. For more information, please visit the Board's website at www.reviewboard.ca.



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IMPLEMENTATION PARTIES

The Sahtu Secretariat Incorporated (SSI)

The SSI is made up of seven Sahtu land corporations: four Dene land corporations and three Métis land corporations. During the period from April 1, 2015 to March 31, 2016, the SSI was represented on the Implementation Committee by Ms. Ethel Blondin-Andrew, Chairperson of the SSI Board of Directors.

- More information on the SSI can be found online at www.sahtu.ca.

Government of the Northwest Territories (GNWT)

The Department of Aboriginal Affairs and Intergovernmental Relations (DAAIR) is responsible for coordinating and monitoring the GNWT's implementation activities under the SDMCLCA. During the period from April 1, 2015 to March 31, 2016, the GNWT was represented on the Implementation Committee by Ms. Susan Bowie, Director of Implementation.

- More information on the GNWT can be found online at <http://www.gov.nt.ca>
- More information on DAAIR can be found online at <http://www.daair.gov.nt.ca>.

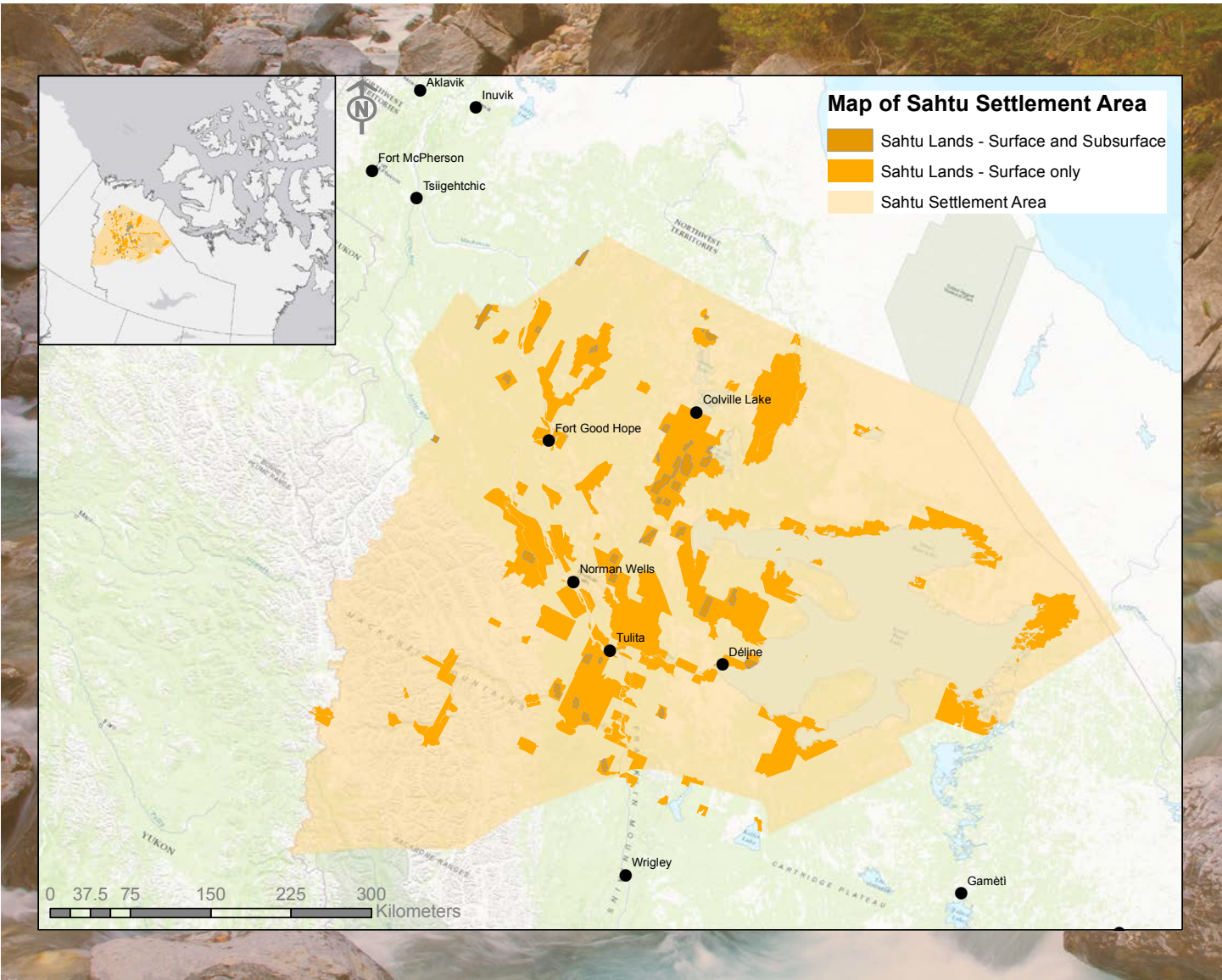
Government of Canada (Canada)

The Implementation Branch of Indigenous and Northern Affairs Canada (INAC) is responsible for monitoring and facilitating the fulfillment of federal government obligations contained in the SDMCLCA and the accompanying Implementation Plan. The Implementation Branch provides funding to the implementing bodies, the SSI, and the GNWT, as identified in the Implementation Plan. Ms. Kimberly Thompson, Director Treaty Management West, represented Canada on the Implementation Committee during the period from April 1, 2015 to March 31, 2016.

- More information on the Government of Canada and its departments, programs, and services can be found online at <http://canada.gc.ca>;
- More information on INAC can be found online at <http://www.aadnc-aandc.gc.ca>



Map of the Sahtu Settlement Area





2015-2016 REPORTING

Annual Report

The SDMCLCA requires the Implementation Committee to prepare an annual report on the implementation of the agreement. Canada is responsible for publishing the reports, although the GNWT has agreed to undertake the drafting and preparation of the reports on behalf of Canada.

Activities:

- The Implementation Committee agreed to incorporate 2014-2015 into the 2010-2011 – 2013-2014 consolidated report to form a five-year consolidated report. A final draft has been approved by the Parties, and the report will now be translated and published. Going forward, the Committee will report on its activities on an annual basis.

Next Steps:

- The Implementation Committee will continue to work together to identify and implement improvements to the format and timing of annual reports.

Regulatory Reform

Devolution

Negotiations between Canada and the GNWT resulted in the conclusion of a NWT Lands and Resources Devolution Final Agreement (Devolution Agreement) in 2013. The SSI signed on to the Devolution Agreement-in-Principle in 2012. On April 1, 2014, the GNWT assumed responsibility and authority for the management of Crown lands and resources in the Northwest Territories.

Activities:

- With the finalization and implementation of the Devolution Agreement and its ancillary agreements, resource revenue sharing between the GNWT and aboriginal governments who signed on to the devolution agreement took effect. At the April Implementation Committee meeting, the SSI commented on the length of time it has taken to receive resource revenue payments pursuant to the Devolution Resource Revenue Sharing Agreement.



- SSI also expressed concern regarding the GNWT's approach to the amendment of its "fracking" regulations, noting that aboriginal government should have had a greater role in the process. SSI reminded the Parties that the federal and territorial governments and aboriginal governments need to work collaboratively on this and other issues related to land and resources through the Intergovernmental Council first, to address issues before regulations are approved. SSI suggested more frequent Intergovernmental Council meetings were needed in order to discuss this and other issues.

Next Steps:

- The GNWT committed to look into the issue of process and timing of resource royalty payments to its aboriginal government partners, and to convey SSI's concern with respect to the frequency of Intergovernmental meetings to GNWT senior managers.

Mackenzie Valley Resource Management Act

INAC has been developing amendments to the *Mackenzie Valley Resource Management Act* (MVRMA) since May 2010, under the Action Plan to Improve Northern Regulatory Regimes. The Action Plan is focused on ensuring regulatory regimes are more effective, predictable and provide greater certainty to industry, northerners and aboriginal people, and all Canadians.

Since 2010, INAC has been consulting with aboriginal governments, boards and the GNWT as the amendment process moves forward. Consultation materials have been distributed for review and comment.

On March 24, 2014, the *Northwest Territories Devolution Act* received Royal Assent by the Government of Canada. The Act amended three pieces of resource management legislation identified in the Action Plan: the *Northwest Territories Waters Act*, *Territorial Lands Act* and *Mackenzie Valley Resource Management Act*. Highlights of the legislative changes include:

- The introduction of time limits for completing environmental assessments and water licenses;
- Authority to establish regional environmental studies;
- Consolidated federal decision-making responsibility;
- Clarification of the roles and responsibilities related to aboriginal consultations;
- Increased fines for permit and licensing offences; and
- Authority to allow for cost-recovery for environmental impact studies.



Activities:

- At the April 2015 Implementation Committee meeting, INAC reported that work on regulatory reform had been placed on hold, pending conclusion of court action initiated by the Tłıchq Government and the SSI regarding changes to the MVRMA that would see the amalgamation of regional boards into a single territory-wide board. Canada noted that the boards had submitted budgets and work plans, and have been provided with funding to keep operating during this interim period.

Surface Rights Board

An outstanding obligation of the SDMCLCA, and one of the requirements of the Devolution Agreement, is the establishment of a Surface Rights Board. A Surface Rights Board will hear applications when a negotiated agreement relating to land access and compensation for that access cannot be reached between surface and sub-surface rights holders.

The *Surface Rights Board Act* (NWT) came into force on April 1, 2014. The Surface Rights Board's jurisdictions took effect on April 1, 2016.

Activities:

- At the April 2015 Implementation Committee meeting, the GNWT reported that board members had been selected. The GNWT issued a press release on April 23, 2015, announcing that five board members had been appointed by Minister of Lands, Robert C. McLeod. Louie Azzolini, Elizabeth Wright, Danny Bayha, Darrell Christie and Mike Vaydik were appointed to the Surface Rights Board effective April 1, 2015, each to a five-year term. Canada provided funding to the GNWT (\$280K) to implement the Surface Rights Board, based on the funding model in place with the Yukon government.

Sahtu Arbitration Panel

At the April 2015 Implementation Committee meeting, the Implementation Committee discussed a proposal put forward by Canada to consider a dispute resolution model that would replace the Arbitration Panel with a Dispute Resolution Administrator, Deputy Dispute Resolution Administrator and roster of qualified arbitrators. Canada advised that this model, currently used in the Tłıchq Agreement, has proven to be less costly and more efficient.



Next Steps:

- Canada committed to draft language for this new dispute resolution mechanism for review by Implementation Committee members at a future meeting.

Economic Measures

As part of the ongoing implementation of Chapter 12 of the SDMCLCA, the Implementation Committee Parties agreed in 2010, that in lieu of a formal review process, the Parties would undertake more practical measures aimed at supporting the advancement of the overall objectives of this chapter. To this end, it was agreed that in order to ensure that Sahtu communities were aware of the nature and availability of government programs and services that support employment and economic development generally, government departments from both the GNWT and Canada would present overviews of all such available programs and services.

To accommodate this objective, a four-phase approach was adopted by the Implementation Committee.

- **Phase I** - a discussion between the Implementation Committee representatives on their respective interpretations of the Economic Measures chapter.
- **Phase II** - a contracting/procurement workshop where government subject matter experts present on contracting policies and procedures, and how to successfully gain contracts with the federal and territorial governments.
- **Phase III** - an economic development workshop, with presentations of those programs and services offered by the GNWT and Canada which are intended to increase the economic prosperity of aboriginal people.
- **Phase IV** - next steps for implementing the Economic Measures chapter of the SDMCLCA, using the information gleaned from the previous three phases.



Activities:

- In support of the economic measures provisions of the SDMCLCA and consistent with GNWT's preferential contracting policies and procedures intended to maximize local, regional and northern employment and business opportunities, GNWT departments are committed to building aboriginal, local, and northern capacity. For example, in 2015-2016:
 - The Northwest Territories Housing Corporation (NWT HC) sponsored 2 Housing Maintainer apprentices in Norman Wells and Tulita. NWT HC initiated 2 Apprenticeship Training on the Job contracts in Fort Good Hope and 2 Apprenticeship Training on the Job contracts in Norman Wells. In Tulita, one Oil Burner Mechanic Special Journeyman certification was attained.
 - The Department of Transportation (DOT) awarded \$9,914,235 in new contracts, 93% (\$9,190,013) of which were awarded to Sahtu-based businesses.
 - DOT had ongoing contracts with Sahtu businesses for airport and winter road operation and maintenance. Contracts for airport operations totaled \$3,274,115 for 2015-2016 and are in place with local Sahtu communities, bands and/or businesses.
 - The Department of Environment and Natural Resources (ENR), Forest Management supported the local economy by contracting fire suppression crews in Fort Good Hope, Tulita and Délı̄ne. Norman Wells ENR hired local persons to provide suppression and logistical services for the fire program. In the Sahtu, ENR hired students who showed an interest in Natural Resource Management and gave them a variety of experiences.
 - The Department of Education, Culture and Employment (ECE) provided Operational (attendance-based) funding to all three Sahtu licensed early childhood programs, including: Délı̄ne Preschool, Fort Good Hope Daycare and Sister Celeste Child Development Centre.
 - ECE's Healthy Children's Initiative (HCI) funding was provided to all three licensed ECPs and utilized as wage supplements for program staff and for training and professional development. HCI funding was provided to K'asho Got'ine Charter Community Council in Fort Good Hope for Prenatal Program Enhancement, including the Mother's Traditional Sewing Group, Welcome Baby Baskets, Traditional Food Preparation and Cooking with Children. HCI funding was provided to Behdzi Ahda First Nation in Colville Lake to support the operation of a Summer Preschool Day Camp, which was offered for free to 10 preschool age children (2-5 years) in the community for 8 weeks during the summer 2015.

- In July, 2015, ECE hired a Regional Employment Transition Officer (RETO) to support employable income assistance clients in entering the labour force. The RETO acts as a liaison between community supports, employers, colleges, and traditional activity practitioners to create wrap-around service for individualized Career Action Plans.
- The Department of Lands (DOL) established a Training and Development Program for entry-level Resource Management Officers (Inspectors) designed to prepare individuals for a career in the resource management field using their on-the-land skills. Five three-year-term entry-level Resource Management Officer positions were created and filled in each of the Department's five regional offices (Inuvik, Norman Wells, Fort Simpson, Fort Smith and Yellowknife).
- In January 2016, DOL and ENR, along with the Mackenzie Valley Environmental Impact Review Board and the Mackenzie Valley Land and Water Board, jointly hosted a MVRMA Workshop for those who participate in the integrated resource management regime in the Mackenzie Valley. The objectives of the workshop were to improve knowledge of what the MVRMA boards do, discuss how groups can get involved in MVRMA processes and explore topics of interest to participants. The GNWT provided travel funding for participants from aboriginal organizations. DOL provided travel funding for 22 participants from the following Sahtu organizations: the Sahtu Secretariat, Norman Wells Renewable Resources Council, Norman Wells Land Corporation, Fort Good Hope Métis Local, Yamoga Lands Corporation, Tulita Land Corporation, Délı̨nę Land Corporation, Behdzi Ahda First Nation, and the Fort Norman Métis Land Corporation.
- At the December 2015 Implementation Committee meeting, the IC discussed materials circulated by Canada respecting contracting, support for small and medium enterprises, and the Procurement Strategy for Aboriginal Business (PSAB).

Next Steps:

- SSI has expressed interest in working with Canada on building workforce capacity to facilitate long term arrangements in waste management and disposal. Canada has been in touch with INAC's Northern Affairs Organization and will focus on arranging a contracting workshop on MERX (now called buyandsell.gc.ca) for Sahtu businesses in the new year.



Amendments

Land Exchange – An Order-in-Council (OIC) to amend the SDMCLCA to include language that confirms the status of lands exchanged for Sahtu settlement lands is currently moving through the federal approval system. The OIC will clarify the status of Crown land received by the Sahtu in exchange for settlement lands, when a land exchange transaction is completed. Currently, the SDMCLCA does not explicitly state that lands received by the Sahtu in exchange will in turn become settlement lands.

Land Descriptions – In 2013, Canada completed the OIC amending the land descriptions contained in Volume II of the SDMCLCA. A copy of the OIC was provided to the SSI and the GNWT.

Activities:

- At the December 2015 Implementation Committee meeting, Canada advised that the approval of the land exchange amendment had been delayed as a result of the recent federal election.

Next Steps:

- Canada will continue processing the land exchange OIC. This is expected to take approximately 6 to 8 months to complete.
- Canada will complete the land descriptions amendment process (registration in NWT Land Titles Office, advise Natural Resources Canada (NRCan), and any other actions that are required to complete the process).

Appointments

At each Implementation Committee meeting, representatives review the status of nominations and appointments to the various boards created under the SDMCLCA, and confirm the steps necessary to fill the vacancies.

Activities:

The Implementation Committee continued to provide updates on the status of board vacancies and nominations. Implementation Committee members followed up internally to advance the process for a number of board nominations and appointments. New members were appointed to the Sahtu Arbitration Panel and the SLWB.



Over the reporting period, several actions were taken on respective boards over the course of the year:

- SSI conferred with the GNWT on a nomination to the Sahtu Arbitration Panel in August 2015.
- Appointments to the Sahtu Arbitration Panel are through consensus.
- SSI put forward a nomination to the Sahtu Renewable Resources Board in July, 2015, which was under consideration by the GNWT and Canada as of March 2016.

Next Steps:

- The Implementation Committee will continue to monitor and report on upcoming board vacancies. Appointments will remain a standing agenda item.

Implementation Plan Renewal

The initial SDMCLCA Implementation Plan was signed on September 6, 1993, by Canada, the GNWT, and the Sahtu Tribal Council for a ten year period. The Plan contains activity sheets which describe how the Parties will undertake the activities required to fulfill the obligations of the SDMCLCA, as well as an estimate of the associated costs. The Plan was renewed for the 10-year period - 2004 to 2014 - and a third plan, covering the period 2014 – 2024 has been drafted by a tripartite Implementation Plan Working Group.

Activities:

- Over the course of the reporting period, a thorough review of the draft plan was conducted, and areas were identified for updating, improvement and amendment. All activity sheets were vetted internally by each working group member, with input provided by relevant government departments and by the SSI, Designated Sahtu Organizations and Sahtu implementation bodies as appropriate.

Next Steps:

- A final draft of the new SDMCLCA Implementation Plan is undergoing final review and will be brought to the Implementation Committee for approval once the final draft has been concluded.



Sahtu Land Access

An Implementation Committee working group was created to draft pamphlets that would clarify obligations when accessing Sahtu settlement lands for public and commercial interests. In 2014, the Implementation Committee chose to place the planned discussion and development of the access pamphlets on hold, in order to focus on other areas of priority to the Parties.

Next Steps:

- The Implementation Committee will place discussion of the Access Chapter, and the subsequent development of pamphlets, back on the agenda in 2016-2017.

Sahtu and Tłıchq Overlap

Prior to the signing of the Tłıchq Agreement in 2003, in accordance with the federal approach to overlaps of traditional territories of two or more aboriginal groups, the Sahtu and Tłıchq held bilateral discussions to negotiate and conclude an overlap agreement, which would set out how their respective rights would operate within the overlapping settlement areas. While some discussions did occur, no formal overlap agreement was entered into.

It has come to the attention of the Parties to the land claim agreements that the legal “metes and bounds” description of Mqwhi Gogha Dè Nıłtłèè (Tłıchq Settlement Area) as set out in the Tłıchq Agreement defines a larger area of overlap with the Sahtu Settlement Area than the illustrative map in the Tłıchq Agreement would indicate. This has raised concerns, particularly for the Sahtu Dene and Métis of Délıne, with respect to how the rights of both the Sahtu and Tłıchq will operate in the overlap area. To provide certainty, the SSI and the Délıne Land Corporation would like to complete an overlap agreement with the Tłıchq Government.

Activities:

- The SSI continued to raise the issue of the overlap between the Sahtu and Tłıchq Settlement Areas as a concern at Implementation Committee meetings in 2015-2016. At the April 2015 Implementation Committee meeting, the SSI reported that there had been a meeting between Délıne and the Tłıchq recently; however, no concrete progress had been made.
- At the December 2015 Implementation Committee meeting, Canada advised that a new metes and bounds map was being finalized by Natural Resources Canada, INAC and the Tłıchq Government. The Tłıchq had assisted in the process by opening up their historic maps in their offices to address the discrepancies in the metes and bounds descriptions.



Next Steps:

- Canada will follow up with the Tłıchq/Natural Resources Canada to finalize the map.
- The SSI will continue to work with Délıne to engage the Tłıchq Government in overlap discussions.

Self-Government Negotiations

Chapter 5 and Appendix B of the SDMCLCA provide for the negotiation of self-government agreements at the community level. The Sahtu Dene and Métis of Délıne, Fort Good Hope, Tulita, Colville Lake and Norman Wells are each at different stages of the negotiating process.

Over the course of the reporting period, Implementation Committee representatives have discussed and provided updates on the progress of self-government negotiations at Implementation Committee meetings, and will continue to do so at future meetings.

Délıne - The Délıne Final Self-Government Agreement was signed on February 18, 2015. The GNWT passed implementing legislation in March, 2015, and corresponding federal legislation was passed in June, 2015. On the effective date of the Agreement, September 1, 2016, the Délıne Land Corporation, Délıne Financial Corporation, Délıne First Nation Band and the Charter Community of Délıne will merge to form a single, aboriginal public government representing the Sahtu Dene and Métis of Délıne and all residents of the community. Until that time, government is working collaboratively with the community to prepare for self-government.

Tulita - The Tulita Dene Band, Tulita Land and Financial Corporations, Tulita Yamoria Community Secretariat, Fort Norman Land and Financial Corporations and the Hamlet of Tulita signed a self-government framework agreement with government in 2005. The negotiation of an agreement-in-principle (AIP) has been ongoing since that time, and is nearing completion.

Norman Wells - The Norman Wells Land Corporation signed a self-government framework agreement with government in June 2008, and negotiations for an AIP are progressing.

Fort Good Hope - The K'asho Got'ine of Fort Good Hope, Canada and the GNWT concluded a Process and Schedule Agreement in September 2014, and are now awaiting the community's readiness to proceed with AIP negotiations.

Colville Lake - The Behdzi Ahda First Nation of Colville Lake, the GNWT and Canada signed a Process and Schedule Agreement for the negotiation of self-government arrangements in 2014. The Parties are now in the early stages of negotiating an AIP.



Other Matters

The Implementation Committee provides a forum for the Parties to discuss other issues, initiatives and accomplishments related to the implementation of the SDMCLCA.

Norman Wells Proven Area

Pursuant to Chapter 9 of the SDMCLCA, government is required to consult with the SSI with respect to matters discussed with Imperial Oil Ltd. or other Parties concerning any amendment, renegotiation, or renewal of the Proven Area Agreement. In addition, 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 to undertake this review.

Activities:

- At the December 2015 Implementation Committee meeting, the SSI reported that they had met with Imperial Oil but there was little to report from that meeting. SSI indicated they were interested in 4 initiatives related to the Norman Wells Proven Area:
 - acquiring Canada's 1/3 interest in the Norman Wells Proven Area;
 - establishing a Joint Committee with Canada;
 - annual meeting with Canada and Imperial Oil; and
 - a partnership meeting with Imperial Oil to talk about employment and benefit agreements related to clean-up activities.

At the April 2015 Implementation Committee meeting SSI reported that they had met with Michel Chenier, INAC's Director of Petroleum and Mineral Resources Management, in Vancouver and with INAC's Minister, the Honourable Bernard Valcourt in Ottawa to discuss a Norman Wells Proven Area commercial venture. SSI advised that given its recent court action with respect to the creation of a single board for the Mackenzie Valley, as called for under the amended MVRMA, Canada was not able to engage further on a commercial venture at this time. SSI reinforced that it is very important that the Sahtu benefit from the Norman Wells Proven Area.



Next Steps:

- The Implementation Committee will continue to monitor and discuss the implementation of the Norman Wells Proven Area Agreement.

Nááts'ihch'oh National Park Reserve

In January 2008, the Minister of the Environment and the Tulita District Land Corporation signed an MOU to initiate the necessary groundwork for the establishment of a national park reserve in the south west corner of the SSA, near Tulita. The area is in the Mackenzie Mountains, which includes the headwaters of the South Nahanni River, and is part of the Greater Nahanni Ecosystem. Since the signing of the MOU, Parks Canada has provided funding for a traditional knowledge study and funding to negotiate an impact and benefits plan.

Nááts'ihch'oh National Park Reserve was established on December 18, 2014, with the passage of legislation under the *National Parks Act*. The Sahtu Land Use Planning Board is currently engaged in the process of amending the Sahtu Land Use Plan to rezone areas under the land withdrawal that were ultimately not taken up by the park.

With the implementation of the *Northwest Territories Devolution Agreement* on April 1, 2014, federal and territorial Implementation Committee representatives worked with their respective devolution teams to ensure that Nááts'ihch'oh National Park Reserve lands were excluded from the transfer of Crown land from Canada to the GNWT, and that the land withdrawal order remained in effect during the process.

Activities:

- The Implementation Committee discussed the need to ensure that the rights of Sahtu beneficiaries, when it comes to the establishment and ongoing operation of the Nááts'ihch'oh National Park Reserve, are clearly articulated.
- Going forward, the Parties committed to keep the Implementation Committee apprised on any developments or ongoing issues related to the Nááts'ihch'oh National Park Reserve.



Tuktut Nogait Park

The community of Paulatuk originally proposed the creation of Tuktut Nogait National Park in the Inuvialuit Settlement Region in the late 1980s, primarily, but not exclusively, to protect the Bluenose caribou herd and its calving and post-calving habitat. Parliament added the park to the schedule of the *National Parks Act* (Canada) in 1998. An extension of the park into the SSA was later approved.

The Délı̨nę District Land Corporation owns the land underlying the Sahtu extension, and has a representative sitting on the Tuktut Nogait Management Board (the Board). An interim land withdrawal, which came into effect on April 13, 2013, to protect the surface from future development, expired on April 24, 2015.

The Board wrote a letter to Bernard Valcourt, Minister of INAC, and Leona Aglukkaq, Minister of the Environment on March 24, 2015, regarding the completion of the Tuktut Nogait National Park extension and protection of the land through a renewal of the interim land withdrawal until that occurs.

The extension of the park is important to the people of both Délı̨nę and Paulatuk, as it protects the headwaters of the Hornaday River which flows north through the Park to the Arctic Ocean.

Maintaining water quality of this river is essential to Paulatuk's char fishery, as the char fishery and the caribou harvest are two of the cultural and nutritional mainstays of the community.

Activities:

- At the December 2015 Implementation Committee meeting, SSI reported that, while there had been commitments to withdraw the land, they were currently relying solely on the Sahtu Land Use Plan to protect the area. Canada committed to follow up with Parks Canada on this implementation issue.



Implementation Funding

As set out in the SDMCLCA Implementation Plan and associated bilateral funding agreements, Canada provides funding to the SSI, GNWT and implementation bodies created pursuant to the land claim, to support the ongoing implementation of the agreement.

Over the reporting period, Canada provided the following funding to the SSI and implementing bodies created under the agreement:

Year	Funding	Sahtu Renewable Resources Board	Sahtu Land and Water Board	Sahtu Land Use Planning Board	Sahtu Secretariat Incorporated	Sahtu Arbitration Panel
2015-2016	Core	\$841,690	\$1,024,822	\$387,337	\$1,057,136*	\$36,151
	Supplemental	\$206,255	X	\$68,312	\$4,248.94	X
	Total	\$1,047,945	\$1,024,822	\$455,649	\$1,061,384.94	\$36,151

*Core: \$626,531 for SSI; \$430,605 for the Renewable Resource Councils

(Note: Implementation Payments listed in the 2008-2009 Annual Report, and years previous, included payments to the SSI, the GNWT, and the implementing bodies, including the Mackenzie Valley Environmental Impact Review Board. The implementation payments listed above now include Sahtu-specific implementing bodies only.)

Activities:

- In 2012-2013, Canada acknowledged that NWT boards are at a point where they are under various funding pressures. The Implementation Committee discussed the challenges faced under the current board funding model, particularly in terms of the responsiveness and effectiveness of funding.
- Canada advised that the current board funding model would be reviewed and options developed for improvement. Canada requested the concurrence of the Parties to participate in a collaborative process to review funding, with a tentative deadline of December 2013 for completion of the project. The Implementation Committee agreed with the proposed approach, with the caveat that the analysis should commence in a timely fashion.



- Canada subsequently distributed a preliminary source list of material to be reviewed in preparation for the analysis, and developed a questionnaire to gather board input. Updates on the progress of the project were provided in periodic conference calls.
- Canada stressed that once the analysis is complete, and a financial mandate is obtained, negotiation of board funding would begin. Additionally, Canada will map out options for discussion with the Parties.
- For a variety of reasons, including the caretaker convention associated with the lengthy federal election, the project has taken substantially longer to complete than the parties had initially anticipated. Canada has advised that good progress has been made to-date and that board funding negotiations are expected to proceed in 2016-2017.

Next Steps:

- Canada will advise the Implementation Committee as the approval process for revisions to the board funding model advances.





