

**ACTION PLAN IMPLEMENTATION STATUS UPDATE
REPORT TO THE EVALUATION, PERFORMANCE MEASUREMENT AND REVIEW COMMITTEE
AS OF DECEMBER 31st, 2012**

Northern Affairs Organization			
<i>Evaluation of the Northern Regulation, Resources and Environmental Management Programs</i>			
APPROVAL DATE: 24/02/12			
PROJECT RECOMMENDATIONS	ACTION PLAN	EXPECTED COMPLETION DATE	PROGRAM RESPONSE
1. NAO take the measure to streamline the assignment of security deposits to ensure that fair and sufficient amounts are arrived at, such as legislative change to update maximum deposits, clarification of land and water components of securities, and consultations leading to jointly set deposit amounts for projects on Aboriginal-owned land.	A working group has been established to examine issues surrounding reclamation security.	Q1 2013	
2. NAO continue its commitment to supporting regulatory processes in the North to ensure that environmental risks continue to be identified, adequate inspections of project sites are conducted and procedures are in place to communicate inspection results including compliance information, such that regulators have the information they need to manage an effective and adaptive strategy for mitigating environmental risk.	NAO will define the term "compliance" and establish clear policy and procedures on how the various levels of compliance are to be reported to the Land and Water Boards and in the public realm.	March 31 st , 2012	<p>Status: Underway</p> <p>Update/Rationale: As of 31/12/2012</p> <p>Compliance is not defined in AANDC's statutes, therefore the NWT Regional Office has looked to Environment Canada's definition as they have a similar mandate regarding enforcement and compliance activities in the North. There are various levels of compliance, including Field, Administrative, and prosecutorial. AANDC is currently confirming what it believes compliance is in these areas. Once that is completed, current level of compliance must be assessed as, according to the risk assessment model, not all files require an annual inspection. This exercise will be completed before devolution implementation.</p>

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			<p>A request for proposal to develop policies, procedures and guidelines for the Nunavut Regional Office's compliance and enforcement unit was posted on MERX in November 2012. Bids were received and evaluated and a successful bidder was selected by the evaluation panel. Contract is being finalized with successful bidder. Work is expected to be completed by May 2013.</p> <p>AES: Underway (in progress but have not met the expected completion date). The program is taking measures on a number of areas including how to establish clear policies and procedures with respect to compliance.</p>
<p>3. NAO take steps to ensure that its managers, and future evaluations, have access to sufficient information to assess the adequacy of site inspections and compliance with the terms of leases, land use permits and water licenses.</p>	<p>Information is available but not all of it electronically. It is not housed centrally as the Regions and Boards all have roles in the process and hold their own information. The Regional will develop options for improving access to the information from the various authorities.</p>	<p>March 31st, 2012</p>	<p>Status: Underway</p> <p>Update/Rationale: As of 31/12/2012</p> <p>The NWT Regional Office is currently assessing its open and active files, assigning a risk rating to each file and a level of compliance. This is expected to be completed by the end of March 2013 wherein reporting to the Land and Water Boards can be done. Further, the Region's Integrated Risk Rating Application is being assessed for updates that will allow reports to be generated on the number of files inspected annually as well as their compliance level. A contract is in place for the upgrades which will be</p>

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			<p>completed by March 31, 2013.</p> <p>The Nunavut Regional Office continues to engage external partners including Boards. Informal processes in place to ensure Regulators have access to information. Discussions underway at this time are predicated on relationship building with partners to develop collaborative approach to information sharing.</p> <p>AES: Underway. Efforts are being made for implementation of the action item; though it's past the expected completion date, a new date has been targeted.</p>
<p>4. NAO should work with other parties to address the issue of "orphan" and "out of scope" mitigation measures recommended by Boards.</p>	<p>NAO will encourage Boards to direct mitigation measures to the appropriate regulatory authority and to ensure that mitigation measures are within the scope of the review process, to avoid "orphan" and "out of scope" measures. In addition, AANDC will review the issue of "orphan" mitigation measures and develop options that might address the issue. This work will be completed in the course of planned legislative and policy reviews of the regimes in each territory over the coming 2-3 fiscal years as part of the Action Plan to improve Northern Regulatory Regimes.</p>	<p>March 31st, 2015</p>	