

1995–1996 Annual Report  
of the Implementation Committee

**Sahtu dene and Metis Comprehensive Land Claim Agreement**

# **1995-1996 Annual Report of the Implementation Committee**

**Sahtu Dene and Metis Comprehensive Land Claim Agreement**



**Canada**

Published under the authority of the  
Honourable Ronald A. Irwin, P.C., M.P.,  
Minister of Indian Affairs and  
Northern Development  
Ottawa, 1996

QS-5334-002-BB-A1  
Catalogue No. R31-10/1996  
ISBN 0-662-62722-9

© Minister of Public Works and Government  
Services Canada

 Indian and Northern Affairs Canada    Affaires indiennes et du Nord Canada



## TABLE OF CONTENTS

	FOREWORD	i
1.	FEATURES OF THE SAHTU DENE AND METIS COMPREHENSIVE. LAND CLAIM AGREEMENT	1
2.	HIGHLIGHTS	2
3.	IMPLEMENTATION COMMITTEE	3
4.	IMPLEMENTING BODIES	4
	4.1 Enrolment Board	4
	4.2 Arbitration Panel	5
	4.3 Renewable Resources Board	5
	4.4 Joint Working Group on Sahtu Heritage Places and Sites	6
	4.5 Mackenzie Valley Environmental Impact Review Board	7
	4.6 Other	7
5.	SAHTU SECRETARIAT INCORPORATED	8
6.	GOVERNMENT OF THE NORTHWEST TERRITORIES	10
7.	GOVERNMENT OF CANADA	12
	APPENDIX 1: MEMBERSHIP OF IMPLEMENTING BODIES (as of March 31, 1996)	15
	APPENDIX 2: MAP OF SAHTU SETTLEMENT AREA	16
	APPENDIX 3: SCHEDULE OF CAPITAL TRANSFER PAYMENTS, 1994 to 1995	17
	APPENDIX 4: IMPLEMENTATION PAYMENTS, 1994 to 1995-1996	17



## FOREWORD

**The implementation of the Sahtu Dene and Metis Comprehensive Land Claim Agreement is monitored by an Implementation Committee made up of three senior officials, one each from the Sahtu Secretariat Incorporated, the Government of the Northwest Territories and the Government of Canada. As members of this Implementation Committee, we are pleased to provide this second annual report on the implementation of the Agreement.**

In 1995-1996, the second year of implementing the Agreement, the Committee continued to perform its functions on a consensus basis and to serve as a valuable forum for the parties to the Agreement to voice issues and concerns regarding implementation. During this year, the Committee welcomed the establishment of the Renewable Resources Board and the Arbitration Panel, both of which began to carry out their roles and responsibilities as described in the Agreement. The Enrolment Board also continued its work and, by the close of 1995-1996, had enrolled over 2,100 Sahtu Dene and Metis participants to the Agreement.

Among the monitoring responsibilities of the Implementation Committee is the preparation of a public annual report on the implementation of the Agreement. This annual report has been prepared from information provided by various departments within the federal and territorial governments, by the Sahtu Secretariat Incorporated and by the various implementing bodies established under the Agreement. It covers the 1995-1996 fiscal year, which is the period from April 1, 1995 to March 31, 1996.

In continuing to implement the provisions of the Agreement, the two governments and the Sahtu Dene and Metis are putting into place new partnerships based on the settlement of Aboriginal land claims, the establishment of future self-government agreements, mutual respect and recognition of rights. The Implementation Committee is committed to strengthening this partnership by ensuring the parties continue to meet their obligations under the Agreement.

Danny Yakeleya  
Sahtu Secretariat Incorporated

Mark Warren  
Government of the  
Northwest Territories

Terry Henderson  
Government of Canada



## 1. FEATURES OF THE SAHTU DENE AND METIS COMPREHENSIVE LAND CLAIM AGREEMENT

- In July 1993, the Sahtu Dene and Metis voted to approve the Sahtu Dene and Metis Comprehensive Land Claim Agreement. After being approved by the territorial and federal governments, the agreement was signed on September 6, 1993, in Tulita (formerly Fort Norman). *The Sahtu Dene and Metis Land Claim Settlement Act* came into effect on June 23, 1994.
- Under the Agreement, the Sahtu Dene and Metis receive title to 41,437 square kilometres of land in the Northwest Territories, an area slightly larger than Vancouver Island. Subsurface rights are included on 1,813 square kilometres of this land.
- The Sahtu Dene and Metis will receive financial payments totalling \$75 million (in 1990 dollars) over a 15-year period, as well as a share of the resource royalties paid to government each year in the Mackenzie Valley
- The Agreement confirms the right of the Sahtu Dene and Metis to hunt and fish throughout the Sahtu Settlement Area. It also gives them the exclusive right to trap in the Sahtu Settlement Area.
- " The Agreement provides for guaranteed participation by the Sahtu Dene and Metis in institutions of public government for renewable resource management, land use planning and land and water use within the Sahtu Settlement Area and for environmental impact assessment and review within the Mackenzie Valley.
- The Agreement also allows for the negotiation of self-government agreements which will be brought into effect through federal legislation.



## 2. HIGHLIGHTS

- The Sahtu Secretariat Incorporated received the third capital transfer payment, in the amount of \$4,980,057 (net of negotiating loans repayment), on September 6, 1995, which is the anniversary of the signing of the Sahtu Dene and Metis Comprehensive Land Claim Agreement.
- The Implementation Committee met three times: In May 1995 in Ottawa, in August 1995 in Deline and in December 1995 in Ottawa. The Committee dealt with many issues in 1995-1996, including modifications to funding levels for the Enrolment Board, the Arbitration Panel, the Renewable Resources Board, the Settlement Area Harvest Study, the Sahtu Land Use Planning Board and the Sahtu Land and Water Board.
- The Enrolment Board continued to encourage enrolment and to review applications, with over 2,100 beneficiaries enrolled as of March 31, 1996. At the community level, the Enrolment Board carried out a *project* in which Sahtu elders assisted with the development of family history charts.
- The Arbitration Panel and the Renewable Resources Board were established and began to carry out their functions as described in the Agreement.
- The Arbitration Panel held its first meeting in February 1996 and began to develop interim rules for arbitration submissions and proposals for dispute resolution mechanisms.
- The Canol Trail and Dodo Canyon Territorial Park Steering Committee was established in summer 1995 and is expected to prepare a park management plan in 1996-1997.
- The Joint Working Group on Sahtu Heritage Places and Sites began to develop guidelines for the identification of sites and options for protecting heritage sites.
- A total of \$205,280.40 in resource royalties was paid to the Sahtu Secretariat Incorporated.
- In consultation with Sahtu communities, the Sahtu Secretariat Incorporated began work on a proposal on Sahtu Dene and Metis self-government. The Department of Indian Affairs and Northern Development provided \$175,000 in funding assistance.



### 3. IMPLEMENTATION COMMITTEE

The Implementation Committee is composed of three officials: one representing the Sahtu Secretariat Incorporated (SSI), one representing the Government of Canada and one representing the Government of the Northwest Territories (GNWT). The responsibilities of the Committee, which makes decisions on a consensus basis, include:

- overseeing and directing the implementation of the Agreement in accordance with the implementation plan;
  - adjusting the schedule for carrying out implementation activities, reallocating resources and amending the implementation plan, as required;
  - addressing disputes arising between the parties; and
  - preparing a public annual report on the implementation of the Agreement.
- Committee members are Danny Yakeleya, Director, SSI; Mark Warren, Manager, Claims Implementation, Intergovernmental and Aboriginal Affairs, GNWT; and Terry Henderson, Director General, Claims Implementation, Department of Indian Affairs and Northern Development (DIAND).
- During 1995-1996, the Implementation Committee dealt with various issues, including:
- reallocating funds for the Enrolment Board, the Renewable Resources Board and the Sahtu Land and Water Board to carry funds forward from the 1995-1996 fiscal year to the 1996-1997 fiscal year;
  - offsetting the costs of the chairperson to the Joint Working Group on Sahtu Heritage Places and Sites by reallocating funding from the Arbitration Panel to the SSI;
  - carrying forward funding levels by one fiscal year for the Settlement Area Harvest Study and the Sahtu Land Use Planning Board;
  - overseeing production of the 1994-1995 annual report of the Implementation Committee;
  - monitoring the progress made by the co-ordinating group responsible for drafting proposed Mackenzie Valley resource management legislation;
  - monitoring the establishment of the various implementing bodies established pursuant to the Agreement; and
  - establishing the Environmental Impact Review Working Group composed of proposed Board members and representatives of the Implementation Committee.





## 4. IMPLEMENTING BODIES

The Agreement includes provisions to put in place various implementing bodies to determine who is qualified to participate as a beneficiary of the Agreement, manage wildlife resources, plan and regulate land and water use, settle disputes that may arise in the interpretation of the Agreement and conduct both environmental impact assessments and reviews of development proposals. The membership, functions and time frame for the establishment of each of these implementing bodies are also specified in the Agreement.

The Enrolment Board, the Arbitration Panel and the Renewable Resource Board have been established. The membership of these implementing bodies is listed in Appendix I. Prospective members of the Mackenzie Valley Environmental Impact Review Board have been identified, and the Joint Working Group on Sahtu Heritage Places and Sites has been established.

The Sahtu Land Use Planning Board, the Sahtu Land and Water Board, the Mackenzie Valley Land and Water Board and the Mackenzie Valley Environmental Impact Review Board are scheduled to be established on enactment of the proposed Mackenzie Valley resource management legislation. The Surface Rights Board will be established after separate federal legislation is passed.

### 4.1 Enrolment Board

The Enrolment Board comprises seven Sahtu members appointed by the Sahtu Secretariat Incorporated (SSI) from their home communities and two members appointed by the Minister of Indian Affairs and Northern Development. The Board enrolls those Sahtu Dene and Metis who are entitled to benefit from the Agreement. It also keeps a register of those enrolled, which it publishes annually.

The Board has nine members: seven appointed by the SSI and two appointed by the Government of Canada. The seven SSI appointees are Margaret McDonald of Norman Wells, Anne Bayha of Deline, Lorraine Doctor and Rocky Norwegian of Tulita, Jerry Lennie and Isidore Manuel of Fort Good Hope, and James Tutcho of Colville Lake. The two Government of Canada appointees are

Rosemary Cairns of Yellowknife and Monica Loomis of Norman Wells. The chairperson is Margaret McDonald and the vice-chairperson is Anne Bayha.

Jane Modeste of Deline is the enrolment co-ordinator and Ruby Takazo of Deline is the receptionist-clerk. In 1995-1996, the directors selected an Enrolment Board executive committee consisting of the chairperson, the vice-chairperson and the enrolment co-ordinator.

In 1995-1996, the Board held 10 meetings and the executive committee held three additional meetings. Board members approved or rejected enrolment applications submitted under Section 4.2 of the Agreement. As of February 29, 1996, the Board had enrolled 2,124 beneficiaries. The Board also reviewed monthly expenditures and activity reports, and developed work plans to fulfil its mandate.

The Board published the 1995 Enrolment Registry listing 1,998 eligible beneficiaries under the Agreement. The registry was distributed to all land corporations in the Sahtu region, and copies were also circulated outside the region.

The Board undertook an extensive advertising campaign within the Sahtu Settlement Area by placing advertisements in newspapers, distributing posters throughout the Sahtu region and offering a toll-free telephone line. There was a positive response to the advertisements and the free telephone line allowed applicants to acquire information readily as well as enabling Board members to maintain regular contact with the office. Enrolment kits were prepared providing information, application forms and prepaid return envelopes for applicants, and allowed individuals to

notify the Board of other potential beneficiaries. Church records from the last century were gathered by the Board and used 10 complete family histories as required.

Community enrolment campaigns lasting four to five days were held in Tulita, Deline, Fort Good Hope and Norman Wells. The enrolment co-ordinator set up an enrolment station to serve walk-in applicants, and field workers helped people fill out application forms in their homes.

The Board provides an enrolment certificate and photo identification card to each beneficiary as proof of enrolment as required under Section 4.4.2 (j) of the Agreement. Applicants living within the Sahtu region have their photographs taken in their communities by Board staff, while applicants outside the region are required to send identification information and a photograph to the Board office for processing. The Board staff received computer training early in 1995 and have since developed a data base to record and track enrolment applications, including the community affiliation of applicants, information on family relationships and the status of enrolment applications. A regional genealogy workshop was held in March 1996 in Deline. Twelve Sahtu elders and a facilitator assisted with the development of family history charts. Information was collected at the workshop tracing the settlement of families in communities. Sixteen charts have been completed, and elders have recommended that each community complete its own family tree so young people can learn more about their family history and better understand who they are.

#### **4.2 Arbitration Panel**

The Agreement provides for the establishment of an eight-member panel to resolve disputes that arise in the implementation of the Agreement. The Arbitration Panel will arbitrate disputes over topics described in the Agreement. As well, the Panel may arbitrate disputes arising in interpreting the Agreement, where the parties agree to be bound by an arbitration decision. The process may involve either one or three arbitrators who will hear evidence. The decisions of the arbitrator(s) will

be binding, and the arbitrator(s) may make an award, including the payment of costs and interest.

The Government of Canada, the GNWT and the SSI jointly appointed members to the Arbitration Panel in October 1995. The arbitrators are Nigel Bankes, Larry Chartrand, James H. Davis, David C. Elliott, Deborah Hanly, Robert A. Kasring, Anton M.S. Melnyk and Francis Price.

The Panel held its first meeting in February 1996, during which members selected David Elliott as chairperson and Larry Chartrand as vice-chairperson. The panel also appointed Francis Price as administrative secretary and notified the parties that any arbitration submissions should be referred to Mr. Price for processing. Panel members discussed administrative, budgetary and procedural issues, and agreed that to prepare for future work, a workshop would be proposed for the Sahtu Settlement Area.

A budget for the Arbitration Panel was finalized, and agreement was reached regarding the administration of the Panel's funding. At the close of 1995-1996, the Panel was drafting interim procedural rules to deal with arbitration submissions as well as other dispute resolution, proposals. Planning was also under way for a proposed fall 1996 workshop in the Sahtu Settlement Area.

#### **4.3 Renewable Resources Board**

The Renewable Resources Board will function as the main instrument of wildlife management in the Sahtu Settlement Area. The responsibilities of the Board include establishing policies and proposing regulations regarding the harvesting of wildlife, including commercial fishing. The Board is advised on harvesting and local renewable resource issues by renewable resources councils, which have been established in each Sahtu Dene and Metis community. The Board also manages the research fund, is responsible for carrying out a harvest Study and undertakes independent research.

In January 1996, the Board held its inaugural meeting in Norman Wells and selected Winter Lennie as interim chairperson. During the March meeting, the Board nominated Mr. Lennie as *permanent* chairperson. He, along with Isadore Yukon, Morris Neyelle, Russell Halt and Paul Latour, comprise the Board, with George Barnaby, Gerry LePrieur, Diane Malley, Jimmy Tutcho and Kevin McCormick acting as alternate members.

At the inaugural meeting, the Board formed a personnel committee, charged with recruiting a full-time chairperson and executive director, and a finance committee, responsible for developing an operating *budget* for the Board and for managing Board finances. The Board also chose Tulita as the site of its head office.

These committees were active in preparing for the Board's second meeting on March 26 to 28, 1996. Position descriptions, advertisements and initial screening of applications for the positions of chairperson and executive director were completed, along with Board funding arrangements, a contribution agreement with the Government of Canada for the period 1996-2001 and the budget for the 1996-1997 fiscal year.

At the March meeting, Robert Nowosad was selected as executive director. Board members were also presented with information on the proposed office building in Tulita, which will be available for occupancy by Board staff in November 1996, and on plans for constructing suitable rental housing in Tulita. The Board decided that for the eight-month interim period, temporary office space would be rented in Norman Wells.

The Board began to develop operating procedures and to amass information on a number of initiatives, the most significant of which is the Sahtu Settlement Area Harvest Study. Lines of communication were also opened with representatives of neighbouring comprehensive claims settlement areas, all of whom had previously indicated a willingness to assist, and work co-operatively with, the Board. Finally, the Board made arrangements with SSI for the completion of an annual financial audit.

#### **4. 4 Joint Working Group on Sahtu Heritage Places and Sites**

Section 26.4 of the Agreement provides for the establishment of a joint working group to review Sahtu heritage places and sites. The SSI appoints two members to [the group, the federal and territorial governments each nominate one member, and a chairperson is selected by the four members.

The primary objective of the joint working group is to identify places and sites which could be recognized as heritage places. The joint working group will meet this objective by:

- developing guidelines for the identification of heritage sites, using examples, and
- forming mechanisms to protect the confidentiality of information on proposed sites while ensuring information is accessible for land use planning *and* other purposes.

The Joint Working Group on Sahtu Heritage Places and Sites met in Yellowknife in January 1996. The meeting was chaired by SSI Director Danny Yakeleya and attended by SSI representatives Bella T'Selie of Fort Good Hope and Isadore Yukon of Deline, GNWT representative Tom Andrews of the Prince of Wales Northern Heritage Centre and federal representative Ellen Lee of Parks Canada.

The working group set a start date of January 24, 1996, and proposed to seek an extension to its mandate to two years from that date. The working group also proposed to write to Sahtu land corporations asking them to develop a list of sites which they would like to see protected. These lists may be kept confidential but will be available for land use planning.

After Sahtu land corporations have reported, the working group will compile a master list of all proposed sites and recommend options for their protection. Sahtu communities will have an opportunity to look at the pros and cons of each protection option. Working group members planned to meet again in the fall of 1996.

#### **4.5 Mackenzie Valley Environmental Impact Review Board**

Within the Mackenzie Valley as a whole, including the Sahtu Settlement Area, environmental impact assessment and review will be carried out by the Mackenzie Valley Environmental Impact Review Board. The Review Board will be composed of equal numbers of nominees from Aboriginal groups in the Mackenzie Valley and government, not including the chairperson. The Review Board is scheduled to be created on enactment of proposed Mackenzie Valley resource management legislation.

The Minister of Indian Affairs and Northern Development has agreed to appoint the nominated persons to the Board when the proposed Mackenzie Valley resource management legislation is enacted. These include Gordon Lennie, nominated by the SSI; Alestine Andre, nominated by the Gwich'in Tribal Council; Sarah Jerome, nominated by the federal government; and Len Colissimo, nominated by the GNWT.

In 1995-1996, a working group composed of the proposed Board members and representatives of the Implementation Committee was formed, and a meeting was planned for May 1996. The environmental impact review working group consists of the prospective Board members and four technical advisors. Peter Bannon, Joe Benoir, Pierre Laporte and Danny Yakeleya.

#### **4.6 Other**

A co-ordinating group was established in 1993 as a forum to consult on the drafting of resource management legislation, including the proposed Mackenzie Valley resource management legislation and surface rights legislation. The proposed Mackenzie Valley resource management legislation will formally establish the Sahtu Land Use Planning Board, the Sahtu Land and Water Board, the Mackenzie Valley Land and Water Board and the Mackenzie Valley Environmental Impact Review Board, and will provide for a cumulative impact monitoring process and periodic, independent environmental audits.

The co-ordinating group, which includes representation from the Government of Canada, the GNWT, the Gwich'in Tribal Council and the SSI, continued to meet and draft legislation in 1995-1996.



## 5.SAHTU SECRETARIAT INCORPORATED

The Sahtu Secretariat Incorporated (SSI) was formed by the seven Sahtu land corporations (four band land corporations and three Metis land corporations) on June 23, 1994, when the *Sahtu Dene and Metis Land Claims Settlement Act* was enacted. The mandate of the SSI is to implement the Agreement and to deal with issues that concern the Sahtu Dene and Metis.

### 5.1 Board of Directors

In 1995-1996, the SSI Board of Directors was made up of:

Larry Tourangeau Chairperson  
 Charlie Barnaby Vice-chairperson  
 Leonard Kenny Director  
 Fred Doctor Director  
 Danny Yakeleya Director  
 Wilfred McNeely, Jr. Director  
 Richard Kochon Director

SSI staff included Chief Operating Officer Roy Doolittle  
 Comptroller Andre W. Buss, Financial Clerk Freda  
 Taniton and part-time Receptionist RubyTakazo.

### 5.2 Head Office of the Sahtu Secretariat Incorporated

The SSI is located in the Chief George Kodakin Building in the community of Deline. The building also houses *the* Sahtu Dene Council, the Sahtu Enrolment Board and the Deline land and financial corporations.

### 5.3 Community Renewable Resources Councils

According to the Agreement, designated community organizations (land corporations) must appoint renewable resources councils for each community. In 1995-1996, the following renewable resources councils, listed by community, were active in the Sahtu Settlement Area:

Colville Lake	Behdzi Ahda First Nations Band
Deline	Fort Franklin Hunters and Trappers Association
Fort Good Hope	Fort Good Hope Hunters and Trappers Association
Tulita	Fort Norman Renewable Resources Council
Norman Wells	Ernie McDonald Land Corporation

Renewable resources councils encourage and promote local community involvement in conservation, harvesting studies, research and wildlife management, and advise the Renewable Resources Board.

### 5.4 Land Ownership

The SSI does not own land; all the settlement lands are owned by the district land corporations in the three districts of Deline, Tulita and K'asho Got'ine. In the Tulita district, the settlement lands are owned jointly by the Tulita Land Corporation, the Fort Norman Metis Land Corporation and the Ernie McDonald Land Corporation. In the K'asho Got'ine District, the land is owned jointly by the Yamoga Land Corporation (Fort Good Hope Band), the Fort Good Hope Metis Local No. 54 Land Corporation and the Ayoni Keh Land Corporation (Colville Lake). The Deline Land Corporation owns all the land in the Deline district.

### **5.5 Sahtu Trust**

The Sahtu Trust was created by the seven financial corporations which receive settlement monies and royalties under the terms of the Agreement. The Sahtu Trust is managed by the SSI on behalf of the financial corporations, and each financial corporation owns a portion of the Sahtu Trust as allocated on a per capita basis.

At December 31, 1995, the net capital invested in the Sahtu Trust was over \$18.3 million. The net income generated by the Trust in 1995 was \$1,357,850. This amount was distributed to the community financial corporations on a per capita basis.

### **5.6 Sahtu Dene and Metis Self-government**

In co-operation with the Aboriginal Summit, the SSI is sponsoring a major conference to discuss the division of the Northwest Territories and the new constitution for the western Northwest Territories. This conference, Self-Government Forum 1996, was scheduled for Yellowknife in April 1996.

The SSI has also formed a self-government working group to develop, in consultation with Sahtu communities, a discussion paper on self-government to set the direction for Sahtu Dene and Metis self-government negotiations. This discussion paper will be reviewed by all Sahtu communities.

### **5.7 Other**

The SSI continued to work on forwarding nominations for the Renewable Resources Board and the Sahtu Land and Water Board. The SSI also continued its involvement in the co-ordinating group to draft the proposed Mackenzie Valley resource management legislation to create the Sahtu Land and Water Board, the Sahtu Land Use Planning Board, the Mackenzie Valley Environmental Impact Review Board and the Mackenzie Valley Land and Water Board.



## 6. GOVERNMENT OF THE NORTHWEST TERRITORIES

### **6.1 Ministry of Intergovernmental and Aboriginal Affairs**

During the period covered by this report, the Ministry of intergovernmental and Aboriginal Affairs co-ordinated GNWT implementation activities including liaising *with the* Sahtu Secretariat Incorporated (SSI), federal and GNWT representatives, preparing status reports; for the implementation Committee and preparing the GNWT component of this annual report.

A Ministry official actively participated as the GNWT representative in the three meetings held by the Implementation Committee. The Ministry *met* with the federal government and the SSI to select members for the Arbitration Panel and worked *with* the Department of Justice and the SSI to ensure that registration of title to Sahtu lands continued. The Ministry also participated in meetings dealing with the proposed Mackenzie Valley resource management legislation and nominated members both to the Environmental Impact Review Board and the Sahtu Land and Water Board.

### **6.2 Renewable Resources**

The Department of Renewable Resources provided assistance and co-ordination for the Sahtu Renewable Resources Board for its inaugural meeting in January 1996 in Norman Wells. Similar assistance was provided for the second meeting of the Board, held in March 1996. Departmental staff, along with staff from the Ministry of Intergovernmental and Aboriginal Affairs, met with members of the Board to help develop a budget and identify priorities. As well, the Department nominated Board members and alternates and co-ordinated order-in-council appointments of all Board members and alternates made jointly between the GNWT and Canada.

Several forestry projects were carried out at the request of the Sahtu communities, including inventory and aerial mapping projects. The information obtained from these projects will be provided to the Renewable Resources Board and to Sahtu communities for their use.

A regional land claim co-ordinators position was staffed to assist Sahtu communities and organizations with the implementation of the Agreement and resource development initiatives. The Department consulted with all communities in the Sahtu Settlement Area on the development of the Bluenose Caribou Management Plan.

### **6.3 Economic Development and Tourism**

The Department of Economic Development and Tourism worked in close co-operation and consultation with the Sahtu District land corporations and each individual Sahtu community to support the shared objective of encouraging employment opportunities and economic self-sufficiency within the Sahtu Settlement. The Department provided support to assist Sahtu businesses and individuals to obtain financing from departmental programs and from other government and private financing sources. The Department also consulted *with* the SSI on the creation of a tourism development strategy for the Sahtu Settlement Area.

Work continued on the implementation of the planning process for community economic development which began in Sahtu communities in 1994-1995. Specific contribution assistance was provided to the Ernie McDonald Land Corporation and the Fort Franklin (Deline) Development Corporation to enable them to investigate investment possibilities and community development opportunities.

The Canol Trail and Dodo Canyon Territorial Park Steering Committee was established in summer 1995 and began work on a park master plan. The Committee also has a mandate to prepare a park management plan by February 1997. The management plan will include maps, site plans, construction and employment requirements and environmental research for review and approval by the federal government. The Department held meetings regarding the development of the park management: plan in Norman Wells and Tulita.

#### **6.4 Education, Culture and Employment**

The Department of Education, Culture and Employment developed a legislative action paper proposing new heritage legislation. This paper received the approval of the territorial Standing Committee on Legislation. The Department also drafted a discussion paper on the management of heritage resources which will be circulated for consultation in 1996-1997.

A representative from the Culture and Heritage Division was the GNWT representative to the Joint Working Group on Sahtu Heritage Places and Sites and attended the working group's first meeting in January 1996.

The Department continued to review land use permit applications from the Sahtu Settlement Area for potential impact on historic resources. Major Canadian and international museums and archival institutions were contacted for information on any relevant items in their collections. This project will continue through 1996-1997, and a report on the findings will be provided to the SSI.

#### **6.5 Energy, Mines and Petroleum Resources**

The Department of Energy, Mines and Petroleum Resources received implementation funding for consultation leading to the development of a Northern Accord on energy and minerals with the Government of Canada- Implementation resources enabled the Sahtu and GNWT (along

with beneficiaries of the Gwich'in and Nunavut comprehensive land claims agreements) to meet at both the technical working-level and the co-ordinating committee level. The Department and the Sahtu met three times at the technical working-level (with technical and professional staff, lawyers and consultants) and twice at the co-ordinating committee-level (with professionals staff and political leaders),

#### **6.6 Public Works and Services**

Consistent with the spirit of government employment and contracting procedures contained in the Agreement, the Department of Public Works and Services negotiated a contract for \$898,808 with Tulita Development Ltd. for the construction of an addition and other renovations to the Chief Albert Wright School in Tulita. The Department also negotiated two contracts with Sahtu Contractors Limited, one for fuel re-supply (worth \$ 112,800) and another for a cat train re-supply (worth \$94,189).

#### **6.7 Justice**

The Department of Justice participated in the ongoing implementation of the Agreement. Legal advice and assistance was provided to a number of GNWT agencies, including the Department of Renewable Resources and the Ministry of Intergovernmental and Aboriginal Affairs, on various issues including land registration, wildlife harvesting and community name changes. Legal assistance included a review of the relationship between the Agreement and various pieces of territorial legislation.

The Constitutional Law, Legal and Legislative divisions participated extensively in meetings to review the proposed Mackenzie Valley resource management legislation.

The procedure of issuing certificates of title to Sahtu lands was finalized. At the request of the SSI, titles were issued to all surveyed municipal parcels. Three surveys of Sahtu lands that had not been previously surveyed within municipalities were also registered.





## 7. GOVERNMENT OF CANADA

### **7.1 Economic Activity and Employment**

In 1995-1996, the Department of Indian Affairs and Northern Development (DIAND) consulted with the Sahtu Dene and Metis on all economic development agreement initiatives in Sahtu communities. Sahtu First Nations continued to be full participants in the department's Community Economic Development Organization funding program. This program provides funding to individual First Nations which, in turn, fund activities addressing their economic and employment objectives. In May 1995, DIAND undertook a national consultation process on the effectiveness of federal economic programming. The Department consulted the Sahtu Secretariat Incorporated (SSI) using a questionnaire and interviews.

Most Sahtu Dene and Metis communities are interested in economic development opportunities and wish to work with oil and gas companies to build partnerships and gain training opportunities for northerners. Following the close of the central Mackenzie Valley oil and gas call for bids in March 1996, meetings were held in Sahtu Dene and Metis communities to highlight the results of the bids. An increase in oil and gas activity in future years *is projected*.

Public Works and Government Services Canada (PWCSC) continued to advertise procurement opportunities on its Open Bidding Service and to meet the requirements of the Agreement by notifying regional associations and the SSI of procurement opportunities within the Sahtu Settlement Area. The Supply Policy Directorate provided policy advice and seminars to procurement officers to ensure that administrative procedures were in place for consistent evaluation of bids.

### **7.2 Environmental and Wildlife Management Issues**

In 1995-1996, planning was completed for the establishment of a working group composed of the prospective Mackenzie Valley Environmental Impact Review Board members, and a first meeting was scheduled for May 1996.

The Department of Fisheries and Oceans (DFO) and the Canadian Wildlife Service each nominated a member to the Sahtu Renewable Resources Board. DFO provided a draft publication summarizing historical fishery projects to the Board, consulted with renewable resources councils regarding fishery priorities and the food fisheries harvest, and met with renewable resources councils in Tulita, Norman Wells and *Port Good Hope*. Nine community fishery workers began on-the-job training for future stock assessment and habitat work, and summer and winter fishing research projects were completed through contracts with renewable resources councils.

In 1995-1996, a moratorium on the issuance of new commercial fishing licences continued, and the renewal of existing commercial fishing licences was carried out in accordance with the Agreement.

### **7.3 Heritage Issues**

The Department of Canadian Heritage consulted with the Sahtu communities of Tulita and Deline to develop proposals for consideration by the Historic Sites and Monuments Board of Canada to commemorate Dene history in the Sahtu Settlement Area.

### **7.4 Land and Water Management Issues**

In 1995-1996, the Legal Surveys Division of Natural Resources Canada continued preparing boundary surveys of Sahtu lands, carrying out aerial photography and consulting with the Sahtu Dene and Metis. Boundary surveys included municipal sites identified as priorities by the Sahtu Dene and Metis, as well as specific lots, Sahtu "M" parcels, Sahtu parcels and

natural boundaries definition. Survey contracts were carried out in Deline, Colville Lake, Fort Good Hope, Tulita and Norman Wells.

The Agreement provides that Canada may revoke the special status of lands reserved in the name of the Indian Affairs Branch for Indian housing within local government boundaries. In 1995-1996, the reservation by notation for all such lands was cancelled, and plans were made to transfer these lands to the Government of the Northwest Territories (GNWT). Lands in Colville Lake are also being transferred under the Block Land Transfer program. The federal government has also withdrawn land by order-in-council for the proposed Sahtu portion of the Tuktut Nogait National Park.

The Ernie McDonald Land Corporation was contracted to clean up hazardous waste on the Canol Trail, and hazardous materials, including fuel, oil and grease, were removed.

Nominees for *the* Sahtu Land and Water Board have been identified, and their names submitted to the Minister of Indian Affairs and Northern Development for appointment. As an interim measure pending the establishment of the Sahtu Land and Water Board, all land use permits on Sahtu lands are issued by DIAND with the agreement of Sahtu land corporations. The initial review period for applications for land use permits on Crown land was extended in 1994-1995 to the maximum 42-day period to allow for review by Sahtu land corporations. No water licence applications were received in 1995-1996.

Under Section 9 of the Agreement, current and future oil and gas operations in the Norman Wells Proven Area Agreement are subject to review by a Joint committee of SSI and Government of Canada representatives. An annual meeting of the Norman Wells Proven Area Joint Committee was held in November 1995 to continue discussions regarding oil and gas operations.

Section 22 of the Agreement requires government to notify the SSI of any oil and gas exploration proposed in the Sahtu Settlement Area and to provide the SSI with an opportunity to present its views. In fall 1995, discussions and meetings with Sahtu Dene and Metis communities were held to

obtain environmental input and to discuss Sahtu benefits plans and employment opportunities related to the rights issuance process. These discussions and meetings provided an excellent opportunity to update Sahtu communities on possible future oil and gas activity in the Sahtu Settlement Area and to seek their views on issues related to oil and gas exploration.

Representatives from the oil and gas industry accompanied DIAND representatives to meetings held in Sahtu Dene and Metis communities to discuss the results of the 1995-1996 winter seismic season. In 1995-1996, approximately 300 kilometres of seismic data were accumulated, 75 Sahtu Dene and Metis were seasonally employed, and \$1.7 million was spent on northern businesses, wages and supplies.

### **7.5 Legislation**

In 1993, a co-ordinating group was established to consult on the drafting of legislation for resource management in the Mackenzie Valley. The group includes representatives from the federal government, the GNWT, the Gwich'in Tribal Council and the SSI. In 1995-1996, the co-ordinating group met regularly to work on developing the legislation and, while its preparation is behind schedule, substantial progress was made.

### **7.6 National Defence**

In 1995-1996, the Department of National Defence provided written advance notice to the SSI regarding military exercises and operations on Sahtu lands, and also met with Sahtu representatives to discuss any issues or concerns. Two cadet units each conducted field training exercises near their home communities of Fort Good Hope and Norman Wells. Both units participated in a zone exercise at Fort Good Hope in October 1995.

### **7.7 Other Implementation Activities**

The SSI was consulted on two occasions regarding changes to the royalty schedule under the Territorial Quarrying Regulations, and the changes went into

effect in early 1996. Quarterly reports on royalty information were provided to the SSI as required by Section 10 of the Agreement, and Quarterly royalty payments totalling \$205,280.40 were made to the SSI.

DIAND's Mineral Resources Directorate is proposing an increase in royalty rates. The rare increase, if implemented, will likely lead to an increase in the amounts payable to the SSI. DIAND prepared a draft discussion paper which will be circulated to the SSI for review and comment.

DIAND provided funding in the amount of \$175,000 for community consultations and for the development of a discussion paper or proposal on self-government agreements with Sahtu First Nations. A self-government working group was established and briefed regarding the federal government's policy on recognizing and implementing the inherent right of Aboriginal self-government, which was released in 1995-1996.

In June 1995, DIAND met with each of the Sahtu First Nations and made annual treaty payments.

In 1995-1996, Revenue Canada responded to several queries from the SSI regarding the interpretation of some of the taxation provisions of the Agreement.

### **7.8 Federal Co-ordination of Implementation Activities**

The fulfilment of federal government responsibilities contained in the Agreement is co-ordinated by the Claims Implementation Branch of DIAND. In 1995-1996, the Branch continued to participate in the three-party Implementation Committee and to consult with the GNWT and the SSI regarding the implementation of Canada's responsibilities under the Agreement. Under the provisions of the Implementation Plan, the Branch also attended the first meeting of the Arbitration Panel to provide administrative assistance and staff support.

The Branch participated in interdepartmental meetings to establish a national park in the Melville Hills region of the Northwest Territories. The park will protect natural heritage resources of national significance, including spectacular river canyons and the calving grounds of the Bluenose Herd of barren ground caribou, as well as a rich legacy of archaeological sites. This proposed national park includes lands within three adjacent Aboriginal land claims settlement areas; the Inuvialuit Settlement Region, the Nunavut Settlement Area and the Sahtu Settlement Area.

Funding was provided during the reporting period as follows:

#### SAHTU SECRETARIAT INCORPORATED

- capital transfer payment  
(net of loan repayment) \$4,980,057
- implementation funding \$310,481

#### GOVERNMENT OF THE NORTHWEST TERRITORIES

- implementation funding \$351,428

#### RENEWABLE RESOURCES COUNCILS

- implementation funding \$182,563

#### ENROLMENT BOARD

- implementation funding \$335,975

#### ARBITRATION PANEL

- implementation funding \$9,144

#### RENEWABLE RESOURCES BOARD

- implementation funding \$16,200

In addition to the above, funding was provided to the GNWT for real property taxes (\$8,666) and \$10,000 was provided to the SSI to cover the costs of a meeting to discuss the cumulative impact monitoring method and periodic independent environmental audits to be developed for the Mackenzie Valley area.



**APPENDIX 1 :  
MEMBERSHIP OF IMPLEMENTING BODIES (as of March 31, 1996)**

***RENEWABLE RESOURCES BOARD***

**MEMBERS**

***ENROLMENT BOARD***

Margaret McDonald, Chairperson  
Anne Bayha Rosemary

Cairns Lorraine Doctor

Jerry Lennie Monica

Loomis Isidore Manuel

Rocky Norwegian James

Tutcho

Russell Brian Hall

Paul Bernard Latour

Winter Lennie, Interim chairperson

Morris Neyelle

Isadore Yukon

(vacant position)

**ALTERNATES**

George Barnaby

Gerard (Gerry) LePrieur

Diane R Malley

Kevin J. McCormick

Jimmy Tutcho

(vacant position)

***ARBITRATION PANEL***

David C. Elliott, Chairperson

Nigel Bankes

Larry Chartrand

James Henderson Davis

Deborah M. Hanly

Robert A.. Kasting

Anton M.S. Melnyk

Francis Price

***MACKENZIE VALLEY ENVIRONMENTAL  
IMPACT REVIEW WORKING GROUP***

**MEMBERS**

Alestine Andre

Len Colissimo

Sarah Jerome

Gordon Lennie

**TECHNICAL ADVISORS**

Peter Bannon

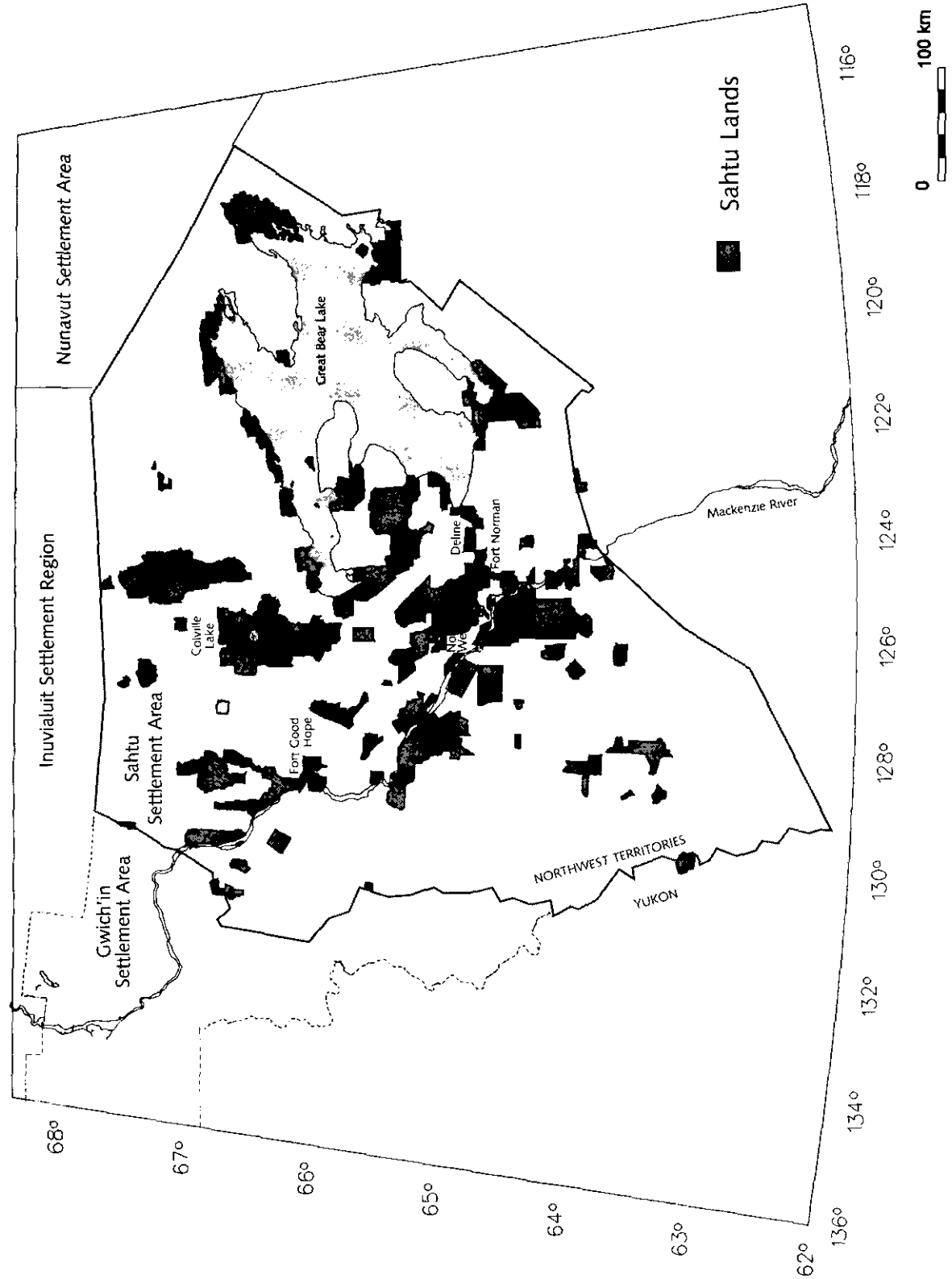
Joe Benoit

Pierre Laporte

Danny Yakeleya



## APPENDIX 2: MAP OF SAHTU SETTLEMENT AREA





### **APPENDIX 3: SCHEDULE OF CAPITAL TRANSFER PAYMENTS, 1994 TO 1995**

Date	Capital Transfers to Sahtu Secretariat Incorporated*
June 23, 1994	\$9,000,000
September 6, 1994	\$3,320,037
September 6, 1995	\$4,980,057
<b>TOTAL</b>	<b>\$17,300,094</b>
* Net of negotiation loans repayments	

### **APPENDIX 4: IMPLEMENTATION PAYMENTS, 1994-1995 TO 1995-1996**

Fiscal Year	Implementation Payments
1994-1995	\$ 688,458
1995-1996	\$1,205,791
<b>TOTAL</b>	<b>\$1,894,249</b>