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# A Citizen's Guide to DIAND's Environmental Management in the NWT



Canada

## Partners in Environmental Stewardship

All northerners have a responsibility to care for the land and water. In the Northwest Territories, a number of organizations carry out this shared responsibility, called "environmental stewardship". These include Aboriginal governments and resource management boards, regulatory boards, the territorial and federal governments, environmental non-government organizations and industry.

The Department of Indian Affairs and Northern Development (DIAND) is one of the partners in environmental stewardship in the NWT. This booklet outlines a community-based, made-in-the-North model for environmental stewardship, the specific environmental management tasks DIAND carries out to fulfill its role in this shared responsibility, and work that still needs to be addressed as we work towards sound environmental management.



Photo: Denise Bicknell, DIAND

# The Cumulative Effects Assessment and Management Strategy and Framework:

## A Model for Environmental Stewardship in the NWT

The need for a framework to help developers, regulatory agencies and others to understand and manage the potential cumulative effects of development projects on the environment and communities of the NWT has been recognized for many years.

Northerners have already taken steps towards a system of environmental stewardship in the NWT. Aboriginal organizations, industry, resource management boards, federal and territorial governments, and environmental non-governmental organizations have been co-operating to develop a Cumulative Effects Assessment and Management (CEAM) Strategy and Framework.

The federal Ministers of the Environment and Indian Affairs and Northern Development are committed to the development of a strategy and framework for the Northwest Territories, as well as specific action plans for the Slave Geological Province and the Deh Cho region.

The CEAM Strategy and Framework follows a model of environmental stewardship that includes:

- **a vision** describing where the NWT and its communities want to be in 10, 20 or 50 years;
- **planning and environmental studies**, which includes creating and implementing land use plans to guide conservation, development and management of resources, carrying out monitoring and environmental research to provide feedback on how the plans are being implemented;



Photo: Courtesy of PAS

- **assessment, regulation and enforcement**, which provides further information on the environmental effects of development, the conditions under which development should proceed and ensuring that conditions are met;
- **administration**, which ensures research and other types of information are easily available to northerners, and ensures co-ordination among the organizations with responsibility for the environment, economic development and social programs;
- **audit**, an independent check on the health of the environment and the effectiveness of environmental management processes, and the organizations responsible for them in the NWT, every five years; and
- **capacity building**, to enable communities, Aboriginal, territorial and federal government agencies, environmental non-government organizations, industry and other affected parties to fully implement their responsibilities for managing cumulative effects.

The *Blueprint for Implementing the CEAM Strategy and Framework* describes in detail the steps necessary to fully implement integrated cumulative effects assessment and management in the NWT.



# How Does the Model Work?

## The Vision

The first step in effective environmental stewardship is determining the kind of society that we, as northerners, want to develop in the future. This vision would include all aspects of society – ecological, cultural, social and economic – and ensure that responsible development occurs in the context of sound environmental management.

## Planning and Environmental Studies

Defining and sharing a vision makes it easier for northerners to determine the type and scale of development that will support them in reaching their goals. Regional land use plans are one tool for helping northerners achieve this vision. These community-based documents lay out policies and actions for conservation, development and management of resources within a region.

To ensure land use plans do this, it is important to understand the effects of development on the environment. Baseline studies tell us about the conditions of the environment before development starts. Continued monitoring tells us if, and how, the environment changes as development continues. Other types of research into the environment and the effects of development provide the necessary information to help make sound decisions.

## Assessment, Regulation, Monitoring and Enforcement

When a project is proposed, the first step is to carry out an assessment to find out if there are potential impacts on the environment, and whether these impacts can be safely managed. If it is determined that a project can go ahead, then governments and regulatory boards decide upon the terms and conditions of development. Northerners have the opportunity to provide their views to the organizations with these regulatory responsibilities.

Once development starts, regular monitoring ensures that the company is meeting the terms and conditions of its licences. When a problem is identified, departments with enforcement responsibilities work with the company to adjust its practices accordingly. If problems remain, the terms and conditions can be enforced through legal means.

## Administration

If northerners are going to make informed decisions about conservation, development and management of resources, they need access to a wide range of information. Studies, monitoring reports, traditional knowledge, and other sources of information need to be gathered together and made readily available.

Since there are many agencies carrying out a variety of activities to support environmental stewardship in the NWT, coordination among them is essential. By working together, parties can develop a common vision and identify work tasks with minimum overlap and duplication.

Finally, all organizations require adequate capacity – people, knowledge and money – to do the work they need to do, collectively and individually.



Photo: Denise Bicknell, DIAND

# What is DIAND Doing to Support Environmental Stewardship in the NWT?

## Planning and Environmental Studies

### Regional Land Use Planning

DIAND supports the development, approval and implementation of regional land use plans by resource management boards pursuant to land claims, the *Mackenzie Valley Resource Management Act*, and other efforts in regions where land claims are still being negotiated.

### Water Resources Management

The department manages the water resources of the Northwest Territories through the administration of the *Northwest Territories Waters Act* and Regulations and the *Arctic Waters Pollution Prevention Act*. This mandate is fulfilled primarily by developing and managing scientific programs such as the collection, analysis, interpretation and distribution of water quantity and quality information, developing guidelines and codes of practice, providing ongoing expert scientific advice to a range of clients, including Aboriginal organizations, resource management boards, industry, other government departments and the public, and providing shared-services to the Nunavut regional office.

The department is also actively negotiating transboundary water management agreements with Saskatchewan, Alberta and British Columbia and implementing the Yukon-Northwest Territories bilateral agreement. A cumulative effects water monitoring program for the Coppermine River Basin will provide useful information for a Northwest Territories-Nunavut transboundary agreement.



Photo: Courtesy of PAS

## Chemical Analyses

DIAND's Taiga Environmental Laboratory is the NWT's only full-service analytical lab, performing a wide range of chemical tests on samples of water (fresh water, ground water, drinking water, industrial waste water, sewage), as well as soil, plants, fish and mammals. The Taiga Lab helps DIAND staff determine if industrial development projects are complying with environmental laws and regulations. Through collaboration with Aboriginal Engineering Ltd., the Taiga Lab has been able to offer its services to private industry, territorial and municipal governments, and other federal departments on a fee-for-service basis. The partnership with Aboriginal Engineering has resulted in a program to train northerners to carry out chemical analyses at the lab. Taiga has also initiated a water sampling and analyses training program for northerners.

## Contaminants Research and Management

DIAND's NWT Region provides northerners with information and tools on contaminants issues to assist them in making sound decisions related to the environment. The department assesses and remediates abandoned mines and military sites in the NWT, and carries out studies to determine if there are contaminants in water and fish. The work is done in an inclusive manner which builds trust and partnerships with communities, respects northern traditions and culture, as well as using sound project management and effective communication.



Photo: David Livingstone, DIAND



## **NWT Cumulative Impact Monitoring Program and Audit**

DIAND is working with Aboriginal governments and organizations, the territorial government, and other federal departments to develop the Cumulative Impact Monitoring Program and Audit. The program is designed to monitor the cumulative impacts on the environment from all on-going and upcoming uses of land and water and deposits of waste in the NWT. An independent environmental audit will be conducted every five years. The information from the program and audit will be useful for land use planning, environmental regulation and assessment, and other resource management activities.

Long-term monitoring will start in 2003, and the first audit report will be completed in late 2003.

## **Protected Areas Strategy**

DIAND is a partner with the Government of the NWT Department of Resources, Wildlife and Economic Development, regional Aboriginal agencies, industry and environmental non-government organizations in the implementation of the NWT Protected Areas Strategy (PAS). While some areas of land or water with special natural or cultural values are protected in the NWT under federal or territorial programs, there are significant gaps in the existing system. The PAS is a community-based process designed to identify and protect special natural and cultural areas, and to protect core representative areas within each eco-region.



Photo: Sharon Clarke, DIAND



## Interim Resource Management Assistance (IRMA) Program

DIAND is a partner with the Government of the NWT Department of Resources, Wildlife and Economic Development in the Interim Resource Management Assistance (IRMA) Program. IRMA is designed to strengthen the ability of the NWT Aboriginal communities in unsettled claim areas to participate in land and resource management activities affecting surrounding land use areas.

IRMA supports Aboriginal communities' participation and capacity for examining land and resource management issues associated with environmental assessments, and regulatory and policy processes. It has enabled communities to develop and retain the capacity to review licence and permit applications for land and water use, forestry, tourism, scientific or wildlife research, oil and gas rights issuances, and related matters.

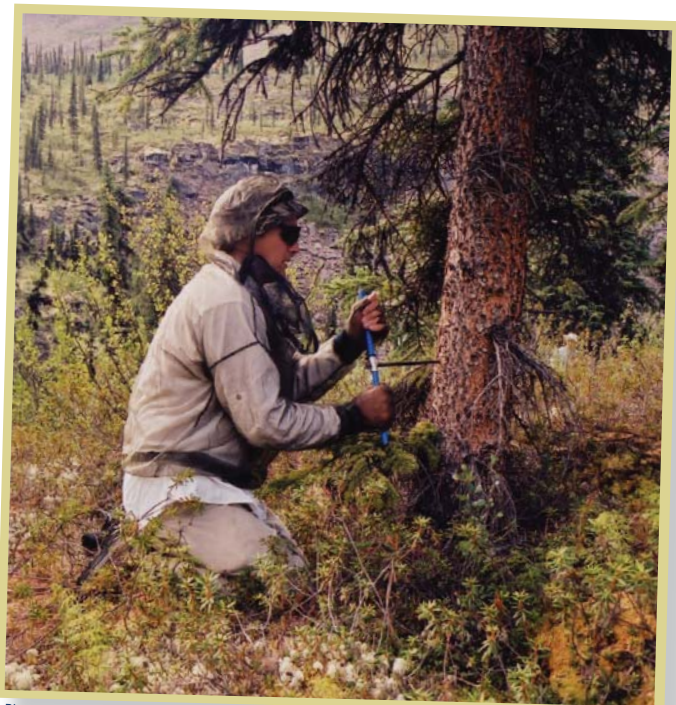


Photo: Denise Bicknell, DIAND

# Assessment, Regulation and Enforcement

## Environmental Assessment

The department provides information and expertise to the NWT's resource management boards to help them determine the potential environmental effects of proposed development, and possible ways to address these effects. The department also coordinates the response of other federal departments and the territorial government to environmental assessments.

## Enforcement

DIAND district inspectors are responsible for ensuring compliance with legislation, regulations, the terms and conditions of permits and licences issued by land and water boards, as well as authorizations issued under the *Territorial Lands Act* and the *Federal Real Property Act*. Officers enforce the legislation with an emphasis on prevention. They do this by working closely with developers to ensure their operations meet the terms and conditions of their permits and licences.

## Environmental Agreements

DIAND is an active party to, and custodian of, environmental agreements for large new development projects, such as the diamond mines. DIAND ensures adequate securities and long-term monitoring are undertaken for these projects to maintain environmental integrity. These agreements provide a forum for Aboriginal participation in environmental monitoring during the life of the project.

## Regulation Activities

DIAND provides expert advice to resource management boards on the effects on the environment of proposed water and land activities, and suggests ways to address these impacts. This assists the boards in making informed decisions on how development should proceed.

## Departmental Policies

DIAND has a number of policies which support the department's work in assessment, regulation and enforcement.

### *Sustainable Development Strategy*

Like all other federal departments, DIAND has a Sustainable Development Strategy to assist in fulfilling its mandate while yielding the greatest possible social, cultural, ecological and economic benefits at the community, regional and territorial levels. The department developed its first Sustainable Development Strategy in 1997. Since then, it has been working to improve its strategy, with a third version planned for 2004. The strategy will help ensure the principles of sustainable development are integrated into programs, policies and decision-making to help achieve the vision of working in partnership with communities through open and accountable processes that respect and reinforce Aboriginal traditions, governance structures, language and culture. DIAND works with other federal departments in the NWT to develop a coordinated approach to sustainable development in the North.



Photo: Denise Bicknell, DIAND

### ***Mine Site Reclamation Policy for the NWT***

DIAND has developed a new policy to strengthen federal standards for the protection of the environment through the reclamation of producing mine sites in the NWT. The policy is intended to: minimize impacts on the environment and human health; reduce the environmental liabilities that fall to the Government of Canada when mines are abandoned; provide industry and the public with a clear description of the federal government's expectations with respect to mine site reclamation; and strengthen relationships with the northern regulatory authorities by establishing clear and consistent standards and processes.

### ***Water Resources Policy***

The Northwest Territories Region has developed, over a number of years, water policy statements to guide it in fulfilling its mandate to manage the water resources of the Northwest Territories. These policy statements discuss DIAND's role in environmental assessments, intervening in regulatory processes and managing security deposits.

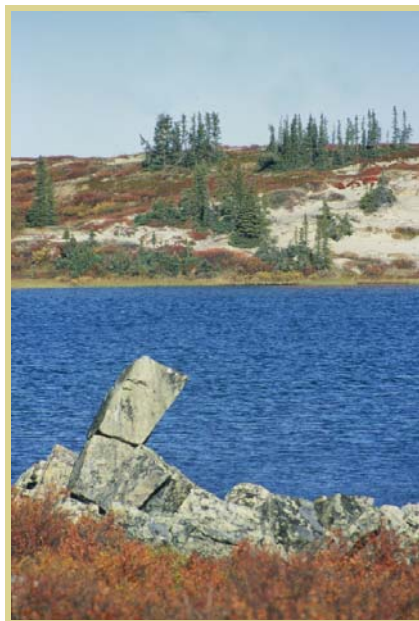


Photo: David Livingstone, DIAND

## What Still Needs to be Done?

### Vision

While the working group that developed the Cumulative Effects Assessment and Management Strategy and Framework has developed a vision for environmental stewardship for the NWT, there are still many opportunities for other sectors of society to participate in developing a broadly based vision for the NWT.

### Planning and Environmental Context

There are a variety of processes for managing land in the NWT. In the Inuvialuit Settlement Region, for instance, there are community conservation plans, while in the Gwich'in and Sahtu regions there will be regional planning programs. In other regions of the NWT, land use planning is in various stages of development or implementation.

This range of approaches presents some challenges in ensuring all regions are working towards a common goal. Success will depend on organizations with responsibility for land management continuing to work together to ensure there are no gaps in overall land management for the NWT.

Land use planning in neighbouring jurisdictions also affects the environment of the NWT – and land use planning in the NWT affects the quality of our neighbour's environment. To ensure transborder issues associated with development are addressed, information-sharing protocols need to be developed.



Photo: David Livingstone, DIAND

## **Planning and Environmental Programs**

More research is needed if we are to thoroughly understand the state of the northern environment, and how it is changing in response to natural and man-made factors. Research – particularly in the North – is expensive. There are many gaps in our current knowledge, which affects northerners' ability to accurately predict and assess the potential impacts of development and make land use decisions.

## **Assessment, Regulation and Enforcement**

There are two assessment and regulatory regimes in effect in the Northwest Territories – the *Mackenzie Valley Resource Management Act* applies in all regions of the NWT, except for the Inuvialuit Settlement Region, where the regime set out in the Inuvialuit Final Agreement applies. This requires northern governments, industry and citizens to understand the different requirements of two regimes. Advisors and decision-makers have been working closely to modify and adapt procedures, ensuring environmental management is applied in the best way possible. This close communication needs to continue.

The growing number – and size – of projects in the Northwest Territories means inspections will have to keep pace to ensure development is proceeding as agreed to by developers and regulatory agencies. One of the challenges of increasing industrial development is the additional pressure it places on ensuring regulations and conditions of development are adequately enforced, and that lessons learned in the past are applied in the future.

## **Administration**

Information about the northern environment, and the effects of development on the environment, is currently scattered among many agencies. Access to this information is essential for northerners to make sound environmental decisions. As more and more NWT communities gain access to the Internet, this can most easily be accomplished through a single site on the World Wide Web that provides links to the range of information that is available electronically.

Likewise, there is currently no mechanism that draws together all the organizations that have a role to play in environmental stewardship in the NWT, including the regulatory boards, Aboriginal governments, resource management boards, the various federal and territorial government departments, environmental non-government organizations and industry. A mechanism which would include all of these parties might be able to better coordinate the overall environmental stewardship of the NWT.

## Next Steps

Since the Cumulative Effects Assessment and Management Strategy and Framework provides a community-based, made-in-the-North approach to environmental stewardship, we need to implement it and ensure public has access to it.

To ensure that development is proceeding as planned, monitoring and enforcement needs to keep pace with the growth in large resource development projects.

To ensure existing resources are being used as efficiently as possible, we need to improve overall co-ordination among the communities, regulatory boards, Aboriginal groups, resource management boards, environmental non-government organizations and individuals.

Northern ecosystems are fragile, and it is essential that responsible development occurs in the context of sound environmental management.



Photo: Denise Bicknell, DIAND





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*Together we can achieve  
this vision.*



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