

# Tłıchǫ

Land Claims and Self-Government Agreement

Progress Report of the Implementation Committee  
2005 – 2009



Canada

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# FOREWORD

The Tłı̨chǝ Implementation Committee is pleased to present its first progress report on the implementation of the Tłı̨chǝ Land Claim and Self-Government Agreement. The Implementation Committee is made up of representatives from the Tłı̨chǝ Government, the Government of the Northwest Territories, and the Government of Canada (See Appendix I for a list of Committee members). The role of the Implementation Committee is to oversee, monitor, and provide direction on the implementation of the Tłı̨chǝ Agreement. This report sets out achievements and developments from the effective date of the Agreement, August 4, 2005, through to March 31, 2009.



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# GLOSSARY OF ACRONYMS AND ABBREVIATIONS

<b>AEMP</b>	Aquatic Effects Monitoring Program
<b>AHRDA</b>	Aboriginal Human Resources Development Agreement
<b>BHPB</b>	BHP Billiton
<b>C&amp;A</b>	Central and Arctic Region
<b>C&amp;P</b>	Conservation and Protection (DFO)
<b>CEC</b>	Chief's Executive Council
<b>CIMP</b>	Cumulative Impact Monitoring Program
<b>CLCA</b>	Comprehensive Land Claim Agreement
<b>CWS</b>	Canadian Wildlife Services
<b>DAAIR</b>	Department of Aboriginal Affairs and Intergovernmental Relations
<b>DDMI</b>	Diavik Diamond Mines Incorporated
<b>DFO</b>	Department of Fisheries and Oceans Canada
<b>DoT</b>	Department of Transportation
<b>ECE</b>	Education, Culture, and Employment
<b>ENR</b>	Environment and Natural Resources
<b>GIS</b>	Geographic Information System
<b>GNWT</b>	Government of the Northwest Territories
<b>HSS</b>	Health and Social Services
<b>ICRP</b>	Interim Closure and Reclamation Plan
<b>INAC</b>	Indian and Northern Affairs Canada
<b>ISA</b>	Intergovernmental Services Agreement
<b>IT</b>	Information Technology
<b>ITI</b>	Industry Tourism and Investment
<b>MACA</b>	Municipal and Community Affairs
<b>MVEIRB</b>	Mackenzie Valley Environmental Impact Review Board
<b>MVLWB</b>	Mackenzie Valley Land and Water Board
<b>MVRMA</b>	<i>Mackenzie Valley Resource Management Act</i>
<b>NRCan</b>	Natural Resources Canada
<b>NTGO</b>	Northwest Territories Geoscience Office
<b>NWT</b>	Northwest Territories
<b>PAS</b>	Protected Areas Strategy
<b>PWGSC</b>	Public Works and Government Services Canada
<b>PWS</b>	Public Works and Services
<b>SARA</b>	<i>Species at Risk Act</i>
<b>SEED</b>	Support to Entrepreneurs and Economic Development
<b>TCGA</b>	<i>Tłı̨chǫ Community Government Act</i>
<b>TCSA</b>	Tłı̨chǫ Community Services Agency
<b>TCSAA</b>	<i>Tłı̨chǫ Community Services Agency Act</i>
<b>TIC</b>	Tłı̨chǫ Investment Corporation
<b>WLWB</b>	Wek'èezhìi Land and Water Board
<b>WRRB</b>	Wek'èezhìi Renewable Resources Board

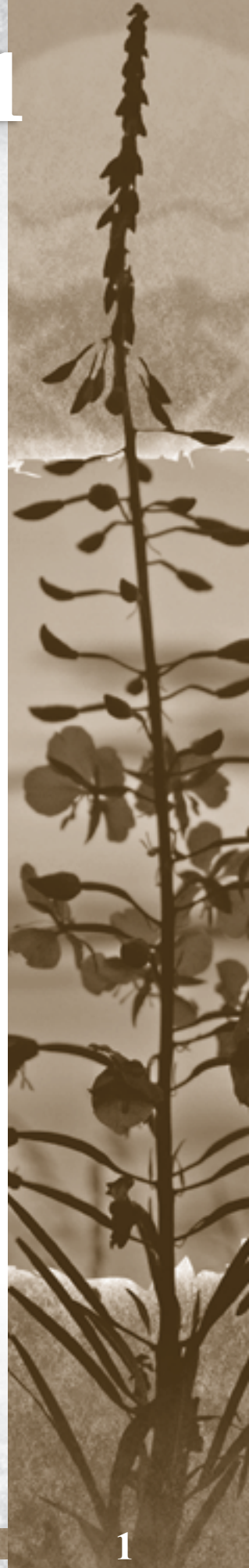


# HIGHLIGHTS

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The major highlights of the *Progress Report of the Tłı̨chǝ Implementation Committee, 2005-2009* include:

- The Parties approved and signed an Implementation Committee Protocol on February 1, 2006.
- Amendments to the Tłı̨chǝ Agreement, Part 1 & 2 of Appendix to Chapter 9 (Tłı̨chǝ Community Lands) and Part 2 of Chapter 18 (Tłı̨chǝ Lands), were completed in 2006.
- The first review of the Intergovernmental Services Agreement (ISA) was completed.
- The Tłı̨chǝ Government began the process of designating the Registrar to replace the Eligibility Committee.
- On March 24, 2009, a Dispute Resolution Administrator was jointly appointed. The joint approval process for the Deputy Dispute Resolution Administrator is underway.
- Indian and Northern Affairs Canada (INAC) NWT Regional Office is developing a report on Impact Benefit Agreements for major mining projects as per section 23.4.1 of the Agreement.
- The Tłı̨chǝ Government and Canada began preparing for the Review of the Tłı̨chǝ Financing Agreement.
- The Government of the Northwest Territories (GNWT) awarded a combined total of \$15.6 million in contracts to businesses owned by Tłı̨chǝ Citizens and the Tłı̨chǝ Government for activities on Tłı̨chǝ Lands and in Tłı̨chǝ communities.



## SUMMARY OF TŁİCHŦ AGREEMENT PROVISIONS

The TłıchŦ Land Claims and Self-Government Agreement (TłıchŦ Agreement) was negotiated by the Dogrib Treaty 11 Council, the GNWT, and the Government of Canada. The Agreement, which came into effect on August 4, 2005, is the first comprehensive land claim and self-government agreement in the Northwest Territories (NWT). The Agreement provides TłıchŦ Citizens with rights and benefits to land, resources, and self-government.

Through the TłıchŦ Agreement the TłıchŦ gain the tools and resources needed to strengthen their economy through greater participation in the regional and territorial economy. The Agreement also enhances their ability to protect and promote TłıchŦ culture, language, heritage, lands, and resources.

- **Lands:** As part of the Agreement, the TłıchŦ received approximately 39,000 square kilometres of land in a single block that includes the four TłıchŦ communities of BehchokŦ (Rae-Edzo), Whatı (Lac la Martre), Gamèti (Rae Lakes) and Wekweèti (Snare Lake). On TłıchŦ Lands, the TłıchŦ own both the surface and mineral (subsurface) resources.

The TłıchŦ Agreement applies to four distinct geographical areas, not all of which are owned by the TłıchŦ. The largest area — “Monfwi Gogha Dè Njıtlèè” — is the traditional territory of the TłıchŦ and includes all four of the TłıchŦ communities. The TłıchŦ are able to exercise most of the rights set out in the Agreement in this area. Within Monfwi Gogha Dè Njıtlèè is a second area, a resource management area, called “Wek’èezhıi”. This area is bordered by land claims settlement areas and traditional areas of neighbouring Aboriginal groups. The third area falling within Monfwi Gogha Dè Njıtlèè consists of “TłıchŦ Lands” which are the lands that the TłıchŦ own in fee simple.<sup>1</sup> A fourth area, “Ezòdzıti” is an area of historical and cultural importance to the TłıchŦ. The TłıchŦ do not own the land in the Ezòdzıti area nor do they have any additional harvesting or management rights. However, the area has been protected in the interest of preserving its historical and cultural importance to the TłıchŦ people. Appendix II provides a map of the TłıchŦ territory.

- **Financial Compensation and Resource Revenue Sharing:** The Agreement includes cash payments of approximately \$152 million over 14 years and a share of annual resource royalties arising from development in the Mackenzie Valley.
- **Eligibility and Enrolment:** According to the TłıchŦ Agreement, the TłıchŦ Government must designate a person or group of persons as the Registrar of beneficiaries before the end of the initial enrolment period, which is defined as the period of two years after the effective date of the Agreement (August 4, 2005). In the meantime, the Eligibility Committee is to perform the functions of the Registrar.
- **Economic Measures:** Under the Economic Measures Chapter of the Agreement, Canada and the GNWT are committed to promote the economic interests of TłıchŦ, including support for the

<sup>1</sup> This is the most extensive type of ownership of private property. Under Canadian law, almost all private property is held in fee simple and this is as close as one can get to absolute ownership at common law (i.e. the Canadian legal system).



traditional economy, the development of businesses, and the creation of job and training programs. Furthermore, when the GNWT and the Government of Canada propose economic development programs related to the objectives of this chapter, they must consult with the Tłı̨chǫ Government. The Agreement requires the governments to meet with the Tłı̨chǫ Government not less than once every three years to review the effectiveness of programs relating to the objectives of the Economic Measures chapter.

- **Self-government:** Under the Agreement's self-government provisions, the Tłı̨chǫ acquire new governance arrangements that enable Tłı̨chǫ to make decisions in many areas directly related to their well-being. The Tłı̨chǫ Government has the power to make laws over a wide range of matters affecting Tłı̨chǫ lands and citizens, including membership, culture, language, and communities. Through further agreements with the territorial and federal governments, the Tłı̨chǫ Government can also design and manage programs that respect and promote the Tłı̨chǫ way of life.

The Tłı̨chǫ Agreement does not govern the internal affairs of the Tłı̨chǫ Government; Chapter 7 of the Agreement simply calls for the creation of a Tłı̨chǫ Constitution and sets out minimum requirements for what matters need to be included in that Constitution. It also specifies that the governing body that exercises its lawmaking powers is to include the Grand Chief, the Chief from each community government, and at least one representative from each Tłı̨chǫ community in keeping with the principle of equal representation.

- **Wildlife and Environmental Co-management:** The Agreement provides for the establishment of two new bodies to co-manage wildlife and the environment. The Wek'èezhii Land and Water Board (WLWB) has a mandate to regulate the use of land and water and the deposit of waste throughout the area. The Wek'èezhii Renewable Resources Board (WRRB) oversees the management of wildlife and habitat and makes recommendations about wildlife, forest, plant resources and commercial activities. The Agreement also provides for Tłı̨chǫ representation on the Mackenzie Valley Environmental Impact Review Board (MVEIRB) which conducts environmental assessments and reviews of development projects in the Mackenzie Valley. The MVEIRB ensures that environmental impacts, and the concerns of Aboriginal people and other members of the public are considered carefully during the assessment of proposed developments.
- **Dispute Resolution:** The Agreement provides for the appointment of a Dispute Resolution Administrator and a Deputy Dispute Resolution Administrator.
- **New Approach to Certainty:** The Tłı̨chǫ Agreement provides greater certainty and clarity to ownership and management of land and resources and to jurisdictional rights provided under the Agreement. This creates a more predictable decision-making environment with the potential to attract investment and economic growth. The Tłı̨chǫ have agreed that they will not exercise any rights outside of the Tłı̨chǫ Agreement. However, should they find that they are entitled to a non-land right, such as a self-government right that is not mentioned in the Agreement, they may approach Government to negotiate for the exercise of that right.
- **Implementing Bodies:** The Tłı̨chǫ Agreement provides for the establishment of a Tłı̨chǫ Implementation Committee and a Finance Committee. The Implementation Committee is comprised of three officials who represent each of the three parties to the Agreement, the Tłı̨chǫ Government, GNWT, and Canada. Its mandate is to oversee, manage, make recommendations, and report on the implementation of the Agreement. The Finance Committee, which was established by the Financing Agreement signed between Canada and the Tłı̨chǫ Government, has a mandate to review the Financing Agreement and resolve any financial issues that may arise in relation to implementation.

The Tłı̨chǫ Agreement provides for the establishment of implementing bodies responsible for ensuring that the provisions of the Agreement are carried out in an effective and timely manner.

The Implementation Plan sets out the membership and functions of each implementing body.

### 3.1 Tłı̨chǫ Implementation Committee

The Implementation Committee consists of one representative from each of the parties to the Tłı̨chǫ Agreement. Since 2005, Bertha Rabesca Zoe represented the Tłı̨chǫ Government; the GNWT, Department of Aboriginal Affairs and Intergovernmental Relations (DAAIR), was represented first by Jake Heron, and then by Scott Alexander; and the Government of Canada, INAC, was represented first by Mavis Dellert, followed by Allan Burnside, and then Kimberly Thompson.

As provided for in section 5.2.4 of the Tłı̨chǫ Agreement, the Implementation Committee:

- Monitors the status of the Implementation Plan.
- Revises activities and the funding levels identified in the Implementation Plan, to the extent authorized by the plan.
- Attempts to resolve implementation issues.
- Makes recommendations to the Parties respecting the implementation of the Agreement beyond the initial 10-year period.
- Provides the Parties with an annual report on the implementation of the Agreement.

On February 1, 2006 the Parties approved an Implementation Administrative Procedures Protocol for the Tłı̨chǫ Implementation Committee. The protocol sets out the function of the Implementation Committee, the number of meetings, procedures for chairing and hosting the meetings, and preparing records of decision and implementation beyond the initial 10-year period.

The Committee met 13 times during the reporting period of 2005-2009 in Yellowknife, NWT, Edmonton, AB, and Gatineau, QC. The Committee meets at least three times per year. In between scheduled Committee meetings, numerous teleconferences take place to discuss specific issues.

During this initial period of implementation, the Committee:

- Worked to oversee the establishment of the various boards, positions, and processes required according to the Tłı̨chǫ Agreement.
- Reallocated funds among the implementing bodies of the Agreement, as required.

- Met with various boards established under the Agreement at least once per year.
- Circulated regular status reports to keep each party informed of each governments' implementation-related activities.
- Worked on amendments to the Tłchq Agreement and Implementation Plan.
- Kept track of, and worked to complete, scheduled reviews as set out in the Tłchq Agreement and sub-agreements.

### ***Appointment of Dispute Resolution Administrator and Deputy Dispute Resolution Administrator***

The process for selecting and appointing the Dispute Resolution Administrator and the Deputy Dispute Resolution Administrator (as described in section 6.2.1 of the Tłchq Agreement) was carried out. The positions were advertised and in November 2007, interviews were held and successful candidates were selected. The successful candidates went through the respective approval process of the three Parties. The Dispute Resolution Administrator was appointed on March 24, 2009. As of March 31, 2009, the Deputy Dispute Resolution Administrator nominee is still undergoing the necessary approval processes.

### ***Appointment of Cultural Coordinator***

The Tłchq ISA (section 8.1) states, "... as soon as possible after the effective date, a Cultural Coordinator shall be appointed jointly by the parties to advise the parties on how to use their respective powers in ways that respect and promote Tłchq language and culture and way of life of the Tłchq First Nation."

The Cultural Coordinator position was advertised for three weeks beginning at the end of March 2007. At the request of the Tłchq Government, the Parties agreed to postpone the recruitment of a Cultural Coordinator until the overall plan for the development of Tłchq Nation is completed.

### ***Designation of Registrar to Replace Eligibility Committee***

According to the Tłchq Agreement, the Tłchq Government must designate a person or group of persons as the Registrar of beneficiaries before the end of the initial enrolment period, which is two years after the effective date of the Agreement (August 4, 2005). In the meantime, the Eligibility Committee is to perform the functions of the Registrar. The Eligibility Committee is to be dissolved when the Registrar is designated; however, if it is dissolved while any appeal is pending, the Committee can make a decision on the appeal as if it was not dissolved. After the initial enrolment period is finished, the Tłchq Government is to carry the costs of the enrolment process, as well as the costs of its enrolment appeal process.

The Tłchq Government is in the process of designating a Registrar to replace the Eligibility Committee.

### ***Implementation Planning and Reporting***

The purpose of the Tłchq Results Based Management Pilot Project was to develop a process that could be used to plan and report on the implementation of the Tłchq Agreement. Rather than simply reporting on implementation activities, the Project was intended to help plan, set priorities, and track results based on the Parties' goals and objectives. The process was to focus on determining whether the implementation of the Agreement is meeting the goals and expectations of the Parties and achieving the objectives outlined in the Tłchq Agreement.



### *Amendments to Chapters 9 and 18 of the Tłı̨chǫ Agreement*

The Second Amending Agreement to the Tłı̨chǫ Agreement was signed on July 28, 2006 and amended Parts 1 and 2 of the Appendix to Chapters 9 (Tłı̨chǫ Community Lands) and Part 2 of Chapter 18 (Tłı̨chǫ Land) of the Tłı̨chǫ Agreement.

### *Economic Development*

The Tłı̨chǫ Agreement requires that all economic programs created by the GNWT and Canada be designed to respect and promote the traditional economy and to help the Tłı̨chǫ to become self-sufficient. Canada provided \$5 million to the Tłı̨chǫ Government to create a new training fund for Tłı̨chǫ Citizens in accordance with the Final Agreement (section 26.2.1).

## **3.2 Tłı̨chǫ Finance Committee**

### *Composition and Mandate of Finance Committee*

The Tłı̨chǫ Finance Committee was established by the Tłı̨chǫ Financing Agreement signed between the Tłı̨chǫ Government and Canada. The Parties each appoint one member to the Committee. In 2005, Mavis Dellert was appointed to represent Canada, and then, in 2007, Kimberly Thompson was appointed as Canada's representative. Since 2005, Bertha Rabesca Zoe has represented the Tłı̨chǫ Government.

A Finance Committee member may bring any resource person with them to a meeting that they consider appropriate to assist in fulfilling the Committee's responsibilities under the Agreement. If the Parties agree, members may also invite a representative of the GNWT to attend Committee meetings.

The Tłı̨chǫ Finance Committee has a mandate to:

- Meet at least once a year to review the Financing Agreement.
- Establish the terms of reference, during the first two years of the Agreement, for the comprehensive review of the Agreement.
- Do such things as are appropriate to facilitate the resolution of any problems that may arise with respect to the Agreement.
- Carry out a comprehensive review of the Agreement during the fourth year of the agreement.
- Do such other things relating to the Agreement that the Parties may agree to from time to time.

### *Review of Financing Agreement*

Pursuant to their mandate, the Finance Committee began drafting the Terms of Reference for the comprehensive review of the Financing Agreement. In February 2006, Canada tabled a draft protocol on the Terms of Reference for the review.

### *Funding*

Canada provides the Tłı̨chǫ Government annual Capital Transfer Payments (Anniversary Payments) on the Anniversary of the effective date of the Tłı̨chǫ Agreement, as well as base funding for self-government and ongoing implementation.

Each year the Finance Committee reviews and signs off on a Tłchq Annual Fiscal Plan prepared by the INAC Implementation Management Directorate, which illustrates the annual funding levels to be provided, as well as how they have been calculated.

During the reporting period, Canada provided the Tłchq Government with the following self-government grants:

- 2005-2006: \$2,845,975
- 2006-2007: \$2,886,388
- 2007-2008: \$2,931,704
- 2008-2009: \$3,005,544

# WILDLIFE AND ENVIRONMENTAL CO-MANAGEMENT

The Implementation Plan sets out the membership and functions of each of the bodies responsible for managing wildlife resources, conducting environmental impact assessments and reviews of development proposals, planning and regulating land and water use, and resolving issues related to surface entry and compensation.

## 4.1 Wek'èezhìi Land And Water Board

### *Composition and Mandate of the Wek'èezhìi Land and Water Board*

The purpose of the WLWB is to regulate the use of land and water and the deposit of waste throughout the area as described and legislated by the Tłı̨chǫ Agreement, the *Mackenzie Valley Resource Management Act* (MVRMA), the *NWT Waters Act*, the *Mackenzie Valley Land Use Regulations*, and other related regulations. The WLWB is a regional panel of the larger Mackenzie Valley Land and Water Board (MVLWB), which has jurisdiction throughout the Mackenzie Valley. The WLWB also is a decision-making authority, whose decisions are legally binding on government and developers applying for authorization for projects.

The WLWB is a co-management body composed of five members including the Chairperson. Two members are appointed by the Tłı̨chǫ Government, two members are appointed by the Federal Minister, one on the nomination of the Government of the Northwest Territories. The Chairperson is appointed jointly by the Federal Minister, the Tłı̨chǫ Government and another Aboriginal people on the nomination of the majority of the Board. See Appendix I for a list of the current WLWB members.

The WLWB shall regulate the use of land and waters and the deposit of waste so as to provide for the conservation, development, and utilization of land and water resources in a manner that will provide optimum benefit generally for all Canadians and in particular for residents of Wek'èezhìi. Functions of the WLWB include issuing, amending, extending, renewing, or cancelling Water Licenses and Land Use Permits within Wek'èezhìi as well as making decisions on water compensation and access to construction materials.

The WLWB also carries out preliminary screenings of development proposals to determine adverse environmental impacts or public concerns, which may lead to the MVEIRB carrying out an environmental assessment or environmental impact review on the proposed development. The Board also has a role in determining compensation.

### *Start Up and Transition Activities*

The Board meets at least once per month to review applications for new permits and licences as well as amendments, renewals, and extensions. In 2008-2009, however, the WLWB increased its meeting schedule to two meetings per month in order to manage the increased volume of decisions required by the Board.

For the initial period, from the time quorum was reached, the WLWB made decisions on administrative items only. However, during this period the Board carried out mirrored reviews



of permit and licence applications currently before the MVLWB in order for Board members to prepare themselves for the decision-making responsibilities that were effective on February 4, 2006. This was the date the Board assumed licensing and permitting responsibilities for the Wek'èezhìi management area. During this time, the WLWB received and processed a number of applications related to development. However, the bulk of the work was related to existing files inherited from the MVLWB, including 15 files relating to Diavik Diamond Mines Incorporated (DDMI) and 18 files related to BHP Billiton (BHPB) Ekati Diamond Mines.

Staff successfully transitioned all non-Diavik- and Ekati-related files to the Wekweètì Board office in the late summer of 2006. The Board also worked with the MVLWB on a number of issues relating to file transition. The MVLWB made a commitment to provide support as required to the WLWB to ensure a seamless transition between management authorities. This ongoing support has been critical in enabling the WLWB to carry out its work.

Following the MVLWB decisions that the Diavik and BHPB projects did not fall under section 103 of the MVRMA, the WLWB has held jurisdiction and made decisions on applications relating to these projects. The WLWB and MVLWB have relied on section 18(2) of the MVRMA that allows for the sharing of staff and resources to ensure that the WLWB has the capacity to administer and process these applications. Without this cooperation, the WLWB would not have had the necessary resources to deal with the volume of work associated with these files.

Other activities during this early period included:

- Carried out training activities for staff and Board members.
- Developed and implemented a communications plan.
- Ensured public and community involvement in Board processes.
- Attempted to include Traditional Knowledge whenever it was available.
- Produced a newsletter that was released in January 2009.
- Developed a Web site.
- Continued a review of policies, rules of procedure, and practices.
- Developed and approved the Board's first set of by-laws.
- Worked with consultants to review the process for annual reporting to ensure the Board meets the Strategic Planning, Business Planning, and annual reporting cycles.
- Completed the Board's Strategic Plan 2008 – 2011 in early 2008.
- Participated in the coordination project initiated by the MVLWB to develop standard procedures and consistency of operations for the Boards throughout the Mackenzie Valley.
- Participated in external efficiency and coordination exercises.

- Participated in the Wek'èezhìi Forum along with the WRRB and the Tłı̨chǫ Government. Two meetings have been held with the purpose of coordinating, communication, and training.
- Developed a series of training modules for Board members about basic geology, exploration, and principles of mining and mining processes with a graduate student from the University of British Columbia. The modules have been presented to staff, Tłı̨chǫ community members, and to the assembly members of the Tłı̨chǫ Government.
- Reviewed issues relating to eligibility for permits and licences on Tłı̨chǫ Lands triggered by a specific application received by the Board.
- Developed policies for Uranium Exploration and Water Use Fees.
- Reviewed the developing NWT Water Strategy. Board staff attended workshops and meetings and reviewed documents relating to this government-led initiative.
- Met and coordinated with other regulatory agencies to work towards an effective and efficient regulatory regime.

The Board made all regulatory decisions within legislated timelines. It will continue to work with partner organizations, including the Tłı̨chǫ Government, the territorial and federal governments, the MVLWB, and the Mackenzie Valley Environmental Impact Review Board to ensure that it achieves all obligations under the Tłı̨chǫ Agreement, the NWT Waters Act, and the MVRMA.

### *Diavik Mine Water License Renewal Hearing Process*

In August 2005, DDMI applied to renew its water license for a 15-year period. The license expired in the summer of 2007. The license renewal process involved three phases: the pre-hearing review phase, the hearing itself, and the post-hearing process.

Many technical procedural issues were resolved during the pre-hearing phase. The WLWB provided direction to DDMI about Ammonia Management at the mine site and the Aquatic Effects Monitoring Program (AEMP). Following work on these issues, including a workshop to discuss the AEMP, the Board set an intervention deadline, held a pre-hearing conference, and held a public hearing to discuss procedural issues prior to the hearing itself.

The Board's four-day public hearing in Behchokǫ took place in November 2006. Close to 200 people attended the hearing including Aboriginal organizations, the Tłı̨chǫ Government, departments of the federal government, and the Diavik Company. Members of the public also made presentations to the Board.

Following the public hearing, the Board met and made a decision on the continuation of the renewal process. The Board issued Reasons of Decision in December 2006 that called for significant work to be carried out in the areas of Ammonia Management and the AEMP. A post-hearing work plan was developed to deal with these two issues and a license was drafted.

### *Ekati Diamond Mine Interim Closure and Reclamation Plan Review*

In January 2007, BHPB submitted the Ekati Interim Closure and Reclamation Plan (ICRP) to the WLWB as a requirement of its water licenses. This submission reactivated the working group responsible for providing opinions and recommendations to the WLWB on the technical soundness and adequacy of the ICRP. The working group consists of First Nations, the Tłı̨chǫ Government, federal and territorial government agencies, BHPB, and the Independent Environmental Monitoring Agency.

In accordance with the working group terms of reference, the ICRP was divided into four sections in order to ease the review of the plan and to focus working group discussions. The review of each section of the ICRP ends with a Board meeting to inform the WLWB of progress and to provide direction to the working group members. A public hearing is scheduled after the last section is reviewed.

During this reporting period, a working group meeting was held and comments and direction were provided to BHPB to revise and resubmit the plan. The final revised ICRP was submitted in December 2008. A review and public hearing to review the document is scheduled in advance of the Board's final decision. In February 2009, the Board hosted the final ICRP working group meeting. The Board then considered comments made by reviewers and provided direction to BHPB on work that needed to be completed prior to interveners developing interventions for the public hearing that is now scheduled for late May 2009.

### *Sable, Pigeon, and Beartooth Renewal Applications*

In April 2008, the WLWB received applications from BHPB for the renewal of land use permits and a Water Licence held by the company for the construction and operation of three mine pits on the Ekati claim block. The WLWB exempt the applications from preliminary screening.

During previous regulatory processes relating to the Ekati Diamond Mine, a request to BHPB was made to amalgamate the Sable, Pigeon, and Beartooth License with the licence for the main site. No previous action was taken to achieve this. Federal Government and other interveners repeated this request in a letter to the Board shortly after receipt of the renewal applications. The company was provided an opportunity to consider and respond to this request.

Following consideration of the information provided by reviewers and the company, the Board ruled to amalgamate the two licences, but would restrict the scope of the amalgamation to ensure concerns by BHPB can be resolved.

On January 30, 2009, the Board hosted a pre-hearing conference with parties and the company to discuss the hearing process and to identify preliminary hearing issues. BHPB responded to these interventions on February 20, 2008. The public hearing was held in Behchokò on March 4-5, 2009. The Board is expected to meet on April 1, 2009 to discuss and provide direction on aspects of the licence development.

## **4.2 Wek'èezhì Renewable Resources Board**

### Composition and Mandate of the Wek'èezhì Renewable Resources Board

The WRRB was established in December 2005. It is composed of a jointly appointed Chairperson along with eight members, half of which are appointed by the Tłı̨ch̨o Government and half by Canada and the GNWT (See Appendix I for a list of Board members).

The WRRB is the management authority established by the Tłı̨ch̨o Agreement to oversee the management of wildlife and habitat and to make recommendations on wildlife, forest and plant resources, as well as on commercial activities. As an institution of public government, the WRRB must act in the public interest and carry out its duties using a co-management approach, which stresses cooperation between groups.



The WRRB is guided by the following key principles:

- Make management decisions on an ecosystem basis to recognize the interconnection of wildlife with the environment.
- Apply the principles and practices of conservation.
- Use the best information available including traditional knowledge, scientific information, and expert opinion.

### *Administration and Ongoing Operations*

After preparing and submitting a brief work plan and budget for the 2005-2006 fiscal year, the WRRB received operational funding of \$412,620 through a Contribution Agreement with INAC. In addition, \$2.5 million was deposited in a separate trust account to set up the Wildlife Studies Fund. The proceeds from the Fund are to be used to fund the WRRB's research requirements.

To launch its operations, the WRRB staff, with the support of outside consultants, organized an internal training workshop for Board members. Topics included WRRB duties and authorities, ethics and responsibilities of board members, and governance issues. The WRRB also began work on a series of internal and external policies and procedural documents.

In 2007-2008, the Board approved several Internal Governance documents, including Roles and Responsibilities, Code of Conduct, Member Policies, Staff Policies, and Financial Policies. External Guidelines, including WRRB Overview and Rules of Procedure, have been drafted and are awaiting final approval. The Board also developed an initial communications plan. Early implementation efforts focused on the production of an information brochure and the design of a Web site. The first version of the Web site ([www.wrrb.ca](http://www.wrrb.ca)) was launched in 2006-2007.

In February 2008, Board members participated in a one-day workshop to discuss the key elements of a three-year Strategic Plan. Based on this input, a draft Strategic Plan has been prepared. Finalization of the Plan is on hold until the WRRB completes consultations in the Tłı̨chǫ communities that will gather input on community concerns regarding wildlife, habitat, development and other related issues.

The WRRB established a temporary office in Yellowknife and has a desk and phone line in the WLWB Wekweètì offices. The Board initially expected to have permanent office space in Wekweètì. Until a permanent location becomes available, WRRB staff members have concentrated on improving Information Technology (IT) and on a Geographic Information System (GIS). The IT network was improved with a more robust system to improve the operations and reliability. Significant investment has been made with the installation of software and the development of access to the information required to support full GIS-mapping capability. This represents a critical step forward, providing the WRRB with the capacity to effectively understand, analyze, and graphically represent information pertaining to the Wek'èzhii area.

Staffing has continued to present significant challenges. In September 2007, the Board converted the contractual arrangement for the current Executive Director to a permanent employment situation on the basis of 30 hours per week. This provided greater certainty and continuity in the ongoing development of the WRRB's operational capacity. The Wildlife Management Biologist position became vacant in December 2007; it was re-staffed in April 2008. The Research and Monitoring Coordinator position was created in January 2008 and staffed in April 2008. The Administrative Assistant's position is no longer staffed.

### *Proposals*

- **Environment and Natural Resources Caribou Proposals:** At the outset of its operations, the Board received several small wildlife proposals that required only a few days for review and preparation of responses. In December 2006, the GNWT

submitted a very significant proposal recommending management actions for the Bathurst caribou herd. In March 2007, the Board held its first public hearing to discuss the proposal. A total of ten registered parties participated in the two-day hearing in Behchokò. The WRRB held two subsequent meetings in December 2007 and January 2008 with Environment and Natural Resources (ENR) and the Tłı̨chǫ Government to develop a comprehensive management proposal for the barren-ground caribou in Wek'èezhìi. A draft proposal was prepared and circulated among the parties for review. Due to the complexity of the issues involved, preparation of the Recommendations Report consumed much of the WRRB's staff time during the summer of 2007. The WRRB released its Recommendations Report in response to the ENR proposal in September 2007.

In 2007-2008 the WRRB reviewed a proposal from the ENR seeking approval for the deployment of 14 satellite/GPS collars on Bathurst caribou. This request was approved on the condition that ENR first conduct meetings with the Tłı̨chǫ Government and communities to explain the need for the collars.

- **Barren-Ground Caribou Outfitter's Association Request for Tags:** The WRRB declined a request from the Barren-Ground Caribou Outfitter's Association for an increase in the annual tag quota, as it was not within the WRRB's mandate to consider the economic viability of outfitting businesses.
- **True North Safaris' Application for Bear-Baiting:** The WRRB reviewed an application from True North Safaris seeking permission to bait black bears as part of guided hunts within the Wek'èezhìi area. Due to some concerns, approval was provided on a conditional one-year trial basis. Recommendations have been sent to ENR.
- **Cooperation with WLWB and MVLWB:** As part of its ongoing activities, the WRRB responds to requests for comments on applications submitted to the WLWB and the MVLWB. The WRRB has provided comments to the WLWB on:
  - SouthernEra Diamonds' application for a land use permit for mineral exploration activities.
  - Zinifex Canada's application for a land-use permit for mineral exploration activities.
  - GGL Diamonds' application for a land-use permit for mineral exploration activities.
  - Department of Transportation's (DoT) application to renew its land use permit for the Wekweètì winter road.
  - NWT Power Corporation's application for a land use permit for a winter road to the Snare Hydro facilities.
  - Deze Energy Corporation's application for a land use permit and water license for the proposed Taltson Hydroelectric Expansion Project.
- **Additional Proposals and Applications:** The WRRB has received a number of applications and has reviewed and made recommendations with respect to:
  - GNWT Timber authorizations.
  - Land and Water Use applications.
  - Wildlife Research Permit applications.

## *Projects*

- **Caribou Summary Report:** Work to prepare a report summarizing all relevant information available on the status of caribou within Wek'èezhìi began in 2007-2008. An outline was approved by WRRB and staff completed a rough draft of the report. Completion was suspended pending an independent review of the GNWT's caribou research methods and findings. This review was completed in December 2008. However, the WRRB has not yet made a decision on whether there is merit in completing the final summary report.
- **Wildlife Harvest Study:** In order to inform Board members and to provide a starting point for the development of the WRRB's research program, an overview paper was prepared to summarize current issues and available information for each of the WRRB's areas of responsibility (wildlife, plants, forestry, and protected areas) within the Wek'èezhìi management area. Harvest studies, which are projects that document the harvest of selected species through time by beneficiaries, are particularly useful. These studies help in the co-management of resources by determining what is harvested and where.

The Board is collaborating with three other wildlife management authorities – ENR, Canadian Wildlife Services (CWS), and Department of Fisheries and Oceans Canada (DFO) – to design and implement a multi-year harvest study in the four Tłı̨chǫ communities. Approximately \$80,000 was allocated for preparatory work in 2008-2009 and an additional \$50,000 to \$70,000 is planned during 2009-2010. If the Tłı̨chǫ Government supports the project and sufficient funds can be secured, the project is expected to start in the fall of 2009.

- **Key Species Summary Report:** An independent consultant was contracted to assist staff in compiling all available scientific information on some key species in the Wek'èezhìi management area. Species of interest include grizzly bear, black bear, wolverine, wolf, moose, and wood bison. A first draft has been completed.
- **Ecological Assessment:** Building on the results of a Wildlife Overview paper completed in 2006-2007 and the WRRB's in-house GIS capabilities, a project was initiated to produce a series of maps on topics such as abiotic characteristics, ecozones and ecoregions, wildlife habitats, protected areas, land use activities, and harvesting, etc. The purpose is to summarize available information on the Wek'èezhìi area in a graphical format.

## *Ongoing Initiatives*

The WRRB is involved in a number of other ongoing initiatives:

- **NWT Board Forum:** In the spirit of sharing information and providing opportunities to discuss common concerns, the WRRB and WLWB are active members of the NWT Board Forum. The Forum is a twice-yearly gathering of NWT resource management boards and other regulators, including INAC. It was established to facilitate discussion on matters of common interest, as an information exchange, and a forum to deal with issues that are of mutual interest to NWT Boards, departments, and governments.
- **Wek'èezhìi Forum:** The WRRB, in conjunction with the WLWB and the Tłı̨chǫ Government's Lands Protection Department organized a joint meeting for the members and staff of the three agencies in order to share information and discuss issues of common concern. Based on this meeting, it was agreed that a "Wek'èezhìi Forum" meeting would be held several times per year.
- **NWT Species at Risk Act Working Group:** WRRB has been a member of NWT Species at Risk Act (SARA) Working Group along with representatives from many wildlife management agencies and Aboriginal governments. The draft legislation was introduced in the NWT Legislative Assembly in the fall 2008 and it is expected to come into force in 2010.



- **Advisory Committee for Cooperation on Wildlife Management:** This Advisory Committee was formerly known as the Bluenose Caribou Herd Advisory Committee. It is comprised of several northern regional wildlife management agencies with shared responsibility for the management of transboundary wildlife issues, mostly related to the Bluenose East and West caribou herds whose annual migratory range encompasses several regions of the NWT.
- **Environmental Monitoring Advisory Board:** Traditional knowledge advice was given to the Board on three occasions with respect to the Diavik Mine within the Wek'èezhìi Management Area. The Board is working to ensure Diavik uses the advice for wildlife monitoring.
- **Traditional Knowledge Documentation:** Traditional knowledge advice was given to the Tłı̄chǫ Land Department on how to document the knowledge.
- **Tłı̄chǫ Government:** Discussions were held with the Tłı̄chǫ Executive Officer on progress of a WRRB Traditional Knowledge Policy and Guidelines Program for a future traditional knowledge monitoring program and future working relationships.
- **Tłı̄chǫ Terminology Project Agreement:** The project will attempt to explain the land claim to local people in their language. Using the Oxford and legal dictionaries, 318 words have been selected and defined by the WRRB.

## 4.3 Mackenzie Valley Environmental Impact Review Board

### *Composition and Mandate of the Mackenzie Valley Environmental Impact Review Board*

The MVEIRB conducts environmental assessments and reviews of development projects in the Mackenzie Valley. MVEIRB is composed of a chair and eight members; The Tłı̄chǫ, Gwich'in, Sahtu, and Dehcho each are represented by one member, and the GNWT and Canada each are represented by two members.

### *Assessments and Impact Reviews*

Preliminary screening is the responsibility of many different agencies, while environmental assessment is the Review Board's responsibility. The Review Board received 79 preliminary screening notifications in 2005-2006. The MVLWB conducted 60 percent of the preliminary screenings; the Sahtu Land and Water Board conducted thirteen screenings. In 2006-2007, the Review Board received 87 notifications for preliminary screenings. An additional seven notifications were for activities that did not require a preliminary screening. In 2007-2008, the Review Board reviewed 85 preliminary screening applications. During this year the WRRB took over the duties of regulating the use of land, water, and the deposit of waste throughout the Wek'èezhìi area from the MVLWB. Five screenings were assigned to the WRRB. In 2008-2009 the Review Board reviewed 81 preliminary screening applications. The WRRB screened 12 of these applications.

Twelve environmental assessments were handled during 2005-2006. Of these, eight were new referrals and the others were carry-overs from previous years. Of the eight new referrals, three files were closed when the companies withdrew the permit applications. During 2007-2008, the Review Board managed 14 environmental assessments and 2 impact reviews. The Review Board carried forward eight active environmental assessments into the 2008-2009 fiscal year and had four environmental assessments waiting for ministerial acceptance. During 2008-2009, The Review Board managed 16 environmental assessments and 2 impact reviews.

### *Other Activities*

In addition to performing its primary function, the MVEIRB is actively engaged in several other important activities that help it fulfill its mandate. These include:

- **Improving Environmental Impact Assessment Processes, Procedures, and Reporting:** Stakeholders told the Board that its processes should consider a project's physical magnitude more carefully. For example, does an exploration project warrant the same level of environmental assessment as a full-time mine? During recent environmental assessments, the Board has been more sensitive to those concerns. However, the Board maintains that the magnitude of public concern rather than the proposed development's physical size and scope must inform and guide the assessment process. In 2005-2006, the Board developed a more detailed preliminary approach to scoping issues. The Board now uses this approach in the early stages of an environmental assessment.
- **Guidelines for Considering Wildlife at Risk:** The Review Board worked with Environment Canada and the GNWT to draft guidelines for considering wildlife at risk in environmental impact assessments. These guidelines address the requirements of the federal SARA. The Review Board has issued the draft guidelines for public comment and will finalize the guidelines in the upcoming year.
- **Plain Language Writing Training:** The Review Board and staff attended a number of training conferences over the year. Training generally focused on board governance and training, project management and environmental impact assessment. In December 2007, the Review Board and staff participated in an "Improving Legal Writing Workshop." The workshop provided staff with tools to further develop their writing skills. The workshop has helped the Review Board members and staff with their ability to produce clear, concise, and reader-friendly documents; to communicate more clearly with parties; and to offer better information material to the public.
- **Environmental Impact Assessment Guidelines:** The Review Board translated its Environmental Impact Assessment Guidelines Overview booklet from English into Chipewyan, French, Gwich'in, North Slavey, South Slavey, and Tłı̨chǫ. The booklet is a condensed version of the Environmental Impact Assessment Guidelines and is written for readers who are unfamiliar with the process and want to gain a better understanding.



The Tłichq Government is a Government for the Tłichq Citizens, with full powers and jurisdiction over those matters listed in the Tłichq Agreement and the Tłichq Constitution. The government's major responsibilities include management and control over 39,000 square kilometres of Tłichq Lands, wildlife, resources, and citizens. The Agreement is about protecting, preserving, and promoting the Tłichq language, culture, and way of life for today and future generations.

The Tłichq Agreement is about following in the footsteps of Tłichq Elders and ancestors. The Tłichq Agreement is built on what Monfwi said when he outlined Mqwhì Gogha Dè Ntt'èe:

*Dii sah nàét'á*

*Dii deh níílí*

*Dii ndè nàgoèdô-le nìdè*

*Asii ts'ágoèt'ò hólí ha nele*

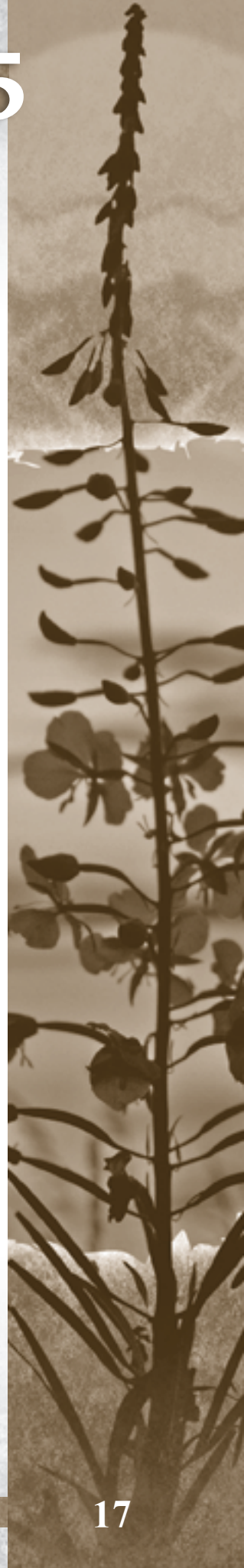
On behalf of the Tłichq, Monfwi entered into Treaty 11 with Canada in 1921. Monfwi also outlined the traditional territory of the Tłichq known as the Mqwhì Gogha Dè Ntt'èe and this traditional territory is identified in the Tłichq Agreement. Monfwi was the Grand Chief of his time and was recognized as such by other headman. It is because of Monfwi's leadership and perseverance that the Tłichq are able to achieve land claim and self-government agreements. The Tłichq Agreement and the political structure are built on what Monfwi accomplished and who Monfwi was as a leader.

The Tłichq Government succeeded the Dogrib Treaty 11 Council, Dogrib Rae Band, Whatì First Nation, Gamètì First Nation Band, and Dechi Laoti First Nation. This means that there are no more Bands or Dogrib Treaty 11 Council and all their assets and liabilities have been transferred to the Tłichq Government.

There are Chief and Councils for the Community Governments of Behchokq, Gamètì, Whatì, and Wekweètì. These are public governments created by GNWT legislation. Community Governments are not aboriginal self-governments. They are responsible for municipal operations including community lands.

The Tłichq Government is now responsible for all Dogrib Treaty 11 Council and the Band operations and staff, including all the corporate interests.

August 4, 2005 was the effective date of the Tłichq Agreement and is celebrated as the day the Tłichq Government was recognized. As well, the Tłichq Constitution became effective. It serves to guide the operations and identify the roles and responsibilities of the different institutions of Tłichq Government.





The Tłıchǫ Government head office is located in Behchokò. Tłıchǫ Government Presence offices also are located in Whatì, Gamètì, and Wekweètì.

Members of the first Tłıchǫ Assembly are:

1. Grand Chief George Mackenzie
2. Chief Charlie J. Nitsiza
3. Chief Leon Lafferty
4. Chief Henry Gon
5. Chief Charlie Football
6. Ernie Smith
7. James Rabesca
8. Sonny Zoe
9. Albert Nitsiza
10. Edward Chocolate
11. Alphonse Apple
12. Joseph Dryneck
13. William Quitte

## 5.1 Tłıchǫ Constitution

The Tłıchǫ Constitution is the Tłıchǫ Nation's highest law. This means that Tłıchǫ Laws must be consistent with the Constitution and if a Tłıchǫ Law says something different from the Constitution, then it is that section of the Tłıchǫ Law that is invalid.

The Tłıchǫ Agreement does not govern the internal affairs of the Tłıchǫ Government. The only requirement in the Agreement is that:

### **Chapter 7.1.1:**

*The Tłıchǫ Government is established on effective date. The Constitution for that Government shall be approved by the Dogrib Treaty 11 Council before the ratification vote referred to in 4.2.1(b).*

Chapter 7.1.2 provides a listing of what should be included in the Constitution and this list is in addition to anything that is necessary to the Tłıchǫ Government. The listing is only what is required as a minimum.

Chapter 7.1.3 states that the governing body that exercises its law making powers will include the Grand Chief, a Chief from each community government, and at least one representative from each Tłıchǫ community. This is based on the principle of equal representation. The Constitution has expanded on the representation from each community by stating that there shall be at least two councillors from each Tłıchǫ community. This is not inconsistent with the Agreement because the Agreement only sets the minimum number of representatives.

Section 6.0 of the Constitution states the Ṭḥcḥo Government is composed of three institutions: the Annual Gathering, the Ṭḥcḥo Assembly, and the Chief's Executive Council. The Constitution sets out the Grand Chiefs, and the institutions' powers, authorities, and responsibilities.

The current structure of the Ṭḥcḥo Government is illustrated in Appendix V.

## 5.2 Ṭḥcḥo Government Institutions

### *Annual Gathering*

There is no provision for an Annual Gathering in the Agreement but it is provided for in the Constitution. The Constitution states that the Ṭḥcḥo Assembly shall convene an Annual Gathering on a rotational basis. It is the Assembly's responsibility to arrange for an Annual Gathering.

The Annual Gathering is an opportunity for the Ṭḥcḥo to gather and have social, cultural, and political activities. In addition, other events can take place such as open forums where citizens can ask questions, provide recommendations, and offer broad policy direction. As well, proposed amendments to the Constitution or Agreements can be made. At these forums annual and financial reports are presented and nominations can take place for the Grand Chief in the year of the Grand Chief election.

The Ṭḥcḥo Government held the following Annual Gatherings:

- 1st Annual Gathering in Behchoḳò August 2005
- 2nd Annual gathering in Wekweèti August 2006
- 3rd Annual Gathering in Behchoḳò July 2007
- 4th Annual Gathering in Whatì August 2008

### *Ṭḥcḥo Assembly*

The Assembly is the law-making authority for the Ṭḥcḥo Government. The Assembly is composed of 13 members. They have the power to pass Ṭḥcḥo Laws. There is no other law making authority. The Assembly can delegate its powers, but under the Constitution it is forbidden to give it away or pass it on to another entity.

The Agreement states that the Ṭḥcḥo Government will establish its own internal structure and management systems and that this is achieved through the Constitution. This internal structure does not have to be based on any other government structure and can be based on Ṭḥcḥo traditional governmental structure and systems.

Section 8.1 of the Constitution states that:

*The Tłı̨chǫ Assembly has the responsibility and authority to implement the Tłı̨chǫ Agreement and to protect and ensure good government of the Tłı̨chǫ Government and its rights, titles and interests. The Tłı̨chǫ Assembly may enact laws for these purposes and in relation to all matters for which the Tłı̨chǫ Government has the authority pursuant to the Tłı̨chǫ Inherent right of self-government and the Tłı̨chǫ Agreement.*

In addition, the Assembly can pass laws that include any other authority it has that is included in the Tłı̨chǫ Agreement. The following are sections of the Agreement and the Constitution with powers or authority:

- Chapter 7.2 of the Agreement lays out what are the general powers of Tłı̨chǫ Government and that Tłı̨chǫ Government has the legal capacity of a natural person.
- Chapter 7.3 of the Agreement provides for the delegation of powers by the Tłı̨chǫ Government except the power to enact laws.
- Chapter 7.4 of the Agreement lists the powers of Tłı̨chǫ Government to enact laws and these are in addition to any that may be listed in the Constitution under s. 8.1.
- The Agreement also lays out the limitations on those powers of the Tłı̨chǫ Government and these are listed under chapter 7.5 and the Constitution also lays out additional limitation under s. 2.2.
- Section 8.5 of the Constitution states that the Tłı̨chǫ Assembly may take actions as required to carry out its responsibilities. In addition, section 8.5 lists those subject matters that the Tłı̨chǫ Assembly has responsibility over. This section is subject to Tłı̨chǫ Laws and the Tłı̨chǫ Agreement.
- Section 8.10 of the Constitution states that at least once per year the Tłı̨chǫ Assembly shall publish minutes of the Tłı̨chǫ Assembly meetings and reports on the activities, including financial matters, of the Tłı̨chǫ Government and its institutions. These minutes and reports shall be made available to each Tłı̨chǫ community and on request to any Tłı̨chǫ Citizen.

Since effective date, the Assembly has passed the following laws:

- **Tłı̨chǫ Assembly & Chief's Executive Council Law – Effective August 4, 2005**  
This law allows for the appointment of the Tłı̨chǫ Executive Officer, appointments to Boards, and other entities; it directs how Assembly Members and the Grand Chief are to conduct themselves, how they are paid, and how to deal with vacancies and resignations.
- **Grand Chief Nomination and Election Law – Effective August 4, 2005**  
This law establishes the guidelines for the nomination, election, and jurisdiction of the Grand Chief. It also describes the roles and duties of the Grand Chief.
- **Tłı̨chǫ Lands Protection Law – Effective August 4, 2005**  
This law establishes the Lands Protection Department as well as guidelines for applications for lands, trespassing on Tłı̨chǫ Lands, and how to deal with offences. It establishes a moratorium on Tłı̨chǫ Lands. This moratorium is in effect until April 30, 2006.



- **Tłchq Procedures Law – Effective August 4, 2005**  
The Procedures Law sets out the new rules for passing new Tłchq Laws and regulations. Under the law, a Laws Guardian is appointed who is responsible for keeping an up-to-date register of all Tłchq Laws and regulations.
- **Tłchq Finance Law – Effective August 4, 2005**  
The Finance Law establishes where Tłchq Government money can be spent, what financial records are needed and it gives the Tłchq Assembly the power to pass laws and make regulations about finances. Grand Chief Joe Rabesca signed this Law on August 4, 2005.
- **Tłchq Human Resources Law – Effective August 4, 2005**  
This law establishes the areas of Human Resources for which the Chief’s Executive Council is responsible. It also establishes who may suspend or terminate employees.
- **Tłchq Language, Culture & Communication Law – Effective August 4, 2005**  
The Language Culture & Communications Law creates a department that is responsible for carrying out all the language and culture programs of the Tłchq Government.
- **Tłchq Investment Corporation – Effective August 4, 2005**  
The Tłchq Investment Corporation Law establishes the Tłchq Investment Corporation Department (TIC). This is a part of the Tłchq Government that is responsible for the management and protection of all Tłchq Government interests in business.
- **Tłchq Income Tax Law – Effective August 4, 2005**  
The Income Tax Law allows the Tłchq Government to receive income tax money. It also explains how Canada will collect income taxes and share them back with the Tłchq Government.
- **Tłchq Starter Budget – Effective August 4, 2005**  
This Law establishes expenditures and revenue for the Tłchq Government from August 4, 2005 to October 31, 2005.
- **Budget Implementation Law – Effective October 27, 2005**  
This law adopts and approves the budget for the Tłchq Government for the period of November 1, 2005 to March 31, 2006.
- **Tłchq Goods & Services Tax Law – Effective December 5, 2005**  
This law establishes what will be taxed, how the tax revenue is collected, administered, shared, and remitted.
- **Tłchq Assembly and Chief’s Executive Council Schedule B Amendment Law – Effective December 14, 2005**  
This law amends Schedule B of the original Tłchq Assembly and the Chief’s Executive Council Law. Schedule B establishes the remuneration of the Members, Chiefs, and Grand Chief. This law amends the amounts of remuneration per annum.
- **Benefit Distribution Budget Amendment Law 2005 – Effective December 15, 2005**  
This law amends previous budgets to include a one-time payment to each Tłchq Citizen.
- **Tłchq Government Budget Law 2006 – 2007 – Effective April 1, 2006**  
This law adopts and approved the budget of the Tłchq Government for the period of April 1, 2006 to March 31, 2007.

- **Amendment to the Tłı̨chǫ Lands Protection Law 2006 – Effective October 26, 2006**  
This law extends the moratorium on development of Tłı̨chǫ Lands to October 31, 2007.
- **Tłı̨chǫ Government Audited Financial Statements For August 4, 2005 – March 31, 2006 Law – Effective October 26, 2006**  
This law approves the Tłı̨chǫ Government Audited Financial Statements for August 4, 2005 – March 31, 2006.
- **Wekweèti Winter Road Access Law – Effective December 14, 2006**  
In this Law, the Tłı̨chǫ Assembly grants access to Tłı̨chǫ Lands for the construction of the winter road to Wekweèti.
- **Tłı̨chǫ Investment Corporation Administration Law – Effective January 19, 2007**  
This law instructs there to be a corporation incorporated under the laws of Canada called the TIC. This corporation shall be the main corporate instrument of the Tłı̨chǫ Government responsible for the holdings, management, and oversight of all Tłı̨chǫ Government business interests.
- **Tłı̨chǫ Law to repeal the Tłı̨chǫ Investment Corporation Law – Effective January 19, 2007**  
This law repeals the Tłı̨chǫ Investment Corporation Law enacted on August 4, 2005.
- **Tłı̨chǫ Construction Ltd Contribution and Loan Law 2007 – Effective November 8, 2007**  
GNWT committed to build an addition to the Jean Wetrade Gameti School to allow students to complete their grade 12 education in their community. The amount that GNWT committed to contribute was not sufficient to complete the project; therefore the Tłı̨chǫ Assembly provided \$865,000 from its reserve fund to pay for the shortfall between actual costs and the GNWT commitment. They also provided a loan to Tłı̨chǫ Construction to be able to complete the project.
- **Appointment of Speaker Law 2007 – Effective November 8, 2007**  
This law appoints Peter Arrowmaker as speaker of the Tłı̨chǫ Assembly.
- **Tłı̨chǫ Government Audited Financial Statements for April 1, 2006 – March 31, 2007 Law – Effective November 8, 2007**  
This law approves the Tłı̨chǫ Government Audited Financial Statements for April 1, 2006 – March 31, 2007.
- **Amendment to the Tłı̨chǫ Lands Protection Law 2007 – Effective November 8, 2007**  
This law extends the moratorium on development of Tłı̨chǫ Lands to October 31, 2009.
- **Future Chief’s Executive Council Meeting Law – Effective November 8, 2007**  
This Law declares that the Assembly would exercise the powers and responsibilities of the Chief’s Executive Council, previously delegated to it by the Assembly. It also provides that the Chief’s Executive Council has no need to hold a meeting until such a time as delegated powers are reinstated.
- **Tłı̨chǫ Government Interim Budget Law 2008 – 2009 – Effective April 1, 2008**  
This law provides for an interim budget for the Tłı̨chǫ Government from April – June 2008.
- **Tłı̨chǫ Government Budget Law 2008 – 2009 – Effective April 1, 2008**  
This law adopts and approves the budget of the Tłı̨chǫ Government for the period of April 1, 2008 to March 31, 2009.

- **Amendment to Tłchq Government Budget Law 2008 – 2009 – Effective April 1, 2008**  
This law adopts and approves an amendment to the budget of the Tłchq Government for the period of April 1, 2008 to March 31, 2009.
- **Supplementary Tłchq Government Budget Law 2008 – 2009 – Effective June 20, 2008**  
This law adopts and approves a supplementary budget of the Tłchq Government for the period of April 1, 2008 to March 31, 2009.
- **Tłchq Government Audited Financial Statements for April 1, 2007 – March 31, 2008 Law – Effective February 24, 2009**  
This law approves the Tłchq Government Audited Financial Statements for August 4, 2007 – March 31, 2008.
- **Second Amendment to Tłchq Government Budget Law 2008-2009 – Effective February 24, 2009**  
This law adopts and approves a second amendment to the budget of the Tłchq Government for the period of April 1, 2008 to March 31, 2009.
- **Tłchq Government Budget Law 2009 – 2010 – Effective March 25, 2009**  
This law adopts and approves the budget of the Tłchq Government for the period of April 1, 2009 to March 31, 2010.

### *Chief's Executive Council*

There is no provision for a Chief's Executive Council (CEC) in the Tłchq Agreement but it is provided for in the Constitution.

The Tłchq Constitution (s. 9.1) states that the Council shall:

- a) Take direction from and report regularly to the Tłchq Assembly;
- b) Arrange for the implementation of Tłchq Laws;
- c) Oversee the management and administration of the affairs of the Tłchq Assembly; and
- d) Take such actions as are necessary to ensure implementation of good government of the Tłchq.

Further, section 9.2 states that CEC may convene meetings as necessary and shall strive to make decisions by consensus. The CEC may, when consensus cannot be achieved, make decisions by majority vote of those present. A quorum for the Council is four (4) and subject to sub-section 12.1, includes the Grand Chief.

The CEC is made of Grand Chief George Mackenzie, Chief Charlie J. Nitsiza, Chief Leon Lafferty, Chief Henry Gon, and Chief Charlie Football.

From the effective date up to November 2007, the CEC was busy implementing new laws that were passed by the Tłchq Assembly. In November 2007 the Tłchq Assembly passed the Future Chiefs Executive Council Meetings Law which stated that the Tłchq Assembly would exercise all the powers delegated to the Chief's Executive Council until decided otherwise.



During the period that the CEC has exercised its powers, the Council made appointments to the TIC, the WLWB, the WRRB, the Implementation Committee, the Finance Committee, and the MVLWB. Several working groups were created including the Finance, Environmental, Legislative, and the Investment Corporation Working Group. The CEC also was responsible for passing and implementing the Policies and Procedures, Job Descriptions, Salary Grid, and Benefits and Compensation package for Tłı̨chų Government employees.

The CEC has the authority to make decisions regarding financial support for specific programs within Budget guidelines. The CEC decided to financially support many projects including Tłı̨chų Government–Tłı̨chų Community Services Agency (TCSA) Shared IT Services Proposal, Tłı̨chų Teacher Education Program, Tłı̨chų Hand games Tournament, Tłı̨chų Small Business Conference, Tłı̨chų Spiritual Gathering, as well as Community Cultural and Recreation Programs.

The CEC also was instrumental in the formation and approval of the Tłı̨chų Government Investment Corporation structure. The CEC provided the vision necessary for work plans and budgets to be developed for the restructuring of all Tłı̨chų Business Interests.

Other notable activities performed by the CEC include:

- Working with the GNWT and INAC to begin the recruiting process for the Cultural Coordinator Position.
- Recommendations to the Tłı̨chų Assembly on the Impact Benefit Agreement Budget.
- Amendments to Parts 1 & 2 of the Appendix of Chapter 9 and Part 2 of the Appendix to Chapter 18 of the Tłı̨chų Agreement.
- Intervention in the Gahcho Kué Environmental Impact Review Court Challenge.

## 5.3 Tłı̨chų Government Departments Summaries

### *Human Resources Department*

The Human Resources Department of the Tłı̨chų Government monitors the availability of qualified workers; recruits and screens applicants for jobs; helps select qualified employees; plans and presents appropriate orientation, training, and development for each employee; administers employee benefit programs; and participates in the development of, and maintains the Policy manual for the government.

In the past four years, many of the fundamental functions of this department and their related processes were achieved. Job Descriptions for every employment position within the Tłı̨chų Government were developed and approved by the CEC. A salary grid was created and approved and all positions were placed on the grid. The salary grid ensures that salaries for Tłı̨chų Government employees are competitive with other Governments in the North. To continue with the principle of industry appropriate remuneration, Comprehensive Benefits, including Pension Plans for all full time permanent Tłı̨chų Government employees were established. The Tłı̨chų Government felt it is important that employees are recognized and compensated for their outstanding achievements and contributions to the government. It was for this reason that a comprehensive performance evaluation system was established and implemented in time to complete one-year anniversary performance appraisals of all staff.

Considerable work was completed on the development of Policy for the Tłı̨chų Government. The Tłı̨chų Government Policy and Procedures Manual affirms the principals, values, and procedures for operating the Tłı̨chų Government as defined by the Tłı̨chų Government Leadership. It is a tool for communicating the principles, values, and goals of the Tłı̨chų Government to leadership,

management, staff, and the Tłıchǫ Citizens. The HR Department has succeeded in recording a significant number of policies in the areas of Foundations and Basic Commitments, Governance, Administration and Management, Financial Management, and Human Resources.

An Automated Leave Tracking System is in development. This system is designed to facilitate the ease, efficiency, and accuracy for managing the entire leave process for employees in leave-accruing positions. The program manages leave requests, leave approvals, accrual of leave earned, and the recording of leave taken in order to maintain accurate leave balances, run departmental reports, and facilitate the annual compensated absences report process. The system will go live later this fiscal year.

An Employee Capacity Development Program has also been implemented. The program has four streams: academic upgrading, certificate and diploma programs, Tłıchǫ language, and Tłıchǫ culture. Each staff member's skills, language, and academic levels are assessed. In conjunction with staff, an individual training plan is created which focuses on upgrading current skills with their long-term goals in mind. The foundation of all training is Tłıchǫ language, culture, and way of life. Culture and language training is being developed and will be offered to all staff.

In addition to the typical human resource responsibilities, the department has taken on the management and administration of Career Development, Literacy, and Aboriginal Human Resources Development Agreement (AHRDA) Programs. Training in the areas of Mine and Industrial Occupation Preparation and Traditional Economy are planned and are overseen by a Career Development Coordinator in each of the communities. Programming in Literacy, Early Childhood Education, Career Development, Summer Students and School, and Career Preparation Programs are also delivered through this department.

### *Lands Protection Department*

The Lands Protection Department is responsible for monitoring, overseeing, and regulating activities on the 39,000 square kilometres of Tłıchǫ-owned lands. The land has been put in moratorium, meaning no disposition of interests will be granted. In the meantime, the Tłıchǫ Government is building capacity for the department to be fully operational.

In addition to monitoring and overseeing the Tłıchǫ lands, some of the major projects include:

- The development and implementation of a Land Use Plan. This is a major task for the department over the next several years. The Tłıchǫ Land Use Plan will determine the use of land and resources in a way that will benefit the people today and ensure prosperity for future generations. The plan will also ensure that Tłıchǫ culture and way of life is preserved. This process began in 2006-2007 with the formation of a Land Use Planning Working Group. The purpose of the Land Use Plan is to develop a system to regulate the use of lands in a manner consistent with Tłıchǫ values and principles. The Tłıchǫ elders, community members, and youth have been instrumental in the drafting of the plan. By 2011, the Land Use Plan should be ready for consideration by the Tłıchǫ Assembly.
- In 2006, the Water License Hearing for Diavik was held in Behchokò. At this hearing the Wek'èezhìi Land and Water Board decided to delay issuing a new water license to Diavik until it was satisfied the terms of the current license have been met. The Tłıchǫ Government expressed environmental concerns at the hearing and assisted in the process set by the Board to improve monitoring of the lake and to set ammonia discharge levels.

- The Tłı̨chǫ Government participated in the Judicial Review of the MVEIRB's decision ordering that an Environmental Impact Review be conducted for the proposed development of DeBeers Gahcho Ku project. The MVEIRB decision was upheld by the Supreme Court of the NWT in April 2007.
- GNWT ENR submitted a Bathurst Caribou Management Proposal to the WRRB. In March 2008, the WRRB held a public hearing on the proposal. The Board decided that the parties should work together and submit a joint proposal. As a result, GNWT ENR and the Tłı̨chǫ Government are working on a joint proposal that will be submitted to the WRRB. The declining numbers of the Bathurst Caribou is of concern to all parties. The Tłı̨chǫ Government, as a joint partner in the proposal, will ensure that management actions are culturally appropriate and Tłı̨chǫ Traditional Knowledge is incorporated.

### *Finance Department*

The Finance Department has developed a structure to deliver timely, efficient, and reliable ongoing services that include bill payment, cash receipts, payroll administration, cash management, financial forecasting, budget preparation, and financial reporting. In addition to these activities, the finance department also is engaged in economic research and analysis to prepare for future funding fluctuations. Reserve funds have been created to meet the future training and capital needs of the Tłı̨chǫ Government.

The Finance Department has taken the lead on a review of how the current Finance and Human Resources policies, procedures, and processes are intended to meet the needs of the Tłı̨chǫ Government. An assessment was completed to determine if the policies and procedures currently meet the needs of Tłı̨chǫ Government members, employees, and vendors and how they might be improved to more effectively meet their needs, or whether new policies and procedures should be developed to respond to Tłı̨chǫ Government's growing needs. The Implementation activities of this process are currently underway. The first phase includes a comprehensive review of the Policies and Procedures manual. Policy gaps will be identified and recommendations will be provided for consideration. The purpose of the exercise is to better align the Policy and Procedures document with the Tłı̨chǫ Government's current needs as identified by leadership and staff. A second component of the implementation is an analysis of the accounting software currently used by the Tłı̨chǫ Government in order to identify systems and process gaps.

### *Language, Culture and Communications*

The Tłı̨chǫ Government is creating its own unique government — one that reflects Tłı̨chǫ culture, language, and way of life. To do this, the Tłı̨chǫ Government has invested in cultural programs and is building capacity for the department to be fully operational.

The Tłı̨chǫ Government has sponsored a number of cultural events including annual hand games tournaments, Trails of Our Ancestors canoe trips, Trek to Kugluktuk by skidoo, and cultural celebrations in the communities. The Tłı̨chǫ Government also funds traditional economy activities. As well, the Tłı̨chǫ Government partnered with the History Channel to tell the story of how the Tłı̨chǫ are managing to maintain Tłı̨chǫ language, culture, and way of life.

Another function of the department is communications. The Tłı̨chǫ Government must be able to communicate effectively with Tłı̨chǫ Citizens, with other governments and businesses it works with, and with the people of Canada and of other nations.

### *Investment and Economic Development*

The TIC was created in 2007 and is the main corporate instrument of the Tłı̨chǫ Government. TIC is responsible for the holding, management, and oversight of Tłı̨chǫ Government corporations, shareholdings, and other business interests and entities. See Appendix VI for an illustration of TIC structure.



Upon inception, TIC signed a management agreement with the Tłchq Government to manage all the 100 percent Tłchq-owned companies. This was needed because TIC did not hold the shares of the various Tłchq-owned companies. TIC then moved from being a manager of Tłchq businesses to holding the shares of Tłchq businesses in 2008. This transition was required by the Tłchq Government as a shareholder. This was part of the vision of the Tłchq Investment Corporation Administration Law, a law passed by the Tłchq Assembly.

Some of the highlights of TIC since 2007 include:

- Net income of \$4.8 million in 2008.
- Net income of \$6.4 million in 2009.
- Created new organizational structure with President and Chief Financial Officer.
- Board Training and Development.
- Policy Development.
- External relationships.
- Strategic Planning.
- Creation of Board Committees.

### *Business Support Services*

Business Support Services oversees all economic activities within the Region. They work closely with GNWT Industry, Trade, and Investment to ensure that all businesses — including small business entrepreneurs — have access to training and skills development, as well as funding opportunities for business growth and profitability.

Economic Development Officers in each community provide knowledge of funding opportunities thereby enabling community members to have easier access to these programs. The Officers offer the added benefit of servicing their clients in the community, allowing more personalized service, and avoiding application process delays.

Business Services also encompasses the Community Futures Program for the Tłchq Region, which offers loan administration, business and community development, as well as aftercare services to all companies within the Region.

### *Information Technology*

The Tłchq Government has made significant advances in the area of IT. Efforts are being made to define overall objectives, principles, and tactics relating to technologies that the Tłchq Government plans to use. With the eventual amalgamation of the Tłchq Government and TCSA, the two organizations have partnered in the area of IT.

The purpose of the Shared Services IT Project is for the Tłchq Government to share resources and collaborate with the TCSA on the development of a common IT infrastructure and staff support system for technology. The goal of the project is to provide the necessary technology tools, resources, and services for the Tłchq Government and the TCSA to enable all organizations to function effectively and efficiently.

The Tłıchǵo web portal was created to present information on all things Tłıchǵo in a unified way. Information on the TCSA, Tłıchǵo Government, Tłıchǵo Businesses, and Tłıchǵo Communities can be found at the Tłıchǵo Web Portal. The Portal has also evolved into a depository for Tłıchǵo history and culture with information on Tłıchǵo Cosmology, elders, stories, resources, a photo gallery, and an on-line store for Tłıchǵo artisans.

For more information please visit: Tłıchǵo Web Portal <http://www.Tłıchǵo.ca>

### ***Tłıchǵo Community Services Agency***

The TCSA provides Health, Child and Family Services, Wellness, and Early Child to Grade 12 Education programs in the Tłıchǵo Communities. It has a five-person Board of Directors made up of community representatives, more than 230 staff and service providers, over two-third of whom are Tłıchǵo, and a unique service model of integrated services. The vision of the TCSA is “Strong Like Two People,” and it has a very specific mission:

We, the members of the Tłıchǵo Community Services Agency, are committed to the development of a continuum of care that will return control of education, health and social programs and services to the people of our communities, support them in the task of strengthening their families, promote the knowledge and skills they need to survive today, and model the values they need to live in harmony with their families, our communities and our land.

In the past four years, the TCSA has continued its work with the GNWT, the Tłıchǵo Government, and other organizations to change the way services are being provided and to develop a service system that takes into account the nature of Tłıchǵo communities. Some interesting facts about the TCSA for 2008-2009 include:

- TCSA’s schools have 809 students in kindergarten to grade 12.
- TCSA’s Early Childhood Programs serve families in four communities including student parents in the Chief Jimmy Bruneau High School in Behchokǵ.
- The Mary Adele Bishop Health Centre in Behchokǵ is the largest Health Centre in the NWT and averages 1500 patient contacts a month.
- GNWT funds the TCSA \$14,375,000 for K-12 Education.
- GNWT funds the TCSA \$10,859,000 for Health and Social Programs.
- Tłıchǵo Government funds the TCSA \$2,603,000 for First Nations programs.
- The TCSA operates five Schools, four Health Centres, two Wellness Centres, and one elders’ Home.
- Sixty-six percent of 230 TCSA staff members are born in Tłıchǵo communities.

### *TCSA Highlights 2005-2009*

- Elimination of outstanding Dogrib Community Services Board deficit, and justification and increase in GNWT HSS program funding by over \$800,000.
- Restructured TCSA operations to create a Department of Corporate Services to bring all auxiliary services together, a Tłı̨chǫ Government workgroup with all First Nations programs staff receiving pensions and benefits from the Northern Employee Benefits Services, and bringing all former local Education Authority into the GNWT public service.
- Partnerships with the Tłı̨chǫ Government and the NWT Mine Training Society to create and implement a Tłı̨chǫ Trades and Technology Certificate program in the Chief Jimmy Bruneau High School.
- Restructured the Tłı̨chǫ Government/TCSA post-secondary student financial support program to eliminate overhead costs with all funds going to students for more bursaries.
- Partnered with the Tłı̨chǫ Government to collaborate on IT services, including common purchasing, Help Desk, and a web site to celebrate Tłı̨chǫ life and to inform and educate Tłı̨chǫ Citizens. As well, the revitalization of the infrastructure in schools, health centres, and offices were undertaken.
- Nominated by the GNWT Departments of HSS and ECE, the TCSA wins the 2007 silver Innovative Management award from the Institute of Public Administration of Canada.
- Nominated by the Institute of Public Administration of Canada, the TCSA wins the 2008 United Nations Public Service Award which is presented to our Board members in Vienna Austria.
- Embarked upon a multi-year federally funded project to improve the practices of Child and Family Services by building programs on community appropriate standards.
- Increased supports for families in crisis to reduce the number of children in care.
- Awarded two NWT Premier's Awards for Collaboration for the annual staff Cultural Orientation, and the Healing Wind Project which brought together elders, staff, and youth to talk to families about sexual health issues.
- Implemented an agreement with the Tłı̨chǫ Government for the delivery of First Nations social programs and early childhood education for \$2.7 million dollars.
- Chief Jimmy Bruneau School in Behchokǝ was showcased as one of 10 schools in Canada by the Society for the Advancement of Excellence in Education exemplifying success in aboriginal schooling.
- A total of 152 high school students graduated in the region with grade 12 diplomas over the past four years of the Agency's mandate. As many as 30 percent of our graduates have been adult students over 21 years of age.



- Completed renovations to the Mary Adele Bishop Health Centre in Behchokò thereby doubling the facility space to assist in improving program and service delivery in the community.
- Preparing for a national accreditation process for our health, wellness, and child and family programs and services.
- Completed a classroom addition and gymnasium for the Jean Wetrade Gamètì School in Gamètì to enable the implementation of a grade 10 high school program in the fall of 2009-2010.
- Distributed \$700,000 in bursaries and scholarships to 128 Tłı̨chǫ post-secondary students to support their participation in college, university, and other training programs.
- Establishment of a Community Action Research Team to work with education and health staff to inform, educate, and enable youth and families to take back responsibility for their personal health and well-being.

### *Lawsuit Against Tłı̨chǫ Government*

Since September of 2007, the Tłı̨chǫ Government has been involved in a dispute with Chiefs Lafferty, Gon, and Nitsiza. The dispute began when the three Chiefs asked for the Grand Chief's resignation. The dispute became public later that year. After two sessions, the Tłı̨chǫ Assembly was unable to resolve the dispute with the cooperation of the three Chiefs, and the Assembly passed the Future Chiefs Executive Council Meetings Law. The three Chiefs challenged that law before the Tłı̨chǫ Assembly and then in January 2009 filed a lawsuit against the Tłı̨chǫ Government.

The Future Chiefs Executive Council Meetings Law declares that the Assembly would exercise, until reinstated, the powers and responsibilities of the CEC previously delegated to it by the Assembly. It also provides that the CEC will hold no meetings "until further notice." An Elders Advisory Council was to be appointed and a series of workshops were established to assist in the healing and improvement of Tłı̨chǫ governance.

In March of 2008, the three Chiefs wrote to the Tłı̨chǫ Government saying they were going to challenge the validity of the Future Chiefs Executive Council Meetings Law. Over the next weeks, the Assembly developed the procedures for hearing the challenge. The Tłı̨chǫ Assembly held the hearing in September of 2008. The Tłı̨chǫ Assembly passed a Directive that upheld the validity of the law. The three Chiefs still did not accept that the Tłı̨chǫ Assembly could take these actions or pass such a law. In January of 2009, they filed a lawsuit against the Tłı̨chǫ Government in the Supreme Court of the NWT.

# GOVERNMENT OF THE NORTHWEST TERRITORIES REPORT 6

The GNWT performs various implementation activities pursuant to the Tłı̨chǫ Agreement, the Tłı̨chǫ Implementation Plan, the Tłı̨chǫ ISA, and related funding agreements.

## 6.1 Aboriginal Affairs and Intergovernmental Relations

During the initial implementation period of the Tłı̨chǫ Agreement (2005-2009), DAAIR worked closely with the Tłı̨chǫ Government, GNWT, federal officials, and the various implementing bodies established by the Tłı̨chǫ Agreement to effectively implement the Tłı̨chǫ Agreement.

DAAIR coordinated implementation activities of all GNWT departments and regularly offered information and advice to departmental staff related to the Tłı̨chǫ Agreement. DAAIR prepared GNWT status reports for the Tłı̨chǫ Implementation Committee and produced the GNWT component of this four-year Implementation Progress Report. DAAIR initiated the drafting of a Consultation Protocol to guide GNWT departments when contracting in Tłı̨chǫ communities without going to public tender. DAAIR also initiated a draft Intergovernmental Agreement to guide relations between the GNWT and the Tłı̨chǫ Government. The draft Consultation Protocol and Intergovernmental Agreement were shared with the Tłı̨chǫ Community Governments and the Tłı̨chǫ Government, respectively, however neither agreement has been signed to date.

A DAAIR official participated as the GNWT representative on the Tłı̨chǫ Implementation Committee dealing with such activities and issues as the appointment of a Dispute Resolution Administrator and Deputy Dispute Resolution Administrator, appointment of a Cultural Coordinator, scheduled two-year reviews of the ISA, board funding requests, board appointments, development of guidelines respecting land use permits, and the reallocation of implementation resources.

DAAIR provided the Tłı̨chǫ Government with a listing of GNWT economic development programs and training opportunities.

## 6.2 Municipal and Community Affairs

As per the Tłı̨chǫ Agreement's requirement to pay mineral royalties to the Tłı̨chǫ Government, the GNWT's Department of Municipal and Community Affairs (MACA) processed annual resource royalty payments to the Tłı̨chǫ Government based on GNWT sand and gravel sales.

Agreements for the provision of land administration services were finalized in November 2006 with all Tłı̨chǫ Community Governments. The Community Government of Behchokǫ exercised an option to terminate its agreement in March 2007.

Numerous meetings and workshops were conducted with the Tłı̨chǫ Community Governments, including:

- Setup of Tłı̨chǫ Community Governments.



- Development of municipal by-laws.
- Setting up of new land administration system.
- Roles and responsibilities related to community governance.
- Ongoing matters related to community governance and administration.

In April 2008, MACA initiated consultation with the Tłı̨chǫ Government on proposed regulations for Tłı̨chǫ Community Governments, and followed up with a meeting in December 2008.

MACA processed the transfer payments to the Tłı̨chǫ Community Governments related to the administration of transferred Federal and Territorial leases.

### 6.3 Industry, Tourism, and Investment

The Department of Industry, Tourism, and Investment (ITI) promotes, assists, and advises Tłı̨chǫ communities and Community Development Corporations on economic, business, and resource development opportunities and actively consults with the Tłı̨chǫ Government on these matters.

#### *Economic Development*

ITI worked in cooperation and consultation with the Tłı̨chǫ Government and Tłı̨chǫ communities to support and encourage Tłı̨chǫ involvement in business development in the region. ITI provided business advice, counselling and support, and assisted Tłı̨chǫ businesses and individuals in accessing financial support. Major initiatives undertaken by ITI include:

- Providing loans, contributions, grants, and operational subsidies through the Grants to Small Businesses, Business Development Fund, and the NWT Business Development and Investment Corporation Programs.
- Implementing the Support to Entrepreneurs and Economic Development (SEED) Policy in September 2008, replacing the existing Business Development Fund and Grants to Small Business Policies. SEED is focused on increasing business activity and employment through financial support to businesses, improving management skills and business capacity, diversifying the NWT economy, and promoting equitable distribution of benefits among NWT communities. ITI consulted with the Tłı̨chǫ Government and communities when drafting the SEED Policy.
- Providing business advice and counselling services in Tłı̨chǫ communities.
- Providing business training workshops and assisting the Tłı̨chǫ Government in the provision of business workshops.
- Maintaining community transfer agreements with the Tłı̨chǫ Government to manage staff, pay wages, and train Economic Development Officers and Tłı̨chǫ staff in Gamètì, Whatì, and Wekwèètì.
- Formed the region's first Chamber of Commerce in 2008-2009 with the Tłı̨chǫ Government — the Behchokò Chamber of Commerce. ITI will continue to provide support.



- Consulted on proposed changes to the Business Incentive Policy with the Tłchq Government and other Aboriginal and business stakeholders.
- Providing funding to the Tłchq Area Community Futures to support community economic development and economic diversification through the creation and expansion of small and medium sized enterprises.
- Supporting capacity building by providing loans, financial advice, and training to Tłchq Citizens.

### *Traditional Economy*

ITI provided support to Tłchq Citizens for traditional economic activities through the following initiatives:

- Agreements between ITI and Tłchq Government for the delivery of the Community Harvester Assistance Program and the Local Wildlife Committee Program for assistance in the marketing and sale of wild fur from the NWT.
- Delivered an updated program based on the “Take a Kid Trapping Program” by incorporating a “back to the land” theme for school students.

### *Tourism and Parks*

ITI worked closely with the Tłchq Government, Tłchq organizations, and communities on opportunities related to tourism and parks, including:

- Consultations with Tłchq Government and Tłchq organizations for the proposed Tourism Product Diversification and Marketing Program were launched in January 2008. The consultations will assist the tourism industry to diversify programs and expand market share.
- Awarded the maintenance contract for the North Arm Park to a Tłchq Citizen, as per the Economic Measures chapter of the Tłchq Agreement.

## 6.4 Environment and Natural Resources

ENR's implementation responsibilities consist of activities related to environment, wildlife, and forest management, including notification, consultation, and preparation of joint management plans. ENR responsibilities include:

- **Wek'èezhii Renewable Resources Board (WRRB):** ENR has worked closely with the WRRB on management activities, and has appointed two individuals to the WRRB for five-year terms.
- **Tłchq 'As and When' Contract:** ENR has contracted a Tłchq company to provide services on an 'as required' basis for field workers, observers, and lab assistance primarily in research and monitoring within the region. Plans are to expand the contract to include forestry and wildlife operations.

- **Bathurst Caribou Management:** The joint ENR and Tłı̨chǫ Bathurst Caribou Monitoring Program within Wek'èezhìi was adopted in the fall of 2007. It serves to integrate Tłı̨chǫ participation in most, if not all, of the caribou monitoring research actions required to manage the Bathurst caribou herd. The program is an expansion of the ongoing working relationship between ENR biologists and Tłı̨chǫ elders and hunters. The program was recommended by the WRRB and supported by TG and GNWT. Its activities include:
  - Monitor calf survival through spring composition surveys (late March/early April).
  - Determine the adult sex ratio through fall composition surveys (October annually).
  - Assess the health and condition of caribou through detailed research during community hunts to evaluate impacts of parasites and disease.
  - Assess the pregnancy rate and back fat measurement of female caribou harvested by Tłı̨chǫ hunters (winter months).
  - Monitor the birth rate of Bathurst caribou through composition surveys to estimate number of calves and cows on the calving grounds (June annually).
  - Assess wolf productivity and overall condition by collecting wolf carcasses from trappers and hunters to understand productivity, health, and condition of wolves.
  - Through contract with the Tłı̨chǫ Government, increase winter road monitoring to determine the accuracy of harvesting information.
  - Promote and support caribou research projects designed to better understand: 1) impact of natural and non-natural stressors; 2) forest fire impact on habitat; and 3) Aboriginal elders' knowledge of forest fire impact.
- **Bison Management:** Bison surveys were conducted with the participation of Tłı̨chǫ Citizens to determine population and to accommodate a Tłı̨chǫ Government request for a harvest within Wek'èezhìi. A draft Bison Management plan is being developed. The draft plan was presented to the WRRB, and ENR's consultation efforts with the Tłı̨chǫ Government are ongoing. In 2009, the Tłı̨chǫ Government requested and received six bison tags from ENR.
- **Boreal Caribou:** Boreal caribou are listed as 'Threatened' under SARA. The NWT General Status Ranking Program ranked boreal caribou as 'Sensitive', meaning special attention or protection may be required to prevent them from becoming 'At Risk'. The GNWT is participating in the development of a draft national recovery strategy and is developing a management plan that will be presented to the WRRB. Surveys were completed with Tłı̨chǫ Government participation to establish baseline information on the occupation and occurrence of boreal caribou within Wek'èezhìi.
- **Moose:** An aerial survey was conducted in 2007 in the Taiga Plains and Taiga Shield ecozones, including the Wek'èezhìi area, to estimate population, sex, and age class ratios. These are important in assessing the status of moose in the North Slave Region. Tłı̨chǫ Citizens participated in the survey.
- **Forest Management:** ENR worked on an agreement with the Tłı̨chǫ Government regarding the harvesting of timber in Wek'èezhìi, to clarify provisions in the Tłı̨chǫ Agreement, and to allow the Tłı̨chǫ Government and ENR to have a better understanding of operational procedures when harvesting timber.

A presentation was made to the WRRB and the Community Government of Behchokò on the Forest Fire Management Policy, forest and fire management, timber permits, and licences on and off Tłıchų lands. ENR met with the WRRB and the Tłıchų Government Lands Department to discuss timber applications and processes. A community woodlot survey was conducted in 2008.

- **Legislation:** ENR works closely with the Tłıchų Government and WRRB in developing new wildlife legislation to protect species at risk in the NWT. The Bill was introduced in October 2008 in the Legislative Assembly and it is expected to come into force in 2010.

A Wildlife Working Committee, including representation from Tłıchų Government and WRRB, met in 2008 to begin drafting a new NWT Wildlife Act. It is anticipated that the bill will be introduced in the Legislative Assembly in February 2011.

## 6.5 Education, Culture, and Employment

ECE is responsible for planning, delivering, and managing a range of employment, social, educational, and cultural programs and services in the Tłıchų region.

The Culture and Heritage Division of ECE obtained outside funding to support the development of an exhibition of Tłıchų and Dene ethnographic objects from the National Museums of Scotland's 19<sup>th</sup> century Athapaskan collection. Representatives from the Tłıchų Government, the Culture and Heritage Division, and the National Museums of Scotland participated in a steering committee that set the terms for the traveling exhibit. The exhibit was displayed at the Prince of Wales Northern Heritage Centre from October 2006 to December 2007. Representatives of Tłıchų Government, the Culture and Heritage Division, and the National Museums of Scotland collaborated on an exhibition of the materials for the National Museum of Scotland. In 2008, ECE and Tłıchų Government representatives travelled to Scotland to attend the opening of the exhibit entitled "Extremes: Life in the Canadian Subarctic" which featured Tłıchų ethnographic objects and photographs from NWT Archives.

With Tłıchų Government assistance, ECE produced an exhibit, "Yamoria: The One Who Travels" at the Prince of Wales Northern Heritage Centre in February 2008. In 2008-2009, ECE prepared an educational kit based on the exhibit that is now available to Tłıchų schools.

In 2008, ECE and TG representatives travelled to Tromsø, Norway to attend a conference dedicated to caribou/reindeer skin tents. Tłıchų Government sent a caribou skin lodge to the conference to be displayed.

ECE reviewed applications for land use permits and environmental impact assessments to identify possible threats to heritage resources. It provided advice on the preservation of heritage resources to a variety of agencies, including the WLWB.

ECE provided funding and assistance to a student archaeologist with a project at Old Fort Rae. Tłıchų elders were employed to provide traditional knowledge related to land use.

Official community name changes were processed by ECE for Behchokò, Whatì, Wekweèti, and Gamèti in August of 2005.



## 6.6 Justice

### *Legal Division*

The Legal Division has supported the implementation of the Tłı̨chǫ Agreement by providing legal advice to GNWT Departments on an 'as required' basis. The Division renders advice on consultation duties flowing from the Tłı̨chǫ Agreement.

The Legal Division assisted with the development and finalization of the Joint Examination Project with officials from the Tłı̨chǫ Government, the Sahtu Secretariat Incorporated, the Gwich'in Tribal Council, and the federal government. The project resulted from inconsistencies in the MVRMA regime as a result of the Tłı̨chǫ Agreement.

### *Land Titles Office*

The original descriptive maps of the Tłı̨chǫ claim boundary (comprising of 86 map sheets) were deposited with the Registrar on February 6, 2003. The plans of survey of the boundaries of Tłı̨chǫ Lands are to be filed in the Land Titles Office upon the scheduled completion of the surveying in 2013.

Pursuant to the Tłı̨chǫ Agreement, ownership of community lands was vested in the respective community governments. In order to have certificates of title issued in their name, the community governments must submit Notices to Issue Title to the Land Titles Office. This applies if there is an existing title in the name of the Commissioner of the Northwest Territories that needs to be cancelled, or if a new certificate of title is being issued. To date, these Notices have only been submitted by the community governments when a transaction is occurring with respect to a particular property.

Although not a direct obligation under the Tłı̨chǫ Agreement, the Land Titles Office continues to process submissions such as Applications to Issue Title and Leases, pursuant to the provisions of the Tłı̨chǫ Community Government Act (TCGA) and the Land Titles Act. When leases are being submitted to the Land Titles Office, the community governments must also submit a Notice to Issue Title to have the fee simple title for the property issued in the name of the community government.

The Land Titles Office continues to provide assistance on registration requirements to the community lands officers and other municipal staff from the Tłı̨chǫ communities.

### *Legislation Division*

In 2005, the Department of Justice commenced a review of all GNWT regulations to ensure consistency with the Tłı̨chǫ Agreement, TCGA, and the Tłı̨chǫ Community Services Agency Act (TCSAA). The GNWT consulted with the Tłı̨chǫ Government regarding the proposed changes to GNWT regulations. The Tłı̨chǫ Government concurred with the proposed changes. During 2008-2009, the Legislation Division prepared amendments to the affected regulations administered by GNWT departments and agencies, sent consultation packages to the Tłı̨chǫ Government legal counsel, and proceeded with the enactment of amending regulations. Results of this initiative, as of March 31, 2009, are summarized by department/agency as follows:

- **Finance:** consultation with Tłı̨chǫ Government complete, 5 regulations enacted.
- **HSS:** consultation with Tłı̨chǫ Government complete, 4 regulations enacted.
- **Justice:** Consultation with Tłı̨chǫ Government complete, two regulations enacted.
- **DoT:** Consultation with Tłı̨chǫ Government complete, two regulations enacted.

- **Northwest Territories Housing Corporation:** Consultation with Tłı̨chǫ Government complete, enactment process in progress for one regulation.
- **ECE:** Consultation with Tłı̨chǫ Government complete, two regulations enacted and enactment process in progress for five additional regulations.
- **ENR:** Consultation with Tłı̨chǫ Government complete, ENR approval of package of four regulations pending.
- **MACA:** Consultation with Tłı̨chǫ Government commenced respecting package of two regulations.
- **Public Utilities Board/NWT Power Corporation:** Consultation with Tłı̨chǫ Government not commenced pending Public Utilities Board/NWT Power Corporation review of package of one regulation.

In 2008-2009, the Legislation Division initiated a review of the TCGA and the TCSAA, examining amendments made to ‘general’ municipal statutes since enactment of the TCGA in 2004, and searching territorial statutes for references ‘back’ to the municipal statutes. Possible amendments have been identified for the TCGA, the TCSAA, and a range of other territorial statutes. The Division has prepared initial versions of a legislative proposal for an omnibus Tłı̨chǫ Statutes Amendment Act, and has prepared draft amendments for possible inclusion in such a statute.

## 6.7 Health and Social Services

The Tłı̨chǫ ISA requires the Parties to conduct a review of the implementation of the ISA and the Tłı̨chǫ Plan once every two years. DAAIR and HSS reviewed the ISA, and HSS indicated that it had no issues with the ISA. This feedback contributed to completion of the scheduled two-year review of the ISA.

A contribution agreement was signed with the TCSA that established a working group so that the TCSA and HSS can work together in implementing the ISA.

Since 2006-2007, HSS has signed contribution agreements with the Tłı̨chǫ Government to reallocate a share of federal funds for Federal Wellness Programs. In 2008-2009, a total of \$995,541 of Federal Wellness Program funding was allocated to the Tłı̨chǫ Government for Brighter Futures, Canada Prenatal Nutrition Program, Northern Native Alcohol and Drug Program, Aboriginal Diabetes Initiative, Fetal Alcohol Spectrum Disorder, and the National Aboriginal Youth Suicide Strategy.

## 6.8 Transportation

DoT is committed to building Aboriginal, local, and northern capacity through government contracting. DoT ensures that GNWT Policy and the Tłı̨chǫ Agreement guide all GNWT contracts initiated within the Tłı̨chǫ area.

DoT contracts airport operations and maintenance to Tłı̨chǫ communities at the Gamètì, Wekweètì, and Whatì Airports. These three-year contracts are valued at over \$1 million.

DoT negotiated a five-year winter road construction contract with Tłı̨chǫ Road Constructors for over \$1 million per year. DoT also rents equipment and hauls sand using Tłı̨chǫ businesses. DoT supported the re-supply to the Wekweètì community by coordinating the construction of a spur road off of the Colomac Mine Road that was built by INAC. In the past, DoT implemented

a Memorandum of Understanding to ensure the winter road was constructed from the Colomac Junction to Wekweètì. The road users funded the construction and maintenance of the winter re-supply route on a 'per load' cost basis which averaged \$10,000 per truckload. The GNWT provided \$300,000 to DoT to take over the costs of constructing and maintaining the winter re-supply route. This measure extended the winter road season by 310 percent and significantly reduced the cost of living for residents by reducing heating costs and fuel prices by nearly 80 cents per litre.

DoT is investigating options for improving winter road access to the Tłı̨chǫ communities. It has partnered with INAC, the Tłı̨chǫ Government, and industry on engineering and environmental studies to investigate improved land-based access to the Tłı̨chǫ communities. DoT awarded a contract to conduct corridor and environmental scoping studies to help guide future decisions about changing the alignment of the winter road to the Tłı̨chǫ communities. Consultations have occurred in each of the Tłı̨chǫ communities and in Yellowknife, and information was presented to the Tłı̨chǫ Government in December 2008. The Tłı̨chǫ Roads Working Group is now moving to the next phase of this study.

Although the Tłı̨chǫ Government has issued a moratorium on land use permitting until its regulatory processes are in place, non-invasive engineering and environmental analysis on Tłı̨chǫ Lands are permitted.

## 6.9 Public Works and Services

Consistent with the Economic Measures chapter and GNWT preferential contracting policies and procedures intended to maximize local, regional and northern employment and business opportunities, Public Works and Services awarded 19 contracts within the Tłı̨chǫ region to Tłı̨chǫ companies (as defined by the Tłı̨chǫ Agreement). The value of these contracts totalled \$8,023,271. The following contracts were awarded to Tłı̨chǫ businesses:

- Aboriginal Engineering Ltd.: \$7,000 for Edzo pump house surveys in Behchokò.
- Aboriginal Engineering Ltd.: \$8,000 for water treatability analysis in Behchokò.
- Dene Electrical Services: \$5,300 for 'as and when' electrical services in Behchokò.
- Gamètì Development Corporation: \$156,837 for fuel dispensing and delivery Gamètì.
- Gamètì Development Corporation: \$162,634 for fuel delivery in Gamètì.
- Lac La Marte Development Corporation: \$10,000 for 'as and when' labour in Whatì.
- Lac La Marte Development Corporation: \$11,870 for school carpeting in Whatì.
- Lac La Marte Development Corporation: \$179,046 for fuel delivery in Whatì.
- Lac La Marte Development Corporation: \$18,000 for daily building checks and maintenance in Whatì.
- Lac La Marte Development Corporation: \$35,300 for exterior painting of Mezi School in Whatì.
- Lac La Marte Development Corporation: \$5,000 for 'as and when' vehicle rental in Whatì.



- Lac La Marte Development Corporation: \$5,000 for truck rental and delivery in Whatì.
- Lac La Marte Development Corporation: \$50,000 for general building maintenance in Whatì.
- Lac La Marte Development Corporation: \$6,500 for truck rental services in Whatì.
- Lac La Marte Development Corporation: \$75,000 for general building maintenance in Whatì.
- Ṯcẖ Construction Ltd.: \$5,000 for general labour services in Behchoḵ.
- Ṯcẖ Construction Ltd.: \$7,123,793 for Jean Wetrade School addition in Gamètì.
- Wekweètì Development Corporation: \$72,370 for fuel dispensing and delivery in Wekweètì.
- Wekweètì Development Corporation: \$86,621 for fuel delivery in Wekweètì.

The following contracts were awarded to Ṯcẖ Community Governments:

- Community Government of Gamètì: \$5,000 for truck rental and delivery.
- Community Government of Wekweètì: \$5,000 for truck rental and delivery.

## 6.10 Northwest Territories Housing Corporation

In support of the Economic Measures Chapter, and consistent with the GNWT's preferential contracting policies and procedures that are intended to maximize local, regional, and northern employment and business opportunities, the Northwest Territories Housing Corporation awarded 103 contracts to Ṯcẖ businesses within the Ṯcẖ region during the period of August 2005-March 2009. The total value of all contracts awarded in the Ṯcẖ region by the Corporation was \$8,708,995. Almost 87 percent of this amount was awarded to Ṯcẖ businesses, totalling \$7,551,224. Contracts were awarded to the following Ṯcẖ businesses:

- Gamètì Community Government: 3 contracts the totalling \$43,456.
- Lac La Marte Development Corp.: 38 contracts totalling \$1,869,116.44.
- Nishi Khon Freeway: 5 contracts totalling \$318,047.85.
- Rae Band Construction Ltd.: 6 contracts totalling \$558,464.
- Ṯcẖ Construction Ltd.: 51 contracts totalling \$4,762,140.08.

## 7.1 Indian and Northern Affairs Canada

### *Implementation Branch*

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

The Implementation Branch provides funding to the implementing bodies, the Tłı̨chǫ Government, and the GNWT as identified in the Implementation Plan, the Intergovernmental Service Agreement, and in the Tłı̨chǫ Financing Agreement.

The NWT Regional Office is responsible for coordination of Ministerial board appointments in partnership with the Implementation Branch. During this reporting period, four appointments were made to the WLWB, two appointments to the WRRB, one appointment of a Tłı̨chǫ nomination to the MVEIRB and the appointment of a Dispute Resolution Administrator.

In June 2006, the Minister of Indian and Northern Affairs made a commitment to engage agreement signatories in a collaborative process to update and strengthen federal approaches to the implementation of comprehensive land claim and associated self-government agreements. The goal of this collaborative process was to review implementation approaches in order to find practical and effective solutions to deal with perceived shortcomings of current practices and to strengthen relationships among signatories to these agreements.

The process to review and update implementation approaches involves a series of facilitated discussions. Externally discussions include such key players as the Land Claims Agreement Coalition, Aboriginal signatories, and provincial and territorial government representatives. Internally, discussions include INAC headquarters and regional federal officials in departments that play an active role in agreement implementation. The primary focus of this process is to seek ways to improve the effectiveness of implementation approaches. Results of the process were used to facilitate the implementation of agreements as well as affecting how future agreements are structured.

### *Projects*

#### **Improving Canada's Federal Procurement Processes**

Canada is signatory to over twenty Comprehensive Land Claims Agreements (CLCA). Each CLCA has measures designed to improve the implementation of the CLCAs to achieve positive, sustainable long-term outcomes for the claimants. In particular, most CLCAs contains Economic Measures provisions aimed at improving economic development opportunities within the CLCA areas. These include but are not limited to representative employment in the public service, development and implementation of an economic development plan in the area, and measures regarding government-contracting opportunities. Economic Measures Chapters related to federal government contracting activity tend

to focus on three areas: (1) Canada's responsibilities at the tendering phase, (2) objectives related to participation and economic development to be supported in any resulting contracts through the use of criteria and/or specific sourcing procedures, where possible, at the tendering phase, and (3) monitoring and management of the achievement of participation and economic development measures within the resulting contracts.

In addition to the specific Economic Measures Chapters within the Final Agreements, many CLCAs include a variety of other provisions, located throughout the Agreement related to government contracting within specific contexts. Each of these specific contexts implicate "Government" (defined within CLCAs as being either Canada, the applicable Territorial Government, or both, depending on the appropriate context) to fulfil similar responsibilities and work toward similar objectives in relation to these types of contracting activities as those contained within the Economic Measures Chapter.

In an effort to support and strengthen Canada's ability to meet ongoing federal obligations, a number of major initiatives have been undertaken. These are:

1. Development of a policy directive to guide departments on how departments and agencies must report when contracts have been awarded for goods, services and construction in the regions covered by the CLCAs. This Contracting Policy Directive (CPN) 2008-4 will come into effect on April 1, 2009 and requires that Departments report 12 data elements to Indian and Northern Affairs Canada (INAC) on a quarterly basis. INAC is responsible for publishing this data on the INAC site on a quarterly basis. Also, INAC is responsible for publishing a summary roll-up of this data on an annual basis.
2. Development of learning sessions that are designed to train procurement officers/project managers on federal procurement policies in relation to the CLCA economic development provisions in the various CLCAs will take place starting in the Fall of 2009.
3. PWGSC, INAC, Treasury Board Secretariat, and the Canada School of Public Service have developed a Professional Development and Certification Program course on CLCAs for federal procurement officers as an opportunity to increase training and awareness. Such a course has enabled federal procurement officers to more fully understand and apply Canada's obligations arising out of CLCAs. An e-learning tool, entitled *Aboriginal Considerations in Procurement*, has been developed, and was released in 2008.
4. INAC is in the process of creating a user guide for federal government procurement officers and project managers which will provide guidance in terms of addressing the economic development obligations identified in the various CLCAs. The target date for release is March 2011.

### *INAC NT Regional Office*

#### **Cumulative Impact Monitoring Program**

The Renewable Resources and Environment Directorate of INAC has been working with various Valued Component Advisory Teams and experts to develop standardized protocols for monitoring. To help further implement the Cumulative Impact Monitoring Program (CIMP), INAC is developing a collaborative pilot monitoring project for the Mackenzie Delta area to help Northerners understand and document potential changes to this important environment. The pilot project will foster and promote a standardized system of data collection; capacity building; community engagement and ownership of the program; integration of scientific and traditional ecological knowledge; standardized protocols for organizing and reporting information; and public accessibility to information. The pilot project will enhance the communities' role as environmental stewards and is intended to expand to other regions in the future.



Through the 2007-2008 annual Call for Proposals process, approximately 27 monitoring/research and capacity/training projects were allocated funding. Three of these projects occurred directly within the Tłı̨chǫ territory.

INAC continues to secure long-term funding for the NWT CIMP. Further information on CIMP can also be obtained from <http://www.nwtcimp.ca/>

### *NWT Environmental Audit*

The first Environmental Audit was completed in December 2005. The CIMP working Group and “Directly Affected Parties” collectively identified a lead organization(s) for each of the fifty recommendations outlined in the audit. In late September 2007, INAC released a departmental response — *INAC Draft Action Plan*. Preparations are underway for the second audit scheduled for 2010. INAC will be re-engaging the Audit Sub-Committee to prepare the Audit Terms of Reference in order to initiate the contracting process to select an independent auditor.

### *Northwest Territories Geoscience Office*

In order to better understand the geological history, environmental baseline conditions, and resource potential of the Tłı̨chǫ Land Claim Area, the Northwest Territories Geoscience Office (NTGO) has completed extensive scientific work including mapping, geophysics, thematic studies, promotional products, and other baseline resource characterization. The research and activities described below do not include collaborative work conducted with other organizations that led the research, or the many smaller studies completed in conjunction with larger projects.

Bedrock mapping programs are expensive and intensive, with geologists making regular spaced foot traverses over the land and noting details of the type of rock, fabrics in the rock, and other observations. Samples taken at this time are used for follow-up laboratory analysis to determine the age of the rocks, to assay results, for microscopic analysis and description, and a myriad of other tests. The camps used for bedrock mapping are also used as infrastructure support for university researchers, postgraduate students, and other researchers completing thematic studies on the geology of the area.

- **Wopmay Orogen Bedrock Mapping:** A NTGO geologist spent seven weeks mapping on Tłı̨chǫ lands in the south Wopmay Orogen near Gamètì. Three days were spent working out of the community of Gamètì on Rae Lake. Scientific products arising from the work were provided to the community of Gamètì. The work provides framework geoscience data which is needed for land use decisions and mineral exploration. The work also contributed to an NTGO – Natural Resources Canada (NRCan) initiative looking at the mineral endowment of the Great Bear magmatic zone and contributes to developing pathfinders towards finding new mineral deposits in similar types of rocks in the area and around the world.
- **South Wopmay Bedrock Mapping Program:** This mapping project was a four-year program consisting of geological mapping, and numerous thematic studies. Fieldwork for Phase I was initiated in 2004 and completed in 2007, with a number of maps and geological reports resulting.
- **Snare River Mapping Program:** The Snare River mapping project was a four-year program consisting of geological mapping, and numerous thematic studies. Similar in scope to the South Wopmay mapping program, the final deliverable for this project was released in 2006. An educational publication for the public associated with the project was released in 2005.

- **SWOP II Bedrock Mapping Program:** This mapping program commenced in June 2008 immediately North of the South Wopmay. It is similar in scope and profile to Phase I of the South Wopmay Bedrock Mapping Program. This program is an NTGO research program to assist an NRCan study of mineralization controls in the Wopmay Orogen.

Airborne geophysical surveys use an aircraft to carry a variety of sensors over a pre-planned flight path in order to measure various physical properties of the earth. The results are compiled and interpreted to help geologists determine the geology of an area. For example, airborne magnetic surveys use sensors to measure the strength and orientation of the earth's magnetic field. The data reflects the magnetic characteristics of the rocks below the aircraft, and are useful for exploring for mineral deposits, and figuring out the geology of an area.

- **2006 Lac La Marte High Resolution Airborne Magnetic Survey:** The Lac La Marte high-resolution airborne magnetic survey was flown, and released in 2006.
- **Southern Wopmay Orogen Magnetic and Radiometric Survey:** A high-resolution aeromagnetic and radiometric survey of the south western Wopmay Orogen was flown in the fall of 2007, consisting of 24,000 line-kilometres of traverse and control flight lines. The survey technique is entirely passive – instruments on-board the highly specialized aircraft measure natural (mainly bedrock-controlled) variations in the Earth's magnetic field and background radioactivity.

Other NTGO activities and products in the T̄h̄ch̄q̄ Area include:

- **Geological Compilation of the Slave Craton:** The NTGO produced an interpretive compilation map of the Slave Craton. For this product, existing bedrock geological maps were combined and interpreted to provide a common legend and a coherent, GIS compatible geological database.
- **NTGO – University of Alberta Geological Field School:** Each Year the NTGO conducts a geological field school for top University of Alberta students entering their final year of undergraduate studies. Within the T̄h̄ch̄q̄, these have been held at Lac du Savage, and the Acasta Gneiss.
- **Glacial Till Geochemical Compilation:** Companies working on Crown land are required to file the results of mineral exploration work with the government. A project converting paper copy till geochemistry data from publicly filed assessment reports to digital spatial point data was carried out in 2005. Till geochemistry analyses, sample locations, along with sample collection metadata and analytical method metadata were extracted from scanned assessment reports. Approximately 11,000 records with metadata have been compiled from assessment files. This data was released April 2005.
- **Donated Industry Sample Re-analysis:** Approximately 1,000 till samples collected by Trigon Exploration Ltd. in the South Central, southeast Slave province were donated to the NTGO. Samples were split, processed, and sent out for geochemical analysis. Results of this work were reported in NWT Open Report 2006-003.
- **2005 Biogeochemical Test Survey:** A pilot study was conducted to test if biogeochemical techniques could be effective in detecting mineral deposits in areas with very thin glacial sediment cover. Approximately 40 samples of various plant tissues were collected over known mineral deposits to assess varying chemistry. Results were presented in an abstract for the 2008 Yellowknife Geoscience Forum.

- **Property Visits:** District geologists visited mineral exploration properties to ensure company compliance with the Canadian Mining Regulations. Company geologists also discussed their projects and asked advice of District Geologists. Within the Tłı̨chǫ Land Claim Area, District Geologists visited Diamonds North Resource's Hepburn Lake Project diamond-uranium property, Arctic Star Diamond Corporation's Credit Lake diamond property, GGL Diamond Corporation's Providence Lake nickel – platinum group element property, and Consolidated Global Diamond Corporation's Courageous Lake diamond property.
- **NTGO Compilation and Dissemination Activities:** The NTGO compiles diamond exploration data, mineral chemistry data, and airborne geophysical data from industry in databases named KIDD, KIMC, and G-Meta respectively. This data, the internal publications, and all other publicly available data housed by our office is made available free of charge through the website [www.nwtgeoscience.ca](http://www.nwtgeoscience.ca) using our NT Go-Map Web-GIS browser and Gateway download tools.
- **NT GoMap:** NT GoMap is NTGO's new online mapping tool that enables users to discover, search, display, and download information from its large collection of GIS data and geoscience-related publications. The available information includes mineral showings, exploration reports, petroleum industry reports, and digitally submitted data.

NT GoMap is an interactive web-based geology portal that can be used to create maps, change map projections, and query subsets of data as determined by the user. The versatility of the tool – including the degrees of user control and the ability to query in a number of ways – offers clients interested in conducting research or exploration in the NWT with a range of options.

For more information please visit: NT GoMap (<http://www.nwtgeoscience.ca/>).

### *Aboriginal Economic Development*

INAC provides resources to Tłı̨chǫ communities and the Tłı̨chǫ Government to support the traditional economy and encourage employment. In 2007-2008, the following allocations were issued:

- **Behcho Ko Development Corporation:** \$65,541 from the Community Economic Opportunities Program to assist the recipient to cover a portion of the costs associated with the following projects:
  - Hiring a contractor to conduct a preliminary evaluation of ADCO Power.
  - Evaluating a business opportunity with Hovertrans Ltd. UK.
  - Hiring a contractor to recommend improvements in regard to the legal aspects of Aboriginal Joint Ventures.
- **Nishi Khon Freeway:** \$31,805 from the Community Economic Opportunities Program for various projects, one being to assist the recipient to cover a portion of the costs associated with hiring a charter Business Valuator to do a valuation of Tix Trucking.
- **Tłı̨chǫ Government:** \$27,900 from the Community Support Services Program to assist with costs associated with attending the Osoyoos Indian Band Workshop and the Annual CEDO workshop.



In 2008-2009, economic activity funding included:

- \$16,600 to attend the Northern Economic Development Practitioners Conference in Yellowknife (December 2008) under the Community Support Services Program.
- \$72,000 to assist with costs associated with undertaking of a scoping study of the Lac La Marte hydropower development potential.
- \$32,876 to assist with costs associated with developing a business joint venture guidebook that Aboriginal, Northern businesses, and industry can use to ensure that any joint venture arrangement is of maximum benefits to both parties.

### *The Protected Areas Strategy*

The NWT Protected Areas Strategy (PAS) was created in 1999 as a planning framework to help Northerners protect special natural and cultural places, and ecologically representative areas in the territory. PAS partners include federal, territorial, and Aboriginal governments, communities, regional organizations, environmental non-governmental organizations, and industry.

Officials from INAC's Renewable Resources and Environment Directorate, Environment and Conservation held preliminary discussions with the Tłı̨chǫ Lands Protection department. Interest was expressed in protecting Daring Lake and Acasta Gneiss. The Tłı̨chǫ Government staff expressed interest in learning how to expedite protecting these areas through the PAS process.

- Daring Lake is the location of the Tundra Ecosystem Research Station, establishing a scientific reserve may be an option for protecting this area. The possibility of ENR as a sponsoring agency is being reviewed within GNWT.
- The Acasta Gneiss area has international significance as the oldest rock in the world, so innovative mechanisms for supporting it as a protected area are being reviewed. Phase I and II Non-renewable Resource Assessments (minerals) are ongoing.

## 7.2 Fisheries and Oceans Canada

DFO is still in the early stages of its implementation activities within the Tłı̨chǫ land claim area. In fiscal year 2007-2008, for example, DFO fisheries management in the Western Arctic Area received \$60,000 of implementation funding. In 2008-2009, another \$60,000 was allocated to the Western Arctic Area. As well, a carry-forward request was made for \$100,000 to support the development of a database, survey tools, and a pilot study in 2009-2010.

The DFO focus has been to establish a relationship with the WRRB. In January 2008, DFO officials held an initial "contact" meeting with the Executive Director and select members of the WRRB to brief the Board on DFO's mandates and the operation of its major sectors both abroad and in the North. At this meeting, a generic proposal to initiate a multi-agency wildlife harvest study in the Tłı̨chǫ claim area was presented. The WRRB Executive Director suggested that DFO assemble a more detailed proposal for the Board's consideration. This was provided at a scheduled WRRB meeting in February 2008. The detailed multi-agency wildlife harvest study proposal included expanded guidelines, procedures, and information as well as the costs of other harvest studies undertaken in the North. The Sahtu area study was used as a possible model for the proposed research in the Tłı̨chǫ claim area. The WRRB was receptive to the concept and indicated they would present it to the Tłı̨chǫ Government. In addition, the WRRB suggested forming a multi-agency working group to further develop a detailed proposal. This group was established in the fiscal year 2008-2009.

In 2008-2009, DFO's Central and Arctic Region (C&A) continued to develop a more detailed work plan for the wildlife harvesting study which included cost estimates. The WRRB hired two consulting firms, Northern Research and Evaluation and Terriplan, to report on the harvest study methods used to evaluate a number of harvest study models. Through this project, consultants interviewed partner organizations for input about the study design and about achieving the desired outcome/products. Ongoing working group meetings were held to discuss and further develop the harvest study.

Other DFO activities undertaken within the Tłı̨chǫ Land Claim Area that did not involve Tłı̨chǫ implementation funding included the following:

- DFO's C&A Habitat Branch and Conservation and Protection Branch (C&P) were involved with the Snare Hydro project, with C&P conducting two site visits.
- C&A C&P Officers patrolled the Ingraham Trail and Rae Lake road systems with regards to both habitat and sport fishing activities.
- DFO's Habitat Branch to provided advice to the WLWB regarding mineral and oil and gas exploration activities (e.g., drilling, seismic, etc.) in the Tłı̨chǫ Land Claim Area.
- Habitat personnel have been extensively involved in the diamond mine operations at Diavik and BHP, carrying out site visits and monitoring the aquatic effects.
- DFO represented Canada at WRRB meetings approximately once every 6 weeks.

## 7.3 Environment Canada

Environment Canada's CWS is responsible for management of wildlife in the national interest. Its roles and responsibilities derive from the *Migratory Birds Convention Act*, *Canada Wildlife Act*, *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*, SARA, and the *Canadian Environmental Protection Act*.

Section 12.1.2 of the Tłı̨chǫ Agreement established the WRRB and Environment Canada nominates one member to this Board. Members have been responsible for staffing, policy development, and wildlife related issues. This has resulted in an average of one meeting per month.

CWS biologists and technicians carry out fieldwork, data synthesis, and report writing for the Board's deliberations. The annual Population Ecology and Management of Boreal Ducks study occurs entirely within the Mǫwhì Gogha Dé Nìjìtlèè boundary and within half of the Wek'èezhìi boundary of the Tłı̨chǫ Agreement. This study has the following objectives that apply directly to Environment Canada's Tłı̨chǫ obligations:

- Identify factors that cause annual variations in the size and productivity of northern waterfowl populations.
- Determine the importance of the boreal and subarctic regions of the NWT in the conservation and management of continental waterfowl populations.
- Identify and assess important habitats for waterfowl in the boreal/subarctic regions.

- Advise on migratory bird management (on a local, regional, national, and international level) especially as related to land claims and other northern issues.

To date, the WRRB has made no determinations with respect to migratory birds and their total allowable harvests under section 12.5 of the Tłı̨chǝ Agreement and have not set the total allowable harvest for other wildlife under section 12.7 and section 12.8.

As a signatory of the Convention on Biological Diversity and other international conservation initiatives, Canada is obliged to take steps that ensure the continued viability of all wildlife species within its borders. Consequently Canada, through CWS, has implemented the SARA. The CWS SARA biologist presented information to the Board to determine how SARA and the Tłı̨chǝ Agreement interact. CWS also provided information to the Board on proposed listed species found within the Tłı̨chǝ Settlement Area, including the rusty blackbird, grizzly bear (north-western population) and wolverine (western population). Based on the information that was presented, the Board agreed with the proposed listing of all three species. In 2007-2008 CWS consulted and received approval from the WRRB on the listing of the Common Nighthawk and the reclassification of the Peregrine Falcon. In 2008-2009, CWS and the WRRB supported the listing of the Olive-sided flycatcher and the Short-eared owl under the legislation.

Overall federal wildlife management obligations related to the implementation of the Tłı̨chǝ claim have been met. The development of the wildlife co-management structure and capacity are advancing in accordance with the Implementation Plan.

## 7.4 Canada Revenue Agency

The Canada Revenue Agency has completed a verification program designed to ensure that the personal income tax program for the Tłı̨chǝ is working as designed. The Agency's point of contact for the Tłı̨chǝ is the Edmonton Tax Services Office, which has dealt with some inquiries from Tłı̨chǝ Citizens in their normal course of business to date.

## 7.5 Human Resources and Skills Development Canada

The obligations of the Department of Human Resources and Skills Development Canada under the Tłı̨chǝ Agreement stem from the Economic Measures Chapter. Through Service Canada, the Department provides funding to Aboriginal groups to undertake skills training and employment development. Funds are provided to Aboriginal groups through AHRDA, which are in place until March 31, 2010.

For the fiscal year 2006-2007, a total of \$1,354,022 in funding was provided to the Tłı̨chǝ Government. This total includes monies provided to establish and maintain childcare facilities. In the 2008-2009 fiscal year, the Tłı̨chǝ Government accessed \$1,354,024 to assist with employment and training initiatives. The Tłı̨chǝ Government also provided year-round assistance in career planning, pre-employment skills, employment referrals, and educational information.

The AHRDA stipulates the capture of results data to reflect achievements of program expenditures. According to the 2006-2007 AHRDA results summary for Tłı̨chǝ, 81 clients were served, 36 completed training interventions, 63 found employment, and 14 returned to school. In 2008-2009, 189 Tłı̨chǝ participated in AHRDA-funded programs, with 207 interventions completed, and 1 employed. The cumulative totals for the years 1999 to 2007 for each category were as follows: 1,181 clients were served; 1,159 completed training interventions; 308 found employment and 211 returned to school. Information for 2007-2008 and 2008-2009 is not available.

Service Canada maintains an office in Behchokò, Whatì, and a number of other NWT locations.



## 7.6 Natural Resources Canada

The responsibilities of NRCan under the Tłı̨chǫ Agreement, is mandated to the Surveyor General under section 18.4 of the Agreement (Boundaries and Surveys) and in Annex A of the Tłı̨chǫ Agreement Implementation Plan. The Surveyor General has responsibility for the legal surveys that determine the boundaries of land claim area. The survey activities as stipulated by the Implementation Plan for the first four of the eight years have been completed and the resulting survey plans have been deposited within the Canada Lands Survey Record or are in the process of being deposited.

Nine contracts for mapping and surveys within the Tłı̨chǫ settlement area have been awarded through PWGSC. Tłı̨chǫ involvement in the contracts generated income for Tłı̨chǫ businesses as well as employment and on the job training for beneficiaries.

Contracts in fulfillment of the Surveyor General responsibilities with respect to Boundaries and Surveys include:

- **Contract Number 23429-056014/001/EDM:** The legal survey and demarcation of approximately 37 kilometres of Yellowknife Highway #3 excluded from Tłı̨chǫ Lands.
- **Contract Number 23429-067003/001/EDM:** The mapping of an estimated 1500 kilometres of boundary from the 2005 and 2006 aerial photography.
- **Contract Number 23429-067005/001/EDM:** The legal survey and demarcation of approximately 137.6 kilometres of artificial boundaries encompassing Advanced Exploration Sites and Hazardous Waste Sites.
- **Contract Number 23429-067004/001/EDM:** The legal survey and demarcation of approximately 32 kilometres of artificial boundaries encompassing Behchokǫ Community lands and approximately 4 kilometres of artificial boundaries encompassing Wekweètì Community lands excluded from Tłı̨chǫ Lands.
- **Contract Number 23429-067006/001/EDM:** The legal survey and demarcation of approximately 27 kilometres of artificial boundaries encompassing Whatì Community lands and approximately 700 metres of artificial boundaries encompassing Gamètì Community lands excluded from Tłı̨chǫ Lands.
- **Contract number 23429-082001/001/EMD:** The legal survey and demarcation of approximately 32 kilometres of artificial boundaries of Tłı̨chǫ Lands adjacent to Canada Lands.
- **Contract number 23429-082002/001/EMD:** The legal survey and demarcation of approximately 75 kilometres of artificial boundaries of Tłı̨chǫ Lands adjacent to Canada Lands.
- **Contract number 23429-082004/001/EMD:** The legal survey and demarcation of approximately 31 kilometres of artificial boundaries of Tłı̨chǫ Lands adjacent to Canada Lands.
- **Contract number 23429-082051/001/EMD:** The legal survey and demarcation of approximately 47 kilometres of artificial boundaries of Tłı̨chǫ Lands adjacent to Canada Lands.

The survey obligations of Year 5 of the Tłı̨chǫ Agreement Implementation Plan propose the field survey and monumentation of the general East boundary of Tłı̨chǫ Lands. In working to meet these obligations, a number of contracts were awarded through PWGSC. Approximately half of the East boundary of Tłı̨chǫ Lands was surveyed and monumentation installed, with the remainder pending necessary funding in order to fulfill the year's Implementation obligations. These contracts include:

- **Contract number 23429-095159/001/EDM:** Employment, staffing services, fuel, supplies, and transportation.
- **Contract number 23249-092181/001/EDM:** Employment, staffing services, fuel, supplies, and transportation.
- **Contract number 23429-098334/001/EDM:** Employment, staffing services, fuel, supplies, and transportation.

The Surveyor General Branch is committed to delivering on Implementation obligations as soon as funding is made available to the Surveyor General. Involvement of the Tłı̨chǫ people in the survey and boundary program in terms of communication, education, and economic benefits continues to be a priority of the Surveyor General Branch.

## 7.7 Public Works and Government Services Canada Western Region

PWGSC handles procurements on behalf of federal departments and agencies. It continues to provide opportunities for Tłı̨chǫ firms by advertising procurements using the government electronic tendering system. Whenever it was practical and consistent with sound procurement management principles, PWGSC recommends that bid evaluation criteria be included in solicitations to maximize socio-economic benefits to the Tłı̨chǫ Beneficiaries.

To support the objectives of Chapter 26, Economic Measures, under the Tłı̨chǫ Agreement, PWGSC continues to provide assistance and organize information seminars on the procurement process to assist the Tłı̨chǫ and other Aboriginal small and medium businesses located in the NWT in becoming familiar with bidding and contracting procedures. In February 2007, PWGSC officials delivered a presentation on how to do business with the federal government in partnership with the Inuvik Community Futures group. The presentation in Inuvik was well received by the approximately 25 people in attendance and resulted in more procurement opportunities for the business community.

In October 2007, PWGSC, Office of Small and Medium Enterprises, in partnership with INAC, hosted an Aboriginal Business Conference in Yellowknife for approximately two hundred registered participants. The Office of Small and Medium Enterprises plans to organize future workshops in Yellowknife and other NWT communities to provide "Selling to Government" and "How to Submit Tenders" workshops.

PWGSC also is assisting INAC with the development of Contaminated Site Procurement Strategy Procedures, Generic and Land-Claim Specific Aboriginal Benefits plans, Aboriginal on-the-job apprenticeship training programs and other innovative initiatives under the Northern Contaminated Sites Program that will be used on clean-up work in the NWT Territories and Nunavut.

The Western Region's Northern Contaminated Sites Program has established good working relationships with the senior economic development officers within the Tłı̨chǫ Government and has participated in meetings with the Tłı̨chǫ and other economic development officers from local communities. Western Region's Environmental Services and Acquisitions and Contracting staff, working in conjunction with INAC in Yellowknife, sponsored an Industry Day, procurement training workshops including a MERX presentation, town halls, local community information sessions, and various bidders' conferences in the NWT.

Western Region, Northern Contaminated Sites Program is currently preparing specifications and bid documents for a number of remediation projects in the NWT that will be advertised on MERX. These include the \$10 million plus Tundra Mine Phase II Remediation, the \$5-10 million Colomac Mine Winter Road and Mill Demo, the \$20 million plus Silver Bear and Terra Mine Remediation, and the \$5 million North INCA and Beaver Lodge Mine Remediation.

In February 2005, PWGSC, Western Region, under the Northern Contaminated Sites Group signed a Memorandum of Understanding (MOU) with INAC to provide site investigation, project planning, specification development, procurement, contract and project management, and administration services. The agreement expires on March 31, 2010. There are approximately 20 former intermediate Distant Early Warning (DEW Line) sites across the Arctic that will form part of this restoration and clean-up program that includes a number of abandoned gold, copper, silver, and uranium mines in the NWT.

A significant project within the Tłı̨chǫ land claim area was the \$14 million Colomac Mine "Major Civil Works and Site Remediation" contract that was awarded in January 2006 to Metrow Construction Ltd., an Aboriginal-owned firm from Hay River, NWT. Under the terms of the construction contract approximately 20-48 full-time equivalent positions of employment were created or maintained between project start-up and during peak construction. Throughout the two-year contract the contractor was committed to providing on-site training programs and the recruitment of approximately 51-61 percent Aboriginal human resources from the North, including Tłı̨chǫ Citizens. Through the contract the company was able to build Aboriginal capacity and was able to purchase new heavy equipment, estimated at a value of \$3.8 million. The firm met its contractual obligations based on employment statistics submitted on completion of this project.

As a result of de-bundling various project requirements, small local Tłı̨chǫ or other Aboriginal firms were better able to compete on northern contaminated site procurement opportunities.

Aboriginal Engineering Limited, a Tłı̨chǫ-owned company from Yellowknife, was awarded the \$3.7 million Discovery Mine Phase II clean-up contract, the \$1.2 million Discovery Mine Phase III clean-up, the \$5.8 million Tundra Mine clean-up, and the \$6.8 million Port Radium clean-up contract. The contractor had committed to providing various Aboriginal training programs and to recruit approximately 63-75 percent Aboriginal resources, including Tłı̨chǫ Citizens, on these projects. The contractor has met and, on the Discovery Mine project, exceeded their contractual obligations based on employment statistics submitted.

NRCan's Surveyor General has a mandate to survey Tłı̨chǫ lands on behalf of the Government of Canada under section 18.4.1 of the Tłı̨chǫ Agreement. PWGSC – on behalf of NRCan (Yellowknife) – advertised and awarded seven contracts in the order of \$2.2 million with an accredited Canadian land survey firm for the boundary surveys of Tłı̨chǫ lands. Ollerhead & Associates Limited of Yellowknife successfully bid to contract directly with the Tłı̨chǫ Government to arrange logistics and support staff. Through various agreements, the company reported approximately \$303,221 of economic benefits for Tłı̨chǫ suppliers ranging from brush cutters, cooks, rentals, hotel and food, Great Slave helicopters, Air Tindi charters, and vehicle, boat, and snowmobile rentals.



PWGSC's Edmonton Acquisitions Group awarded five janitorial services contracts totalling \$375,000 per year for various federal properties in Yellowknife. The requirements were advertised and awarded within the M̄owhì Gogha Dé N̄ìitlèè boundary of the T̄h̄ch̄ Agreement. The contracts were awarded to local northern companies for the period of September 2007 to August 2008, with two option years thereafter. The contracts included provision for Aboriginal labour and subcontracts for cleaning supplies and equipment.

Up to March 31, 2007, the contracts awarded to T̄h̄ch̄ and other Aboriginal and/or northern-owned businesses in the NWT represent a combined value of over \$75 million. These contracts include an Aboriginal Benefits Plan that would create approximately 180-190 employment opportunities for T̄h̄ch̄ and other Aboriginal individuals, representing over 60 percent of the total number of employees working on these contracts. In addition, the contracts are expected to generate approximately \$10-15 million in spin-off benefits for Aboriginal and Northern Suppliers and the local communities in terms of providing goods and services in support of the work under these contracts.

# APPENDIX I

## *Implementation Committee Members (2005 – 2008)*

Bertha Rabesca Zoe (Tłıchǫ Government)

Jake Heron (GNWT)

Scott Alexander (GNWT)

Mavis Dellert (Canada)

Allan Burnside (interim) (Canada)

Kimberly Thompson (Canada)

## *Finance Committee Members (2005 – 2008)*

Bertha Rabesca Zoe (Tłıchǫ Government)

Mavis Dellert (Canada)

Kimberly Thompson (Canada)

## *Wek'ezhii Land And Water Board (Aug. 4, 2005- March 31, 2009)*

Name	Nominating/Appointing Party	Term
Violet Camsell-Blondin (Chair)	Board/Canada	October 24, 2005 – January 31, 2007 and February 1, 2007 – 2010
Rita Mueller	Canada	September 4, 2008 – 2011
Alfonz Nitsiza	Tłıchǫ Government	October 20, 2005 – 2008
Joseph Judas	Tłıchǫ Government	October 20, 2005 – 2008
Mike Nitsiza	Tłıchǫ Government	December 17, 2008 – 2011
Joe Rabesca	Tłıchǫ Government	September 18, 2006 – September 17 2009
Joyce Rabesca	GNWT/Canada	November 7, 2005 – 2008

*Wek'eezhii Renewable Resources Board (Aug. 4, 2005 – March 31, 2009)*

Name	Nominating/Appointing Party	Term
Alfonz Nitsiza, Interim Chair Alfonz Nitsiza, Chair	Board/Joint Appointment	December 1, 2006 – May 18, 2008 May 19, 2008 – August 30, 2009
Joe Rabesca	Tłı̨chɔ Government	November 23, 2007 – 2009
Joseph Judas	Tłı̨chɔ Government	November 23, 2007 – 2009
Peter Arrowmaker	Tłı̨chɔ Government	November 23, 2007 – 2009
Moise Rabesca	Tłı̨chɔ Government	December 15, 2008 – 2010
Alfonz Nitsiza	Tłı̨chɔ Government	November 25, 2005 – 2007
Eddie Erasmus	Tłı̨chɔ Government	November 25, 2005 – 2007
Frank Arrowmaker	Tłı̨chɔ Government	November 25, 2005 – 2007
Ray Case	GNWT	December 7, 2005 – 2010
Ernie Campbell	GNWT	December 7, 2005 – January 2009 (resignation)
Lance Schmidt	GNWT	September 18, 2009 – 2014
Bruce MacDonald	CWS/ INAC	October 2, 2006 – 2009
Grant Pryznyk	DFO/ INAC	October 2, 2006 – 2009 October 3, 2009 – 2012

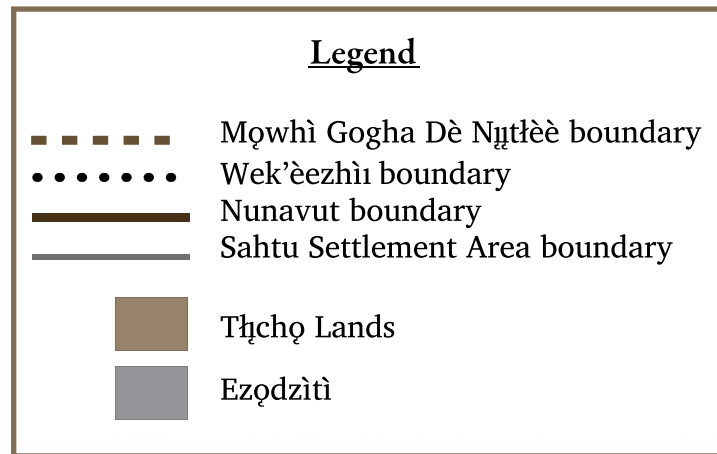
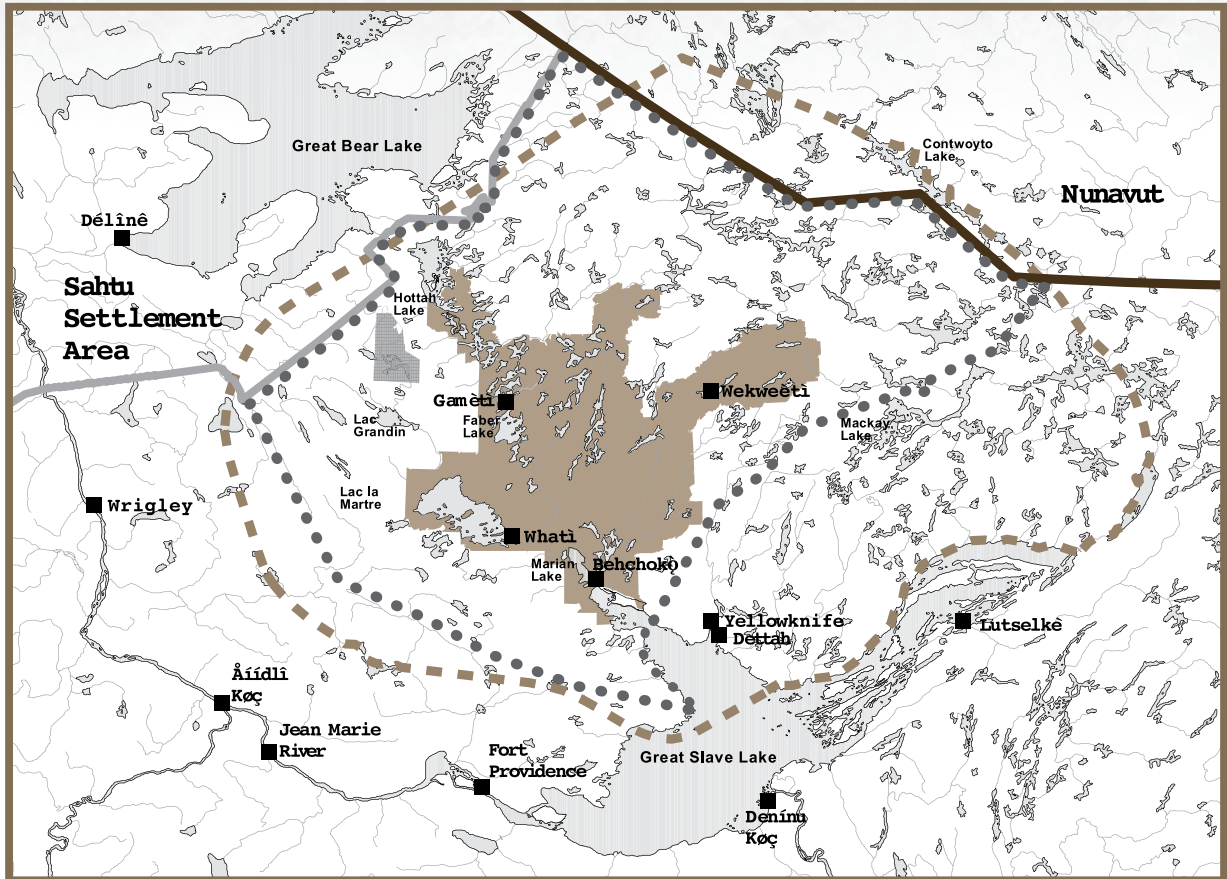
*Mackenzie Valley Environment Impact Review Board (Aug. 4, 2005 – March 31, 2009)*

Name	Nominating/Appointing Party	Term
Gabrielle Mackenzie-Scott	Board	March 28, 2005 – 2008
Richard Edjericon, Chair	Board	March 28, 2007 – 2011
Charlie Snowshoe	Gwich'in	February 28, 2005 – 2008
Fred Koe	Gwich'in	March 13, 2008 – 2011
Nora Doig	Tłı̨chɔ	November 13, 2005 – 2008
Gabrielle Mackenzie-Scott	Tłı̨chɔ	Up to March 29, 2005
Danny Bayha	Sahtu	October 20, 2003 – 2006 October 19, 2006 – 2009 November 10, 2009 – 2011
Percy Hardisty	Deh Cho	October 26, 2003 – 2006 February 28, 2008 – 2011
John Ondrack	GNWT	March 15, 2004 – 2007 March 14, 2007 – 2010
Gerald Loomis	GNWT	March 15, 2004 – 2007 March 14, 2007 – 2010
John Stevenson	Canada	August 22, 2005 – 2008
Peter Bannon	Canada	May 25, 2009 – 2012
Richard Edjericon	Canada	March 13, 2007 – March 27, 2008
Darryl Bohnet	Canada	November 20, 2008 – 2011



# APPENDIX II

*Map Of Tłı̨chǫ Lands, Mǫwhì Gogha Dè Nı̨tlèè, Wek'èezhì, And Ezǫdzìtì*



*For illustrative purposes only.*

# APPENDIX III

## *Schedule Of Capital Transfer Payments 2005-2009*

### *Final Payment Amounts*

Fiscal Year	Amount
2005-2006	\$1,378,981
2006-2007	\$2,757,961
2007-2008	\$4,136,942
2008-2009	\$5,515,922

# APPENDIX IV

## *Dates Of Tłıchǰ Assembly Sessions*

The Tłıchǰ Assembly held the following sessions:

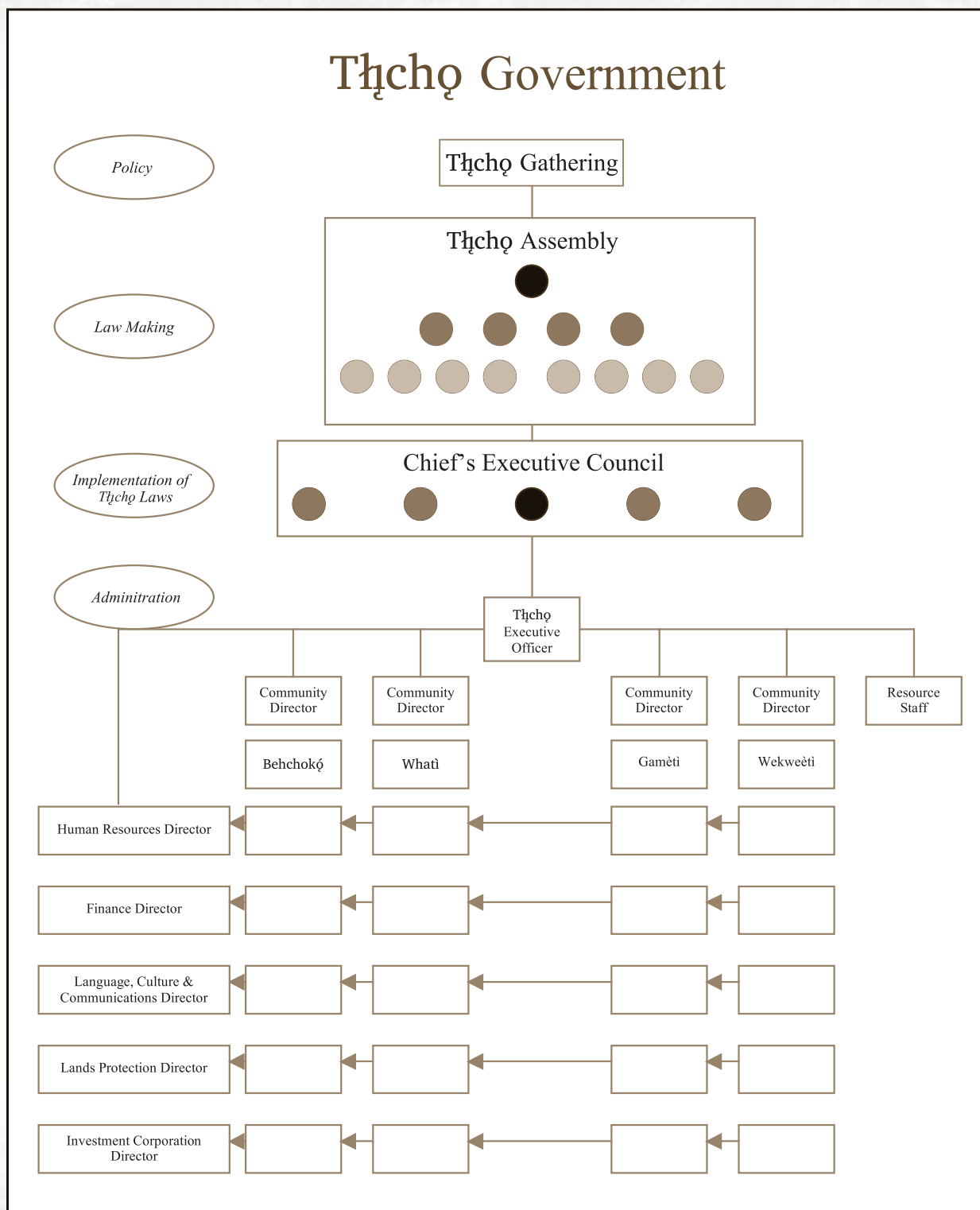
- 1<sup>st</sup> Tłıchǰ Assembly Session- Behchokǰ August 2005
- 2<sup>nd</sup> Tłıchǰ Assembly Session Behchokǰ October 19-27, 2005
- 3<sup>rd</sup> Tłıchǰ Assembly Session Behchokǰ December 14-16, 2005
- 4<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ Feb 27 – Mar 2, 2006
- 5<sup>th</sup> Tłıchǰ Assembly Session Gamètì June 14-16, 2006
- 6<sup>th</sup> Tłıchǰ Assembly Session Wekweètì August 3, 2006
- 7<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ October 23-27, 2006
- 8<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ December 11-15, 2006
- 9<sup>th</sup> Tłıchǰ Assembly Session Whatì Feb 20-21, 2007
- Special Session Behchokǰ March 12, 2007
- 10<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ May 23-25, 2007
- 11<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ July 19, 2007
- Special Session Behchokǰ October 23-25, 2007
- 12<sup>th</sup> Tłıchǰ Assembly Session Whatì November 6-8, 2007
- 13<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ November 27-29, 2007
- 14<sup>th</sup> Tłıchǰ Assembly Session Gamètì January 29-31, 2008
- 15<sup>th</sup> Tłıchǰ Assembly Session Behchokǰ March 11-15, 2008
- 16<sup>th</sup> Tłıchǰ Assembly Session Whatì May 20-23, 2008



- 17<sup>th</sup> Tìchò Assembly Session Behchokò June 19-20, 2008
- 18<sup>th</sup> Tìchò Assembly Session Whatì August 9, 2008
- Special Session Behchokò September 23-25, 2008
- 19<sup>th</sup> Tìchò Assembly Session Behchokò October 28-31, November 3, 2008
- 20<sup>th</sup> Tìchò Assembly Session Behchokò December 9-16, 2008
- 21<sup>st</sup> Tìchò Assembly Session Behchokò February 24-26, 2009
- 22<sup>nd</sup> Tìchò Assembly Session Wekweètì March 24-26, 2009

# APPENDIX V

*Chart of Tłıchǫ Government*



# APPENDIX VI

Chart of Tłı̨chǫ Investment Corporation Structure

