



Northwest Territories  
Protected Areas Strategy

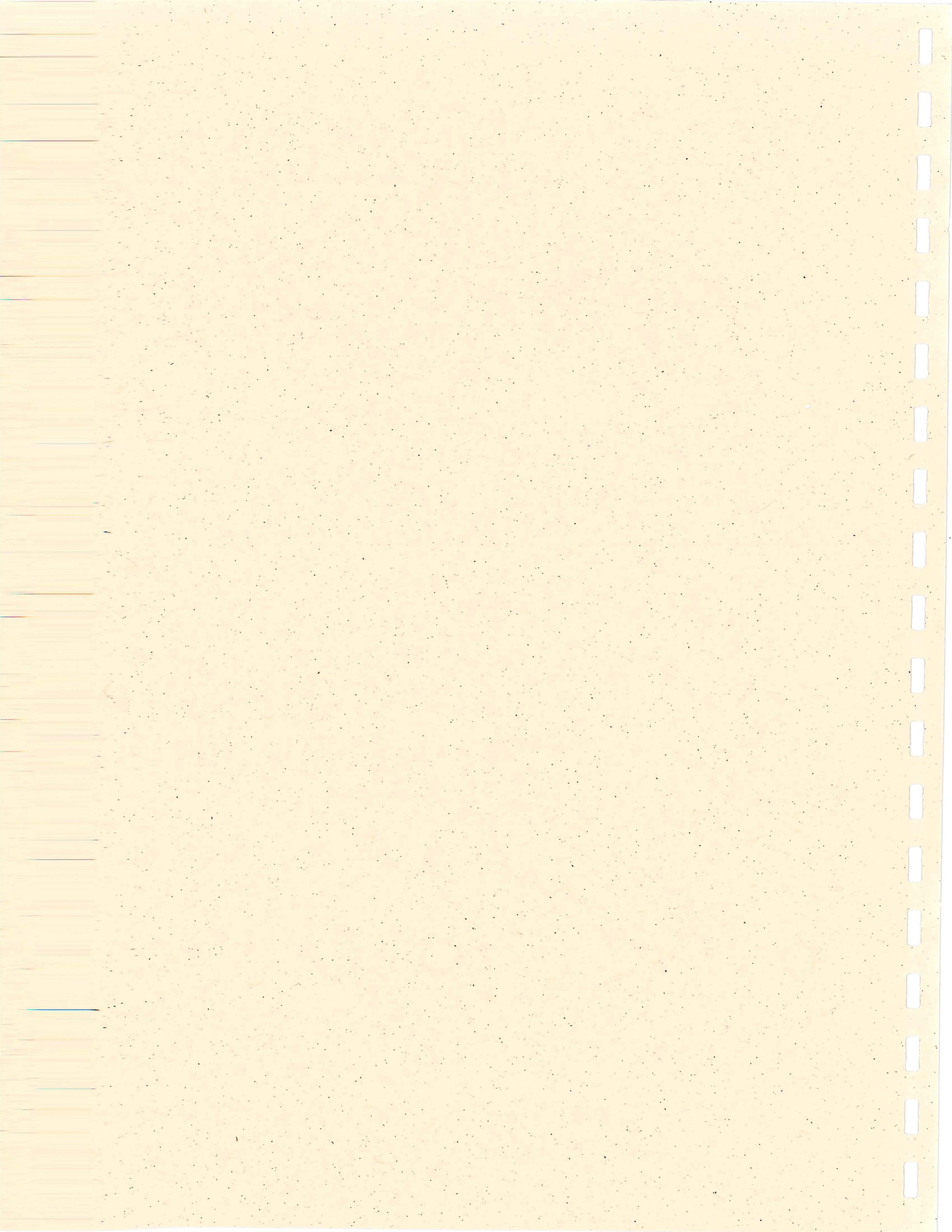
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Working Together Towards  
a Protected Areas Strategy  
for the Northwest Territories

Summary Report

Inuvik  
March 4-6, 1997





# TABLE OF CONTENTS

EXECUTIVE SUMMARY ..... V

## DAY 1: TUESDAY, MARCH 4, 1997

### MORNING SESSION

**Opening Remarks** ..... 1  
*The Honourable Stephen Kakfwi, RWED, GNWT*

### PROTECTED AREAS WORK IN PROGRESS

**Gwich'in Settlement Area** ..... 2  
*Richard Nerysoo, President, Gwich'in Tribal Council; Bob Simpson, Board Member; Wynet Smith, Integrated Resource Manager; Ron Cruikshank, Land Use Planner; Alestine Andre, Gwich'in Social and Cultural Institute*

**Protecting Marine Areas** ..... 6  
*Dave McBurney, Parks Canada; Paul Latour, Canadian Wildlife Service; Helen Joseph, Department of Fisheries and Oceans*

**Nunavut** ..... 9  
*Adrian Boyd, Nunavut Tunngavik Incorporated*

### AFTERNOON SESSION

#### WHAT IS A PROTECTED AREAS STRATEGY?

**Development of a Protected Areas Strategy:**

**Legal and Legislative Framework** ..... 11  
*Tom Nesbitt, lawyer, mediator, environmental consultant*

**Development of a Protected Areas Strategy:**

**The Ecological Framework** ..... 13  
*Bas Oosenbrug, RWED*

**Federal Government Remarks** ..... 14  
*The Honourable Ethel Blondin-Andrew, M.P.*

#### STAKEHOLDER PERSPECTIVES

**Environmental Non-Governmental Organizations** ..... 15  
*Juri Peepre and Gillian McKee, Canadian Parks and Wilderness Society*

**Industry and Mining** ..... 17  
*Mike Vaydik, NWT Chamber of Mines*

### EVENING SESSION

**NWT Treaty 8 Tribal Council** ..... 18  
*Fred Sangris, Treaty 8 Tribal Council*

**How Saskatchewan Developed Its Representative Areas Network** ..... 19  
*Randy Seguin, Saskatchewan Environment and Resource Management*

**Wrap Up** ..... 22  
*The Honourable Stephen Kakfwi, RWED, GNWT*

**DAY 2: WEDNESDAY, MARCH 5, 1997**

**MORNING SESSION**

**PRESENTATIONS BY ABORIGINAL REPRESENTATIVES**

<b>Treaty 8</b> .....	23
<i>Danny Beaulieu</i>	
<b>Sahtu Region</b> .....	24
<i>Chief John T'Seleie</i>	
<b>North Slave Métis Alliance</b> .....	24
<i>Bob Turner</i>	
<b>Gwich'in Land Administration</b> .....	25
<i>Joseph Benoit</i>	
<b>Treaty 11</b> .....	25
<i>Ted Blondin</i>	
<b>Wrap Up</b> .....	26
<i>The Honourable Stephen Kakfwi, RWED, GNWT</i>	

**BREAKOUT SESSION 1: WORKING GROUPS**

***Objective: To identify the advantages and challenges of working together towards a PAS for the NWT***

<b>Working Group 1: North Mackenzie Region</b> .....	27
<i>Facilitator: Linda Michaluk</i>	
<b>Working Group 2: North Slave Region</b> .....	30
<i>Facilitator: Hal Mills</i>	
<b>Working Group 3: South Slave Region</b> .....	33
<i>Facilitator: Doug Burch</i>	

**AFTERNOON SESSION**

**BREAKOUT SESSION 2: WORKING GROUPS**

***Objective: To identify the criteria and underlying characteristics of a PAS***

<b>Working Group 1: North Mackenzie Region</b> .....	35
<i>Facilitator: Linda Michaluk</i>	
<b>Working Group 2: North Slave Region</b> .....	37
<i>Facilitator: Hal Mills</i>	
<b>Working Group 3: South Slave Region</b> .....	39
<i>Facilitator: Doug Burch</i>	
<b>Wrap Up</b> .....	40
<i>Craig Darling, facilitator</i>	

**DAY 3: THURSDAY, MARCH 6, 1997**

**MORNING SESSION**

**BREAKOUT SESSION 3: WORKING GROUPS**

*Objective: To provide recommendations and advice to Ministers on next steps*

**Working Group 1: North Mackenzie Region . . . . . 41**

*Facilitator: Linda Michaluk*

**Working Group 2: North Slave Region . . . . . 42**

*Facilitator: Hal Mills*

**Working Group 3: South Slave Region . . . . . 44**

*Facilitator: Doug Burch*

**Wrap Up . . . . . 46**

*The Honourable Stephen Kakfwi, RWED, GNWT*

**STATEMENTS TO THE MINISTER**

**Aboriginal Caucus . . . . . 48**

*Ted Blondin, Treaty 11*

**DIAND . . . . . 49**

*David Livingstone, DIAND*

**Inuvialuit Settlement Region . . . . . 49**

*Alex Illasiak, Inuvialuit Land Administration*

**NWT Chamber of Mines . . . . . 49**

*Doug Willy, Diavik Diamond Mines Inc.*

**NWT Environmental Non-Governmental Organizations . . . . . 50**

*Gillian McKee, CPAWS-NWT Chapter*

**Gwich'in Representative . . . . . 50**

*Charlie Snowshoe*

**CLOSING**

**Closing Remarks . . . . . 51**

*Craig Darling, facilitator*

*The Honourable Stephen Kakfwi, RWED, GNWT*

**APPENDIX 1: NWT ENVIRONMENTAL NON-GOVERNMENTAL ORGANIZATIONS . . . . . 53**

**APPENDIX 2: LIST OF PARTICIPANTS . . . . . 54**

**APPENDIX 3: RESPONSES TO CONFERENCE EVALUATION FORM . . . . . 60**



**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

## **EXECUTIVE SUMMARY**

### **BACKGROUND**

On March 4-6, 1997, the Government of the Northwest Territories (GNWT), supported by the Department of Indian Affairs and Northern Development Canada (DIAND), hosted a conference in Inuvik, NWT, entitled *Working Together Towards a Protected Areas Strategy for the Northwest Territories*. Approximately 120 representatives from Aboriginal organizations, environmental non-governmental organizations (ENGOS), industry and government attended to discuss the development of a protected areas strategy (PAS) for the NWT (see Appendix 2: List of Participants). The Honourable Stephen Kakfwi, Minister of Resources, Wildlife and Economic Development (RWED), GNWT, chaired the conference.

### **RATIONALE**

Since 1992, the GNWT and the Government of Canada have pledged to complete a system of protected areas for the NWT through a number of public, national and international agreements, including:

- The Tri-Council Resolution of Environment, Parks and Wildlife Ministers.
- The Endangered Species Campaign.
- The Whitehorse Mining Initiative.
- The Canadian Biodiversity Strategy.

In order to develop a successful PAS, the GNWT and the Government of Canada recognized that participation of the various stakeholders was critical. *Working Together Towards a Protected Areas Strategy for the Northwest Territories* was designed as the first step in a shared decision-making process leading to the development of a PAS for the NWT. The GNWT has the lead role in coordinating the development of a PAS for the NWT, with the support of DIAND and other federal departments.

### **OBJECTIVES**

The objectives of the conference were to:

- Discuss how protected areas initiatives currently underway might benefit from a territory-wide PAS.
- Learn about the protected areas work being done by Aboriginal organizations under land claim agreements and by other organizations.
- Explore what steps would be required to achieve a territory-wide strategy.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- Seek a commitment to proceed with strategy development.
- Identify representatives to work with government to structure a process based on shared decision making to develop the strategy.

## **PLENARY PRESENTATIONS**

Presentations were given on work in progress, typical tools used in the development of a PAS, and stakeholder perspectives. Several Aboriginal groups also made presentations.

## **Updates on Work in Progress**

Presentations given on protected areas work in progress covered:

- Work in the Gwich'in Settlement Area.
- Information on new initiatives to protect marine areas and migratory birds undertaken by Parks Canada, the Canadian Wildlife Service and the Department of Fisheries and Oceans.
- Work underway in Nunavut. A staff member of Nunavut Tunngavik Incorporated (NTI), echoing a press release issued by NTI February 25, 1997, stated that the provisions for protected areas under the Nunavut Land Claim Agreement accomplish the intent of a PAS. Nunavut organizations have agreed that "it is not necessary to develop additional mechanisms to protect land within the Nunavut Settlement Area." It should also be noted that the Deh Cho issued a press release on March 3, 1997, stating that Deh Cho Leaders had chosen not to attend the conference because they believed the conference would not likely support the Deh Cho wish for a community-driven approach in which Deh Cho would "identify traditionally significant areas for protection in our way". However, the Deh Cho did send one representative to the conference.



Minister Kakfwi (front centre) and Senator Pat Carney (front right) listen to participants during plenary



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**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

### **Development of a PAS: Legal, Legislative and Ecological Frameworks**

The meaning of the term "protected areas strategy" was addressed in presentations on the development of a PAS. The legal, legislative and ecological frameworks for developing a PAS were also discussed in this context.

### **Stakeholder Perspectives**

The Honourable Ethel Blondin-Andrew, M.P. for Western Arctic, spoke about the federal government's role in cooperating with the GNWT in developing a territory-wide PAS, emphasizing the careful balance that needs to be struck in ensuring that all interests are reflected. Representatives from ENGOs and Mining and Industry gave presentations highlighting their perspectives on a PAS. In an evening session, a representative of the Treaty 8 Tribal Council spoke about Indigenous peoples' relations to the land, and their spiritual and sacred sites.

### **Aboriginal Perspectives**

Aboriginal representatives from Treaty 8, the Sahtu Dene, the North Slave Metis Alliance, the Gwich'in Land Administration and Treaty 11 addressed participants. The principal messages of these presentations included:

- Aboriginal organizations are not opposed to development. However, First Nations need to be in control of more aspects of the development process, including issuing land use permits.
- Land claims are the primary tools for dealing with protected areas.
- A PAS is an option that should be carefully considered as a vehicle for protecting areas. Aboriginal communities undergoing land claim negotiations could consider participating in developing a PAS.
- Involvement of Aboriginal organizations has to be meaningful if a territory-wide PAS is to be successful. The process must be community-driven.
- Appropriate financial and human resources should be allocated to involve the communities.

### **Other Perspectives**

A presentation was made on how Saskatchewan developed its Representative Areas Network.

## **WORKING GROUPS**

Participants were divided into three regional working groups: the North Mackenzie Region, the North Slave Region and the South Slave Region. These groups met three times over the course of the conference. The following is a summary of some of the common themes that emerged from discussions.

### **Breakout Session 1: Advantages and Challenges of Working Together**

In Breakout Session 1, participants identified the advantages and challenges of working together towards a PAS for the NWT.

#### ***Advantages of Working Together***

Working together enables:

- Groups to learn from each other.
- Identification of common issues and concerns, and the establishment of common goals.
- Clarification and identification of the numerous stakeholders, as well as their roles and responsibilities.
- Greater certainty for all in terms of land use.
- Streamlining community consultation process.
- Simplification of government approvals by developing regulatory tools together.
- The development consensus, commitment and buy-in, and the elimination of barriers and boundaries.
- Information gathering and sharing, which enables:
  - Building on past successes.
  - Reducing the duplication of efforts, and developing a more efficient process to reach common goals and obtain results.
  - Establishing a common information base.
  - Clarifying terminology and definitions.
  - Dispelling of myths.
  - Informed decision making at the community level.
  - Promoting awareness about the various legislative vehicles available for establishing protected areas.



A Working Group in progress

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

***Challenges of Working Together***

Challenges of working together include:

- Prioritizing and classifying parts of the territories and lands, which is a difficult task from an Aboriginal perspective.
  - Developing a PAS when there is a lack of data.
  - Ensuring that the PAS is community-based and community-driven, and that it is written in plain language that lay people can understand.
  - Ensuring that plans for protected areas do not exclusively concentrate on species and areas that are "useful" to people. There is a need to be concerned with broader ecosystems.
  - Developing an appropriate process for moving forward.
  - Considering the different approaches of Aboriginal groups, and that many groups view land claims settlements as the best vehicle for dealing with protected areas.
  - Ensuring that global environmental concerns such as airborne pollutants continue to be addressed by governments worldwide.
  - Addressing transboundary issues.
  - Ensuring that sufficient funds are allocated for effective participation in the PAS.
  - Recognizing that community consultation is expensive and complex.
  - Streamlining the application and review processes.
  - Ensuring that stakeholders work together and that communities are not pitted against each other.
  - Building a common understanding of and objectives for a PAS.
  - Clarifying terminology and describing the roles of protected areas.
  - Designing a strategy that accommodates everyone's viewpoints and takes into consideration the various paces at which stakeholders are working.
- Bringing together local and national objectives.
  - Clarifying the objectives and benefits of a PAS to the various groups, as well as the role that a PAS can or cannot play in achieving sustainable development objectives.
  - Ensuring that there is sustained commitment from all concerned parties.
  - Operating under the current regulatory system.



A participant in front of an RWED display on the NWT Centre for Remote Sensing

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

## **Breakout Session 2: Characteristics of a PAS**

In Breakout Session 2, participants identified the criteria and underlying characteristics of a PAS. The emerging characteristics fell into three main categories: principles, process, and information and communication.

### ***Principles***

A PAS should:

- Recognize and adhere to the central role of regional co-management bodies created by the land claim agreements, as well as the role of regional bodies and communities.
- Recognize the interests, responsibilities and authorities of all stakeholders, including land claim groups, wildlife boards, community members, governments, ENGOs and industry.
- Recognize international obligations, and the opportunity for a territory-wide PAS to help fulfil these.
- Consider environmental, economic and social factors.
- Include meaningful participation of Aboriginal representatives.
- Be community-based and community-driven.
- Be consistent with the principles of sustainable development and the Whitehorse Mining Initiative. There should be a common understanding of the definition of sustainable development.
- Articulate a clear vision.
- Pursue consultations with, and involvement of, Nunavut and the Deh Cho Region in a territory-wide PAS.

### ***Process***

The PAS process should:

- Have adequate resources to ensure effective participation of the various stakeholders.
- Clarify government's position with regards to interim withdrawals and compensation, among other things. There should be a broad approach to interim protection including consideration of economic development.
- Have technical support so that communities can map special areas.
- Be well coordinated, realistic and achievable.
- Have a commitment for implementation.
- Undergo periodic review.
- Recognize regional differences, and consider each region's preparedness to proceed.
- Have a flexible timeframe. Land claims should be settled. However, work on a PAS can take place before land claim agreements are finalized.
- Include the participation of all Northerners. Non-northerners should participate by invitation only.
- Be open, inclusive and transparent.

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**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

***Information and Communication***

A PAS should:

- Be based on technical and traditional information, as well as environmental, social, cultural, technical and economic realities. Geological mapping should take place so that mineral values are known. All stakeholders should pool their GIS information.
- Insist on coordination between the regions.
- Be written in clear, non-technical language.
- Enable networking, and facilitate communication among stakeholders.

**Breakout Session 3: Next Steps**

In Breakout Session 3, participants were asked to provide recommendations and advice to Ministers regarding how to proceed.

***Recommendations to Ministers on Next Steps***

- Reaffirm both governments commitment to proceed, and allocate financial and human resources for developing a PAS.
- Organize a conference for Aboriginal groups similar to this conference so that Aboriginal groups have an opportunity to discuss the issues among themselves. While other parties may attend the conference, their attendance will be by invitation only. Once the ideas of Aboriginal people are on paper, they will consult with others.
- Write a clear, detailed discussion paper, and present it to Aboriginal groups for their review and approval. GNWT staff could assemble the paper and coordinate the initial stages of the development of the PAS until communities give the go ahead to the process. Once the go ahead is given, a more concrete coordinating body could be established.
- Identify and focus on communities that don't have mechanisms for dealing with protected areas. Groups that have progressed further regarding protected areas could still be present at information-sharing meetings to discuss lessons learned and options.
- Seek commitment from settlement areas to officially support a PAS.
- Set up federal/GNWT/ENGO/industry-funded programs to assist groups undergoing claims processes in identifying special areas. Increase capacity of communities to participate. Bring GIS computers and other resources to the communities, and have GNWT staff work in the communities to help identify candidate protected areas.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- Produce a large-scale, detailed map of the NWT that indicates the protected areas that have already been designated, as well as important natural areas such as wetlands.
- Coordinate, support and encourage the development of a PAS.
- Make agreements that target transboundary issues.
- Hold meetings with regional chairs. This would ensure representation, but would also make the numbers of delegates more manageable.
- Pursue community buy-in, and ensure that the timeframe for the PAS is set by the communities. It's too soon to establish working groups or a steering committee.
- Consider the economic consequences of protecting areas in all decisions.
- Ensure full information is collected and delivered to communities. Continue to build the information base.
- Recognize and use land claim agreements as a tool to achieve a PAS.
- Provide positive messages for the media about the broad involvement in the PAS.
- Make specific goals public, including whether they are to be based on a percentage of land area, or ecological representation.
- Clarify what "interim protection" means for communities and industry.
- Consider using the term "protected areas network" instead of protected areas strategy, in order that all regions, including Nunavut, feel comfortable participating.



A delegate browses the Internet for protected areas web sites

Suggestions concerning the roles of stakeholders included:

- The role of ENGOs should be to gather relevant information, so that they can provide information to groups who request it in a timely way.
- The role of industry should be to go into communities and consult with them.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

Both ENGOs and industry suggested setting up a working group comprised of representatives from all interested groups and stakeholders, including the regions, ENGOs and industry. This working group could develop a communications strategy for a PAS, figure out how consultations should proceed, and ensure that all stakeholders are heard.

## **STATEMENTS AND COMMITMENTS**

In the final plenary, several statements were delivered, and a number of commitments were made:

- Minister Kakfwi said the GNWT is prepared to help communities who do not have a process for designating protected areas. However, this assistance is contingent upon the communities inviting the government to work with them. Minister Kakfwi also noted that the governments would be prepared to consider supporting a conference organized by Aboriginal groups. He stressed the need for setting up a coordinating body to enhance communication between industry, jurisdictions and government departments.
- Aboriginal groups that had caucused throughout the conference stated that:
  - Aboriginal groups are committed to a PAS for the NWT.
  - Appropriate resources are required "to allow the wheels to be moving in each community so they can contribute more effectively."
  - There needs to be a firm commitment from the government.
  - Territorial governments need to disseminate information on the PAS to the regions and communities in plain language, "so that we can all work together effectively."
- DIAND stated that it is committed to the process of developing a PAS. It will support the GNWT and Minister Kakfwi, who will take the lead.
- Inuvialuit stated that they will continue using the process established for the Inuvialuit Settlement Region, but stressed that they cannot work in isolation -- particularly in the protection of migratory species -- and are interested in "what happens beyond our borders".
- The NWT Chamber of Mines noted that miners aren't always "bad guys", and that mining companies are becoming experts at community consultation. The Chamber of Mines supports the PAS, and "we want to be involved 100%".
- NWT ENGOs stated they look forward to supporting community groups in the development of a PAS.





## **DAY 1: TUESDAY, MARCH 4, 1997**

### **MORNING SESSION**

Following an opening prayer by Elder Winnie Cockney, facilitator Craig Darling introduced the conference organizers and reviewed the agenda.

#### **Opening Remarks**

*The Honourable Stephen Kakfwi, RWED, GNWT*

The Honourable Stephen Kakfwi, Minister of Resources, Wildlife and Economic Development (RWED) of the Government of the Northwest Territories (GNWT) thanked the Inuvialuit Regional Corporation and the Gwich'in Tribal Council for hosting the conference's opening reception, and extended a warm welcome to delegates.

"There is certainly much we can learn from each other as we develop a 'made-in-the-North' strategy that responds to our needs," the Minister said, noting that the agenda is an ambitious one. One of the greatest challenges will be to create a common understanding of what a protected areas strategy (PAS) means, and what it intends to accomplish.

After reviewing the conference objectives, the Minister emphasized several points, including that:

- The conference marks the beginning of a long-term process. Defining and designing a PAS will "take both time and a willingness to work in a spirit of trust and cooperation."
- The PAS will not interfere with initiatives currently underway. It will not intrude on legislated powers and responsibilities of Aboriginal organizations, the Federal government or the GNWT as co-managers of Northern lands and waters.
- The PAS "must be a 'made-in-the-North' strategy that belongs to us all." All stakeholders must contribute to the development and management of a PAS and ensure that it fully represents the needs of all Northerners.

Throughout his speech, Minister Kakfwi stressed the importance of the various stakeholder groups working together to find a balanced approach to managing the resources they all share. Each stakeholder has different perspectives and strengths to contribute to the process, and their respective interests will be respected by a PAS. A PAS will:

- Respect Aboriginal rights under land claim agreements and Section 35 of the Constitution.

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March 4-6, 1997 • Inuvik, NWT • Summary Report

---

- Enable the fulfilment of obligations under the: 1992 Tri-Council Resolution of Environment, Wildlife and Parks Ministers; Whitehorse Mining Initiative; and the Canadian Biodiversity Strategy.
- Consider economic development projects. "With 40% of Canada's land mass and more than half its coastal waterways, the NWT presents exceptional economic opportunities," the Minister pointed out. "The development of resources is an important means to economic self-sufficiency in the NWT."
- Recognize that different areas may need different levels of protection.
- Provide the necessary vehicle to enable decision makers to make responsible choices regarding land use.

"My hope is that the Strategy will establish clear guidelines for completion of a network of protected areas, thereby creating certainty for users of the land and reducing unnecessary conflict," the Minister stated. While economic development opportunities are key, these should be balanced with the need to ensure that future generations can enjoy the resources which the current generations enjoy today.

"Guided by traditional knowledge and building on the best scientific information available, a made-in-the-North PAS should equip us with the tools we need to make the right choices," Minister Kakfwi said. While there are many challenges ahead, there is capacity to meet them. "Different parties in this room have different rights, responsibilities and roles," said the Minister, noting that respecting these rights, responsibilities and roles is the way to reach agreement.

An open mind and a willingness to consider the various perspectives of the parties involved are key elements to the success of the conference. "It is up to each of us to take the necessary steps to turn this meeting's agenda into action -- a PAS that will meet the needs of all peoples, east and west -- into reality," the Minister concluded.

## **PROTECTED AREAS WORK IN PROGRESS**

### **Gwich'in Settlement Area**

*Richard Nerysoo, President, Gwich'in Tribal Council; Bob Simpson, Board Member; Wynet Smith, Integrated Resource Manager; Ron Cruikshank, Land Use Planner; Alestine Andre, Gwich'in Social and Cultural Institute*

Richard Nerysoo, President of the Gwich'in Tribal Council (GTC), expressed disappointment that the GTC hadn't been officially invited to the conference, although he noted that several Gwich'in Boards had been invited. He pointed out two things that are important when considering a PAS: the legal obligations articulated in the Constitution or under a land claim agreement; and the issue of parties with different interests working together.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

"We have to appreciate that land and water resources are the basis for financial wealth, but also wealth in terms of ongoing use and appreciation," said Nerysoo. People worldwide appreciate Canada for its beauty and resources, things that Canadians often take for granted and only begin to appreciate if they visit countries in which natural resources are scarce. "We must appreciate the value of our resources," he stressed.

Nerysoo underscored the importance of people working together, noting that much of the progress made in the Gwich'in Settlement Area has occurred because of this. Often parties come to the table with only their particular interests in mind, and do not budge from their positions. "We should set aside our personal interests and use our experience in those areas in which we work to develop a policy and plan of action for agreeing on a PAS," said Nerysoo. "The issue is whether people are willing to do this." He encouraged people to accommodate differences, and to use the conference as a forum to agree on a PAS.

Bob Simpson, Board Member, provided participants with an overview of the Gwich'in Land Claim Agreement. The two main objectives of the Agreement are:

- To protect and conserve the wildlife and environment of the Settlement Area for present and future generations.
- To provide the Gwich'in the right to participate in decision making concerning the use, management and conservation of land, water and resources.

Under the Agreement, the Renewable Resources Board has a number of powers, including the power to:

- Approve plans for the management and protection of particular wildlife populations, including transplanted wildlife populations and endangered species, and particular wildlife habitats, including conservation areas, territorial parks and national parks in the Settlement Area.
- Approve the designation of conservation areas and endangered species.

The Board has been functioning very well for four years, said Simpson. He noted that the Land Claim Agreement contains a chapter on the management of protected areas. The Gwich'in Territorial Park is currently being established, and the Gwich'in have been directly involved in all planning activities around its establishment.

The Agreement also contains a chapter on land and water regulations. The resulting Mackenzie Valley Resource Management Act, which sets up the regime for the management of land and water, is now being considered by Parliament. The Agreement also makes provision for an Environmental Impact Review Board and a Land and Water Board, and contains a chapter on Heritage Resources.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

Simpson concluded that the various players affected by the Land Claim Agreement are excited about new developments taking place to establish an integrated resource management approach.

Wynet Smith, Integrated Resource Manager, described the integrated resource management system (IRMS) being developed in the Gwich'in Settlement Area. Over the last few months, workshops have been held to determine how regional boards and a variety of Gwich'in organizations should work together. There was a general consensus that the groups -- which include cultural organizations and Elder and Youth Councils -- should indeed work together to establish an IRMS. In the future, these groups will work together and ensure that community values are included in the IRMS. In short, the Gwich'in IRMS will:

- Take an ecosystem approach. It will consider the relationship between the environment and people.
- Integrate traditional ecological knowledge and science.
- Integrate the roles, visions and values of each group.
- Consider a range of values and viewpoints.

Smith concluded by emphasizing that the IRMS is community-driven, and that the people most excited about its development are the people in the communities.

Ron Cruikshank, Land Use Planner, outlined the progress made in developing a land use plan for the Gwich'in Settlement Area. He listed the specific land use activities of a number of sectors, noting that protected areas is only one part of the land use planning mandate.

Cruikshank then reviewed the land use planning history in the Gwich'in Settlement Area. The 1970s were characterized by the recommendations outlined in the Berger Report that:

- No pipeline be built across North Yukon.
- A 10-year moratorium take place before a pipeline is reconsidered so that land claims negotiations can be undertaken and settled.
- Land use planning take place only after the settlement of land claims.
- Planning would be needed for the Mackenzie Valley.

In the 1980s, the Inuvialuit Final Agreement (1984) was signed, and the Mackenzie Delta Beaufort Sea Land Use Planning Commission was established between 1987 and 1990. However, the draft plan was not approved or implemented. It was regarded by some as too protectionist. As a consequence, the federal government did not provide funds for completing the plan.

The major developments in the 1990s were the settlement of the Gwich'in Land Claim in 1992, and the drafting of the Mackenzie Valley Resource Management Act. Three regulatory agencies must approve this Act, including the GTC, the Minister of the Department of Indian Affairs and Northern Development (DIAND) and the Minister of RWED, GNWT.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

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Cruikshank briefly described the planning process for land use under the Gwich'in Land Claim Agreement. The first of six stages involved information gathering, and the second stage -- which is currently under way -- involves developing options for the land use plan. Five zones are being proposed under the plan, including: year round protected areas; seasonal protection areas; commercial renewable resource development areas; commercial non-renewable resource areas; and public development areas. "The year-round protected areas have the potential for legislated protection," Cruikshank said. He added that three criteria would be used in evaluating appropriate land use, including: environmental impact; social, economic and cultural considerations; and land use conflict. To date, 35-40 protected areas have been identified by the communities. Cruikshank concluded by announcing that copies of the plan options paper are available.

Alestine Andre, Gwich'in Social and Cultural Institute, explained how the community of Tsiigehtchic proceeded with a proposal to Parks Canada for the designation of a Gwichya Gwich'in National Historic Site. The Steering Committee, comprised of community representatives including Elders and youth, considered six possible sites. It finally chose a stretch of the Mackenzie River, running from Thunder River to Point Separation. The reasons this site was selected include that it:

- Is a window into the history and culture of the entire Gwich'in Nation. Many myths and stories revolve around the river.
- Is a way to emphasize the connection of the Gwich'in to the land, and the importance of transportation.
- Provides a good opportunity for tourism-related activities.

If Parks Canada designates the stretch of the Mackenzie River as a National Historic Site, it will be among the first of the Canadian Historic Sites designated in the North. Parks Canada will most likely provide a plaque and establish a cost-sharing arrangement with Tsiigehtchic. Andre closed by noting that copies of the project's newsletter were available to participants.

## **Discussion**

Questions included:

- *What are the general economic trends in the Gwich'in Settlement Area, and what development opportunities will be presenting themselves in the near future?* Bob Simpson responded that there is a good opportunity. There will be a call for bids for oil and gas development in the Settlement Area, and exploration activities will be undertaken in winter. Tourism opportunities also exist, and the traditional economy is alive and well.
- *Are there transboundary agreements for water, particularly given last year's problems?* Richard Nerysoo noted two examples in the Gwich'in Settlement Area: the first is the Peel River watershed, and transboundary water use from Yukon to the NWT; the

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

second controversial but very important element is the Mackenzie Valley Resource Management Act. This Act is a vehicle for managing the whole Mackenzie Valley and its waters. It allows Aboriginal people to participate in renewable and non-renewable resource management. "It is important to collectively agree that a management system will be in place," said Nerysoo. The management of resources upriver is important to protect the interests of those down river.

- *Have the 35-40 protected areas identified by the Gwich'in communities been mapped? Are Gwich'in interested in mapping them, and what resources are available for this? Is there any interest in having these areas zoned as year-round protected areas?* Ron Cruikshank answered that the areas have been mapped. Depending on which resource is being mapped, the areas constitute approximately one-half of the Settlement Area. The communities have expressed interest in zoning some of these areas as year-round protected areas.
- *The Mackenzie Valley Resource Management Act is open to interpretation regarding the level of environmental review required. Will this be clarified?* Bob Simpson responded that the GTC, industry, regulatory agencies and government can request an assessment to be carried out. A review would be referred to the appropriate ministers, and they would set up a review panel.
- *Can a board outside your area stop a project you are planning to undertake?* Bob Simpson responded that discussions are currently under way with Sahtu Boards to set up a Mackenzie Land and Water Board once the Mackenzie Valley Resource Management Act is proclaimed.
- *Regarding exploration permits: If one body decides it wants a rigorous environmental review, will this just happen, or will you have a system in place so that such a review will take place each time a permit is requested?* The referral process can happen by government agencies, but that's an assessment, not a full-blown review, Bob Simpson answered. He noted that exploration permits will be granted fairly quickly, and that land use permits would take longer. Richard Nerysoo added that the development of regulations will be an important step towards clarifying the legislation.

### **Protecting Marine Areas**

*Dave McBurney, Parks Canada; Paul Latour, Canadian Wildlife Service; Helen Joseph, Department of Fisheries and Oceans*

Dave McBurney, Parks Canada, described efforts to develop legislation for a Marine Conservation Program. The initiative was kicked off at the recent meeting of the World Conservation Congress (IUCN), in which the Minister announced that Canada had committed to the development of a Marine Conservation Areas Act. The objectives of a Marine Conservation Areas Program are similar to those of national parks:

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- To protect and conserve a representative system of marine areas.
- To encourage public understanding, appreciation and enjoyment of Canada's marine heritage.

To date, Canada has 29 Marine Conservation Area (MCA) natural regions. There has been a drive to look at areas that may have protected sites, but that can also provide multiple use and can therefore provide conservation value-added opportunities. "A fair amount of activity [with regards to designating MCAs] is going on in southern Canada, but not a lot is going on in the North," McBurney said. Because the Marine Conservation Areas Program is so new, there aren't many lessons to share just yet. "But if there is one thing that we've learned so far," said McBurney, "it's that the underlying interests are dramatically different from coast to coast and for individual MCAs." This indicates that a PAS for the NWT can only be successful if it is "made in the North".

McBurney outlined the key features of MCAs. MCAs:

- Cover a large area.
- Require ownership of the land and subsoil of the submersed land.
- Cannot sustain oil and gas exploitation, or mining. These activities are prohibited.
- Include protection and multiple use zones.

MCAs should not be managed under the National Parks Act (NPA) for several reasons. The NPA is too restrictive and "land"-oriented, and there would be a need to constantly amend it. Moreover, the NPA is poorly suited to establishing MCAs beyond 12 nautical miles. Any areas operated beyond 12 nautical miles are subject to international agreements. In short, the NPA and the Marine Conservation Areas Act draw on two different models that need to be separated.

"In the 1980s we overlooked something serious," said McBurney. "We had an outright prohibition of sport and subsistence hunting. In negotiating Lancaster Sound, it was pointed out that this prohibition was illogical. In 1994, sports and subsistence hunting were considered appropriate and amendments were made," McBurney told participants. The new legislation will not prohibit hunting in MCAs. Moreover, it will have provisions for reserves that mirror those in the NPA. McBurney invited participants to stop by the display area to pick up copies of a discussion paper on a proposed Marine Conservation Areas Act, discuss specific issues, and provide input and comments.

Paul Latour, Canadian Wildlife Service (CWS), described CWS's involvement in marine conservation, particularly with respect to migratory birds. The Department of the Environment-CWS has been involved in this area since the 1960s when the Migratory Birds Convention Act came into effect. CWS's program is focused on both key wildlife sites and migratory birds. In the North, national wildlife areas are established in cooperation with communities. Many of the areas that are designated are identified by the communities. In other cases, CWS approaches communities to see if they are interested in having a particular site, identified by CWS,

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

designated as a protected area. "Community support is a prerequisite for designating a protected site in the North," said Latour. "If there is no community support, we walk away."

Latour noted that protected areas in the North have traditionally been terrestrial. There is one major protected area in Northern Baffin Bay which is the breeding home of migratory birds. The area includes an island, but 80% of the area is water.

In 1994, the Canadian Wildlife Act was amended from a 12 to a 200 mile limit, or "exclusive economic zone". This was the first legislation to protect birds that far out at sea. However, no regulations have been developed for this amendment, and some of the issues in the 200 mile limit involve complex legal arrangements.

Latour concluded by noting that CWS has special tools for protecting the marine and terrestrial wildlife habitat. What remains to be discussed is how these tools and programs can help set up a PAS.

Helen Joseph, Department of Fisheries and Oceans (DFO), gave a brief presentation on how marine protected areas (MPAs) fit into Canada's new Oceans Act. DFO is a new player in protected areas, Joseph said, and has traditionally been involved only in providing scientific advice. With the passing of the Oceans Act, however, DFO will assume a new role, particularly with respect to marine protected areas.

Joseph outlined the three components of the Oceans Act. MPAs fit into the second component, the Oceans Management Strategy (OMS). The OMS is based on the principle of sustainable development, the precautionary principle, and integrated management. The concept of partnering with governments, communities and management boards is integral.

The Oceans Act came into effect on January 31, 1997. DFO has prepared a discussion paper outlining a management approach to MCAs. "The paper is a first blush on how to proceed," she said. "Your comments and input would be welcome." She concluded by stating that DFO looks forward to participants' input on how to manage MPAs, and to building on the partnerships it already has in the North.

## **Discussion**

Comments and questions included:

- *Seeing that half the waterways in Canada are in the North, can you, in five or 10 words, give us the key features of your three department's legislations so we can differentiate one from the other?* Dave McBurney responded that Parks Canada requires ownership of the land while provisions under the Oceans Act do not. While the CWS and DFO establish areas by regulations, Parks Canada would schedule areas under an Act, and any reduction in size of a site would have to be passed by an Act of Parliament. Parks Canada's Marine Conservation Program focuses on "representivity", while the other two



*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

programs focus on "hot spots"; while there may be an overlap, there is no duplication. Paul Latour added that CWS's program is focused on key wildlife or key habitat sites in the annual cycle of species.

- *Are some of Canada's larger Northern lakes represented in the 29 designated marine protected areas?* Dave McBurney responded that no large northern inland lakes are covered by the Marine Conservation Areas Program. However, he welcomed the observation. "I would like your input of how much flexibility to build into the statute," he said. "Your help regarding the definition and scope of the legislation would be appreciated." Flexibility and room to grow will be built into the legislation; as of now, however, the program extends only to the Great Lakes.
- *Given that mining and oil and gas exploration is prohibited in MPAs, what sort of mineral process is undertaken before a site is designated?* Dave McBurney noted that Parks Canada cooperates with Natural Resources Canada on the Mineral and Energy Resource Assessment (MERA) process.
- *A participant reflected on the increasing number of instances in which industry has worked to help establish marine protected areas.* He noted that the Minister of Natural Resources recently declared a protected area in western Lake Superior, showing that it is possible for stakeholders to work together to identify MPAs. Moreover, approximately one million acres of sea bed will soon be released voluntarily by oil and gas companies around the Queen Charlotte Islands. In Igalirtuuq, Baffin Island, WWF has spent half a million dollars on research on bowhead whales. The community of Clyde River is leading the creation of a national wildlife area at the Isabella Bay site. "It's important for people to know there is growing experience regarding developing MPAs, and that it has been a positive experience," he said.

## **Nunavut**

*Adrian Boyd, Nunavut Tunngavik Incorporated*

"Our elected officials are very busy with other matters, and I have been asked to give a brief overview of the process used to protect lands within Nunavut," said Adrian Boyd, Lands Manager of Nunavut Tunngavik Incorporated (NTI).

"The Nunavut Land Claim Agreement and Implementation Contract have established the criteria and empowered the co-management institutions established under the Claim, with the authority to provide protection of land within the Nunavut Settlement Area," said Boyd. He listed the various institutions of public government that have the mandate to control development and protect land, wildlife and wildlife habitat in Nunavut, noting that all this information could be found on the Internet at <http://nti.nunavut.ca>.

Currently, the Nunavut Planning Commission is developing three regional land use plans that will control development and protect lands in Lancaster Sound, Keewatin and West Kitikmeot.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

Boyd noted that 12% of the Nunavut Land Claim represents protected areas, and that when the three parks being considered are designated as such, the total coverage of protected areas will increase to 14% of the Land Claim Area, or 270,000 km<sup>2</sup>.

On February 21, a general consensus was reached by Nunavut organizations that the Nunavut Land Claim Agreement can stand alone as a protected area strategy for Nunavut. Nunavut organizations agreed that "the Claim provides adequate provisions to allow for the protection of lands from development where necessary, as well as appropriate development," said Boyd. "It was also agreed that it is not necessary for Inuit to develop additional mechanisms to protect land within the Nunavut Settlement Area."

Boyd stated that Nunavut organizations will not participate actively in the development of a PAS for the NWT. However, if other organizations would like information or assistance from NTI, its doors are open.

"In summary, it must be noted that the Inuit are not against the concept of a PAS," said Boyd. "The protection of the environment is, and has always been, very important to Inuit. However, the Nunavut Land Claim Settlement Agreement has specific Articles in place which will accomplish the intent of a PAS." Boyd concluded by stating that there is no need for any further strategy documents to be prepared.

## **Discussion**

Questions included:

- *Article 9.5.1 in the Nunavut Land Claim Agreement speaks to the commitment of NTI and government to review existing legislation as to its adequacy, and to consider whether any new legislation is required to achieve conservation areas. Does NTI see a relationship between a PAS and that Article?* Adrian Boyd responded that NTI has just completed an implementation plan. "As I see it, existing regulations are adequate," he said.
- *Are the areas in Nunavut currently being considered to be designated as protected posted anywhere?* Adrian Boyd responded that the areas being considered can be found in the Nunavut Land Claim Agreement under the section on conservation.

## **AFTERNOON SESSION**

Minister Kakfwi reflected upon the morning's discussion as a prelude to the afternoon talks. The first course of business was the decision by NTI not to attend the conference. Minister Kakfwi reminded participants that people have come to the conference to develop a strategy to fit everyone's needs. He expressed his wish that NTI had attended in greater numbers, including

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

the political people and not just a staff member. Everyone would have benefitted from hearing about NTI's activities within their own boundaries, he said. The Deh Cho area is also important, particularly as it now is a hotbed of oil and gas development, has bids in many areas, and the people are interested in what others are doing.

As information from this conference is demonstrating, learning to work together can be a difficult task. Minister Kakfwi said the first obligation is to provide assurance to Aboriginal groups that they have the leadership role in developing a PAS. Government and scientists are to provide information to help local people scope out the big picture, he said. Issues of accountability and cooperation are crucial. In order to protect our backyard, we need our neighbours to do the same thing, the Minister explained. And our neighbours' backyard isn't protected if ours is unsafe. "This is not a duelling paradox," he said.

## **WHAT IS A PROTECTED AREAS STRATEGY?**

### **Development of a Protected Areas Strategy: Legal and Legislative Framework**

*Tom Nesbitt, lawyer, mediator, environmental consultant*

Tom Nesbitt, lawyer and mediator, cautioned the group that his summary was a first draft and would not constitute a legal opinion. Rather, he was acting as a neutral party outlining various options and possibilities. "My job is to tell you what can be done," he explained. "Yours is to decide what should be done."

Nesbitt provided the following guidelines for participants to keep in mind when they consider legislative options:

- Provisions for Aboriginal rights have been included within recent land claim agreements, and can probably be assumed in all of the natural and cultural heritage protection options which follow. Indeed, such provisions have become requirements of land claim agreements and are increasingly also practised in unsettled areas. Land claim provisions include co-management boards, Aboriginal impact and benefit agreements, and Aboriginal harvesting.
- Land claim agreements, such as the Nunavut, Sahtu and the Gwich'in Agreements, have also included land use planning which applies to both Crown and Aboriginal lands. It is unclear whether these land use plans will themselves carry zoning authority or whether they will rely exclusively on other legislative vehicles to establish protected areas. Land use planning processes are not currently available in areas of unresolved land claims. In the Inuvialuit Settlement Region, other Inuvialuit and co-management bodies are authorized to recommend protected areas.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- Interim withdrawals can take years to establish but they are becoming a matter of practice throughout the NWT. Interim land withdrawals of surface and/or subsurface rights, once a protected area proposal is advanced, will buy the time needed to negotiate and refine that proposal.
- Conjoining provides more potential for the options listed below. The options can be conjoined by using areas geographically alongside one another, or by linking in order to create "core and buffer" protection zones. In these cases, land ownership is a consideration.

Nesbitt then turned to legislative options that may be available in the NWT for the protection of natural and cultural heritage. He listed seven main options, plus variations. For short-term and small-scale protection, terms of development can be set by land and water management authorities, based on material such as the Territorial Land Use Regulations. For longer-term protection, there are many more options and variables:

- National parks, national wildlife areas, migratory bird sanctuaries, territorial parks, or marine protected areas are all possible routes for protecting natural heritage. Each option has its own limitations and possibilities. National parks, for example, are only applicable on Crown lands or lands exchanged to the Crown. National parks are probably the only vehicle for establishing ecological reserves because they by definition control the use of surface and subsurface uses, such as mining.
- Nesbitt proposed that possibilities could be increased by adding new dimensions to existing legislative options. For greater certainty of protection, for example, a national wildlife area or a territorial park could be coupled with a permanent Cabinet withdrawal of subsurface rights under the authority of s. 23 of the Territorial Lands Act. Management and cost sharing agreements could lead to tribal parks that are managed by Aboriginal people on behalf of the federal government. These tribal parks could be coupled with permanent subsurface withdrawals and/or land use plan protection of the subsurface. This could allow conservation/protected areas on Aboriginal lands, and possible coupling with parallel areas on adjacent Crown lands.

Nesbitt described similar specific options for the distinct goal of cultural heritage protection, and examples of how to combine other pieces of legislation to create more flexibility. Possibilities ranged from the short-term strategy of defining terms on development to longer-range plans of national historic parks, national parks, tribal parks and territorial parks. National historic parks, in particular, could be developed in ways they have not been developed in the past. He also stressed the many possibilities in using legislative tools which allow for negotiated and tailor-made agreements between government and other parties.

In conclusion, Nesbitt stressed that interest identification holds the key for success. Each party must very carefully define their interests and then plug into the legislative vehicles that can best move them forward. Legislation provides bridges across streams, Nesbitt said. The important thing is to identify your interests.

## **Development of a Protected Areas Strategy:**

### **The Ecological Framework**

*Bas Oosenbrug, RWED*

According to Bas Oosenbrug, RWED, conservation needs are not new to the North. The goals and principles from the 1984 Task Force on Northern Conservation can still provide guidance for current concerns. His talk revolved around the need to consider ecosystems in protected area planning. The primary threat to habitat and biological diversity remains habitat loss and fragmentation, largely due to economic activity. Habitat is directly altered by urban expansion, resource development, and other forms of human activity. A system of responsible land use, along with protected areas, could address these threats to ecosystems.

In his presentation, Oosenbrug outlined various considerations for such a land use system, including:

- Representation is now the central concept behind conservation and is generally based on physiography of regional land forms. More information might be needed to respond to species requirements.
- A network of ecological areas should be based on representation and ecological integrity. Areas need to be selected according to size, shape, connectivity, access, and levels of disturbance. Undeveloped and undisturbed areas merit first consideration to protect species that are at greatest risk of extinction. Areas of high diversity should also be considered, as should disturbed and degraded areas.
- Ecological processes and environmental changes must be considered. Intact areas must be big enough to accommodate species needs, as well as environmental changes such as fire or global warming.
- Connective corridors, buffer zones, and the identification and monitoring of indicator species are crucial for the long-term viability of ecosystems.
- Strong legislation must be put in place to protect ecosystem values.
- Recognizing that nothing stays the same, there must be mechanisms to make changes as necessary.
- Information must be made available to local people since they have the most at stake. People must work together to select the areas which may be designated as protected areas.

Oosenbrug reminded the group of the length of time that has passed since the North addressed these issues in the 1980s. Other places in Canada and in the world have already had their options taken away from them, he said. There are still opportunities in the North that won't preclude options for future generations.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

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In concluding, Oosenbrug invited participants to examine the information he and his colleagues have available at the display area, including maps of ecozones, land cover classes, fire surveys, and legislated protected areas.

## **Discussion**

Questions included:

- *What provisions are there for land and water boards to refuse to issue land authorizations in areas that aren't, for example, in national parks?* Tom Nesbitt replied that the boards are bound by the land use plan which in turn must have the approval of the Minister. The deeper issue concerns these boards as institutions of public government, he continued. Co-management means there are new forms of public government which other players must recognize and find ways of working with. In Wood Buffalo National Park, for example, conflict of interest guidelines and confidentiality guidelines have both been revamped to address the issues and needs of both cultures.
- *How can we define protected areas that reflect that the environment does not recognize political boundaries? We set up nice neat rules and boxes, but of course the environment doesn't work that way.* Tom Nesbitt responded that some existing tools such as the Canadian Wildlife Act might be able to be used with greater creativity and flexibility. However, this is a complex question that requires far more thought.

## **Federal Government Remarks**

*The Honourable Ethel Blondin-Andrew, M.P.*

As a one-time resident of Grollier Hall, Ethel Blondin-Andrew said she was pleased to be back home and pleased to be attending a local conference with such regional implications. "The issues that you will discuss over the next couple of days are very important to me, as a federal minister and local member of parliament, as a Northerner, and as an Aboriginal person," she said. The GNWT is to be congratulated for taking the lead in the preparation of the PAS in partnership with DIAND, especially since it was only seven months ago that the Minister of DIAND, Ron Irwin, together with Premier Morin and Minister Stephen Kakfwi of the GNWT, announced the joint commitment to develop such a strategy by the end of 1998.

The federal government has a deep interest in how the PAS unfolds in the NWT because it has been active in the field of protected areas for a very long time, Blondin-Andrew said. The key values of consensus building, fairness, cooperation, joint action and partnership as identified by the GNWT through consultation, will lead to a PAS that is unique in Canada. "There is so much diversity of culture, of land, water and sea, of economic demand, that the use of any other approach would not be effective," Blondin-Andrew stated.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

In some ways, the NWT has both the easiest and hardest job of all Canada in developing a strategy. It is easy to identify the special places that are unique in the North and that hold special interests for its people. At the same time, much attention is focused on the astonishing mineral discoveries of the past few years and the vast stores of energy that underlie the Arctic. All Canadians need strong economies, and a PAS can help create the climate of certainty the non-renewable resource sector needs in order to operate. Blondin-Andrew also identified the need to ensure that companies have clear direction about where they can and cannot work, how they should conduct their operations and work with communities, and how they can help build local economies. She expressed pleasure that industry has shown a willingness to contribute to the development of the PAS.

At the same time, the Aboriginal peoples in the NWT have rights to much of the land and waters, and those rights will be respected. Settled land claims put the responsibility and authority for defining and implementing a PAS in the hands of new public co-management regulatory bodies. Aboriginal peoples without settled claims must be provided the means by which they can have their knowledge and interests reflected in the development of a PAS. "There's no question that without the participation of Aboriginal peoples any effort to come up with an NWT Protected Areas Strategy would fail," she noted.

"When you talk about the land, you talk about people," Blondin-Andrew remarked. Every Canadian wants a strong economy as long as development respects the land and the people. "There must be a balance, and I'm pleased to see all parties are working cooperatively to find it," she said. The federal government will be open and cooperative with all interests in the PAS process, and will respect existing agreements and obligations. "If our expertise in legislative frameworks or stewardship of special areas can be of assistance, we'd be happy to share it with you," she concluded.

## **STAKEHOLDER PERSPECTIVES**

### **Environmental Non-Governmental Organizations**

*Juri Peepre and Gillian McKee, Canadian Parks and Wilderness Society*

Juri Peepre, National President of the Canadian Parks and Wilderness Society (CPAWS) and resident of Whitehorse, spoke on national environmental non-governmental organizations (ENGOS) and their role. ENGOS are encouraged by the momentum behind the PAS initiative, said Peepre, though they recognize that there are many agreements and processes already in place, and fully support an open and transparent process. While not speaking for all ENGOS, Peepre stressed his organization's interest in participating fully in developing a protected areas network, and working in a cooperative way.

Northerners have been involved in developing a protected areas network for many years, including the 1984 Task Force on Northern Conservation and specific land claims agreements such as the Inuvialuit Final Agreement. Protecting areas in the North is not a Southern agenda.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

Rather, Northern ENGOs respond to international and national calls for action on protected areas, just as the circumpolar nations and Aboriginal organizations are working together to solve Arctic environmental problems.

Peepre noted that the ENGOs he works with are not anti-trapping or anti-hunting, but rather support continued traditional Aboriginal uses, such as hunting in protected areas. "We wish to work with the various management boards and planning bodies created through land claim agreements," he said. "We want to work in a cooperative way, in partnerships, offering support and technical assistance where we can. We have made mistakes but we are learning," he said. "And while we do look South for technical assistance and financial support, the agenda for the North is set in the North."

Peepre briefly described the many ENGOs at work on Northern issues, from the World Wildlife Fund and its Endangered Spaces Campaign, to the Canadian Nature Federation and its Wild Lands Program on National Parks. He also discussed Ducks Unlimited, Canadian Wildlife Federation, and CPAWS. Two other groups serve primarily as funders: Wildlife Habitat Canada funds research and education programs; The Nature Conservancy of Canada supports the direct purchase of land for conservation, and can be a broker for conservation by such actions as buying out oil and gas leases.

ENGOs can continue to play a significant role in the development of a PAS. ENGOs can assist with protected area assessments and mapping work, political lobbying and fundraising. ENGOs will lobby for interim protection measures to ensure that candidate protected areas are not compromised by industrial development prior to a decision being made. ENGOs are interested in promoting the value of protected areas for the community, the economy and the Northern way of life. This education will build community support. ENGOs want to demonstrate that it's not a question of the environment versus jobs. Protected areas do not take away jobs, but rather they diversify the economy through such spin offs as tourism. "There is a place for both protected areas and industry," Peepre said.

Gillian McKee provided a local perspective from the CPAWS - NWT Chapter, and other local groups, including Ecology North and the Canadian Arctic Resources Committee. She told delegates she had a list of local contacts, which she would submit for the final conference report (see Appendix 1). The local groups share the common goal of establishing a protected areas network for the NWT. "We want to work together as partners with the other sectors represented at this conference," she said. She echoed the call for a cooperative, consultative approach to developing a PAS. Local ENGOs can contribute from their experiences, such as the work the World Wildlife Fund (WWF) is doing with the people of Clyde River and government to protect bowhead whales at Igalirtuuq, and the CPAWS/ WWF discussions with the Yellowknives Dene First Nation about creating a tribal park.



**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

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## **Discussion**

Questions included:

- *What kind of timeframe would you give for interim protection measures?* Juri Peepre suggested that a time-limited withdrawal period with a sunset clause could be implemented when a candidate area has been brought forward and there is serious discussion. He assured the group that he was not advocating an unreasonably lengthy period that would cause hardship to industry.

## **Industry and Mining**

*Mike Vaydik, NWT Chamber of Mines*

Mike Vaydik described his organization as representing about 400 companies and individuals engaged in mining or exploration for minerals and diamonds in the NWT. "Our producing mines provide about 1700 direct, well-paid, full-time jobs," he said, "and each job creates about three service sector jobs." Mining is a billion dollar industry in the territory, and the exploration side of the industry alone spent about \$121 million on NWT projects in 1995. The development of the mineral industry and government in NWT has allowed Aboriginal people the opportunity to engage in wage employment as a supplement or even a replacement for their traditional lifestyle.

Times continue to change, and no longer can Northerners depend on government and government-driven projects to provide the basis of the economy. Northerners know this, and at the same time, are cautious about how development should proceed. Vaydik listed some of these concerns, from the fragility of a community that relies on a single-industry, to the need to protect traditional hunting, fishing, and trapping. "We who are involved in mining believe, along with our Premier, our Minister of Resources, Wildlife and Economic Development and our Minister of Finance, that our industry will be a key factor in dealing with these problems and providing jobs, training and business opportunities," Vaydik said. The industry can also provide hope to Northerners.

Representatives of the mining industry in NWT have come to this conference to participate in the development of the PAS and to provide some background on what the mining industry is and what it does, he said. All the mines presently operating and all the past producers in the NWT would occupy less than 3/1000 of 1% of the land area of the NWT, he said. BHP's NWT Diamond Project, including its camp, airstrip, pits, mill and all other facilities, will fit in its surface lease of less than 11 km<sup>2</sup>, and yet BHP hopes to add \$6.2 billion to the NWT economy in jobs and government revenue.

Mining companies only need a lot of space to explore for minerals, but even that needs to be put into context, said Vaydik. From 1992 to 1994, 50 million acres were staked in the Slave Province, but only about 100 people staked those claims. Aber Resources, for example, staked about 500,000 acres with only eight people being on the land. Vaydik described the process of

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

airborne geophysical surveys, till samples that involved removing only 20 kg of dirt with a hand-held shovel, and narrowed-down target lists for deeper drilling. The number of targets was quickly reduced from 50 to only three diamondiferous pipes of sufficient interest to develop into a mine. "We believe that the disturbance of the land to date is minimal and well worth the possible benefits of over 300 jobs and a contribution to the economy similar to that of BHP's project," he said. "We also believe that modern mining is a responsible and sustainable land use that can coexist with most other uses of the land."

Vaydik listed some mining industry positions concerning the PAS, including:

- Include the key principles of the Whitehorse Mining Initiative.
- Be rooted in scientific principles based on study and fact.
- Broaden the consultation to include the West Kitikmeot Slave Study Society.
- State how compensation will be afforded to companies who have spent millions exploring in an area that may become a candidate for protection
- Take into account the vast tracks of land already alienated from exploration.
- Look at the entire NWT.
- Take into account the crowded agenda of numerous consultations.

"Mining does not lend itself well to traditional planning techniques because mines are where mother nature put them and where you find them," Vaydik noted, "so it is impossible to simply designate certain areas for mining." A further concern is that interim protection measures will not be based on the same principles of the final strategy. Investors need to know they have a realistic hope of being able to produce what they might discover, he said.

## **EVENING SESSION**

### **NWT Treaty 8 Tribal Council**

*Fred Sangris, Treaty 8 Tribal Council*

Fred Sangris, Treaty 8 Tribal Council, presented some background on Indigenous peoples' relations to the land, and their spiritual and sacred sites. Two hundred years ago, Indigenous peoples were still living on the land and living a way of life guided by the four seasons. They did that because they were following the natural cycles of the animals.

Today, Indigenous peoples still practice their traditional ways and visit their sacred sites. "We have sacred sites on our land that we visit from time to time," said Sangris. Among other things, these visits are to ensure that the sacred sites remain protected from development. This responsibility was passed on by ancestors, and Sangris stressed that this responsibility is taken very seriously.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

In discussions on protected areas, it is important not to forget the knowledge that Elders have, said Sangris. "We've been asking for land claim settlements for a while because we want to be able to protect what's on the land, and what's part of us," he continued. Indigenous peoples have a community approach to protected areas, and consider the issues from the perspective of their ancestors, as well as from the perspective of western scientists.

"We want to be able to share the land, but we first have to protect that land and what's sacred to us," Sangris said. "A PAS could be one way of working with it, but the other way could be through land claim settlements." He concluded by stating that he would elaborate on his comments in his presentation the following day.

### **How Saskatchewan Developed Its Representative Areas Network**

*Randy Seguin, Saskatchewan Environment and Resource Management*

Randy Seguin, Saskatchewan Environment and Resource Management, described Saskatchewan's experience in developing a PAS. "I'm not here to tell you how to go about your business," Seguin said. Instead, he hoped that participants might be able to find something of value in his presentation that could maybe be applicable to the NWT context.

The Saskatchewan process was based on the government directive that consultation must take place with the communities and with industry when setting up a protected area. Saskatchewan prefers to use the term "representative areas network" rather than "protected areas network" because "representative" is a more inclusive word, and the word "protected" can be interpreted in many different ways.

Seguin outlined the developments leading to the establishment of Saskatchewan's representative areas network, which included the Brundtland Commission (1982), the Convention on Biodiversity (1992), the National Biodiversity Strategy (1995) and the Saskatchewan Biodiversity Program. The network is based on a three-part approach, including:

- Ecosystem-based management.
- A recognition that representative areas are only a small part of the package to conserve biodiversity, and that they can also serve to protect endangered species.
- Integrated resource management within the context of sustainable development.

Essentially, representative areas are used as benchmarks to mark the progress of industry and other players in sustainable development and the conservation of biodiversity.

Seguin then reviewed the goals, objectives and guiding principles of the Saskatchewan plan. The basic conservation principles for the selection of representative areas were the need for: a science-based approach, including traditional knowledge; public consultation; and minimizing economic impacts.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

In general, the larger the piece of habitat selected, the better, according to Seguin. "The habitat has to be large and closely spaced so that animals can move freely among the remaining pieces of the representative area," Seguin stated. Saskatchewan's objective is to select at least one large area in each ecoregion, as well as smaller areas to capture representation. The end result is that significant portions of land are protected in Saskatchewan, but at present there are no representative areas in northern Saskatchewan.

The final part of Seguin's presentation analyzed Saskatchewan's approach to establishing representative areas in the Selwyn Lake Upland ecoregion, located in the northern portion of the province. An "enduring features" map was created showing that five features needed to be represented. Caribou were identified as the major indicator species of ecological significance in the region. The Beverly-Qamanirjuaq Co-management Board, the body that manages the herds in Saskatchewan, Manitoba and the NWT, was approached for direction. The Board was very receptive and provided useful information. The next step will be determining where the caribou herds go by drawing on the knowledge of communities. Once migration patterns and places are mapped, industries in the areas where caribou migrate will be approached for cooperation.

"If the NWT and Nunavut want to develop a transboundary 'protected' or 'representative' area with Saskatchewan, we're open to that discussion," Seguin stated.

He concluded by reviewing elements that did and didn't work well in the Saskatchewan experience. Successful elements included:

- Using a scientific base, including traditional knowledge.
- Obtaining community support.
- Working together with ENGOs who became staunch allies.
- Working with industry, some of whom showed remarkable leadership.

Elements that need improvement include:

- The review process needs to be more timely and effective.
- The staff needs to seize the moment when it sees a "window of opportunity" to work with partners.
- There needs to be good communication between government departments.
- The level of political buy-in needs to be maintained to ensure that the program is completed.

Seguin told participants that a draft action plan was available for their review. He pointed out that it is possible to set up a simple action plan that is effective.

## Discussion

Questions included:

- *Why are you using caribou as an indicator species if their numbers are reduced for reasons completely unrelated to conditions in Saskatchewan, such as weather in the calving areas? Don't you risk the possibility of losing your protected area if the numbers decrease?* Seguin responded that if an area large enough was captured so that the "landscape" was captured, there would be flexibility. The caribou was chosen as an indicator species in part because of its social and cultural importance, but Seguin noted that the area which is finally identified is to conserve all species.
- *Can you regulate your priorities for fire-fighting in Saskatchewan in relation to protected areas?* Seguin noted that the suppression of fire poses a dilemma, because fire is part of the natural system. "Suppressing it would fly in the face of what we're about," he said. However, if the fire is close to a commercial forest, action may be taken. Any changes in regulation would have to be community-driven and go through the Co-management Board prior to government consideration.
- *How did you grapple with ecosystem processes and aquatic systems?* Seguin answered that the representative areas contain lakes, and these lakes contain complex aquatic systems. He also noted that an aquatic biologist was recently hired to help manage the aquatic component.
- *What type of information base did you need?* Some data sets were available, Seguin responded, including soil data and geological information, and data from mining and forestry companies. Information from satellite photography was also used. However, other ways can also be used, depending on which focus is taken. In BC, watersheds were used. "The key is that you have overarching principles and an approach," Seguin said. "You have to look at the information you have, and what people tell you. You have to make the best use of what you have."

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

**Wrap up**

*The Honourable Stephen Kakfwi, RWED, GNWT*

Minister Kakfwi closed the day's proceedings by reviewing some of the major themes that emerged during the day's presentations and discussions. Particular items that need to be addressed in upcoming discussions include:

- Effective communication among the various parties.
- Integration of a range of values.
- The need for interim protection measures for both mining companies and for Aboriginal peoples who are in the process of settling their land claim.

Minister Kakfwi noted that several comments in Fred Sangris' presentation had been "profound and astounding". "He kept saying, 'We want to share the land, but first we have to protect our people's sacred sites'," said the Minister. Sangris had also pointed out the two vehicles that could be used to ensure this protection: land claim settlements and a PAS. "We can all lend a hand [at achieving a PAS]," the Minister observed.

Sangris' statement of generosity about wanting to share the land "was a good way to end the day," the Minister said. "It would have been a good way to start it. But sometimes the end is more important than the beginning," he concluded.

## **DAY 2: WEDNESDAY, MARCH 5, 1997**

### **MORNING SESSION**

#### **PRESENTATIONS BY ABORIGINAL REPRESENTATIVES**

##### **Treaty 8**

*Danny Beaulieu*

Danny Beaulieu, Treaty 8, started his presentation by acknowledging that March 5 is Aboriginal Language Day. He told a story that his 90 year-old grandfather once told him: "My son, if you have a well-balanced log and put all the insects on one side and put all the humans on the other, the insects will be heavier. Also, if you kill all the insects, the world would be dead in three years. If you kill all the humans, the world would recover in 15 years." Beaulieu said he never figured out exactly what his grandfather's message was, but that "maybe he's telling us to be careful with the world so we don't kill the insects; I'm sure he doesn't want us all dead."

Reflecting on the conference, Beaulieu noted that there is a willingness among participants to work together. "At many conferences we decide at the end of the conference to work together," he said, "and 90% of the time we don't. I really hope we do this time. The land is very important to us, and we'd like it to stay that way so our grandfathers' stories don't come true."

Treaty 8 does not oppose development. However, development must proceed with great caution. "People at mining companies assure us they'll take care of the environment, and that they will leave it almost as it was when they approached it," said Beaulieu. However, First Nations do not have control over many elements involved in the development process. For example, land use permits are handed out by the federal government. There is a need to review policies involving who issues land use permits, and to consider regional bodies as the most appropriate entities for issuing land use permits. Even though permit applications are currently sent to Bands for approval, the process is flawed: if a Band decides not to approve a particular permit, the federal government goes ahead and issues the permit anyway. In other cases, permits are issued to developers to examine a site, and then before the Band knows it, the developers have already started in on the development project. In short, there is a need to establish a better process for issuing land use permits in which Aboriginal regional bodies are in control.

Beaulieu noted that Treaty 8 is in the process of negotiating a land claim settlement. While a PAS is important to Treaty 8, community leaders are currently focusing on land claim negotiations, and will be able to consider a PAS only when land claim negotiations are settled. However, Beaulieu stated that other First Nations should consider the PAS as an option.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

Treaty 8 discussed whether to come to the conference, and leaders agreed the conference presented a good opportunity to get information from Southern people. "All the dirty water comes from down there, and we want to see what they have in place to clean it up," Beaulieu concluded.

### **Sahtu Region**

*Chief John T'Seleie*

Chief John T'Seleie of Fort Good Hope explained that along with his duties as Chief, he works at the regional level for the Sahtu Secretariat and the Sahtu Dene Council. The Chiefs of the four Bands in the Sahtu Region sponsored his attendance at the conference.

The Sahtu Region Land Claim Settlement was finalized in September, 1993. In June, 1994 it was enacted as law by Parliament. The Settlement contains sections that outline protected areas. A Working Group was also established to identify heritage sites for protection.

"The Sahtu Dene see the protected areas as working under our Land Claim," said Chief T'Seleie. "We don't see a territory-wide strategy being developed and then being imposed on our communities and regions. We see it working the other way, from the communities up." "The people in the communities know their land and its ecology best, he said.

The Sahtu Region is not opposed to development, but the Sahtu Dene must be in control of the process. Control is important to the Sahtu Dene not only for economical reasons, but also for historic reasons. Fur traders arrived in the North some 200 years ago, when many Northern communities were already established. People in these communities are not going to move anywhere, but are going to stay put in their homeland.

"We don't have plans to go anywhere," said Chief T'Seleie. "We have homes in these communities and we're not going to go anywhere. So what happens around us is very important to us. So when we insist on strong measures of protection and control over big projects, the interests on the other side may think of it as unreasonable, but it's not. We look at it as protecting ourselves and our future generations." Chief T'Seleie concluded with some words in his Native language.

### **North Slave Métis Alliance**

*Bob Turner*

Bob Turner, North Slave Métis Alliance (NSMA), introduced his organization. NSMA was founded on December 14, 1996. It is not part of the Métis Nation, and currently does not operate with core funding. NSMA membership includes Aboriginal people who do not fit into the Dogrib process of claims or the Treaty Land Entitlement process of the Yellowknives Dene. "We are Aboriginal peoples whose ancestors used and occupied the lands within the North Slave Region prior to Treaty times," Turner said. "Some of our ancestors signed Treaty 11, and others



**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

were eligible to sign."

"So far we've been left out of land and resource management processes in the region," Turner stated. He closed by stressing that the selection of candidate protected areas in the North Slave Region should involve participation of its three Aboriginal organizations.

### **Gwich'in Land Administration**

*Joseph Benoit*

Echoing comments made by other speakers, Joseph Benoit, Gwich'in Land Administration, stressed that the Gwich'in are not against development. "We look at industry as someone to work with, rather than against," he said.

Benoit stressed that consultation must be meaningful if a PAS is to be considered. "The PAS has to be borne by the communities," he said. "It has to be community-driven, not a top-down process, or else a lot of back-tracking and wasting of time and energy will occur."

Gwich'in consider protected areas through the Gwich'in Land Claims Agreement. Once they have been considered in this way, the community can turn to see what further vehicles exist at the territorial and federal levels. Benoit noted that there are many methods to protect lands. However, it is up to the communities to select which lands to designate as protected. "The communities must have input," he underscored. Regional boards are a good vehicle to get community feedback on proposals.

"The only way the Gwich'in see going ahead with a PAS is doing it at the community level," Benoit concluded.

### **Treaty 11**

*Ted Blondin*

Ted Blondin, Dogrib Land Claim Manager, Treaty 11, said speakers at the conference so far were being too cautious, and that he was going to take the opportunity to speak from his heart.

"Treaty 11 is open for business," he said, "but that doesn't mean that the environment has to be sacrificed." For example, for the BHP Project, a water assessment was carried out to ensure that community members were satisfied. In the Treaty 11 Region, an Interim Agreement has been in place since 1994. Section 6 of this Agreement states that no national parks or protected areas shall be established without the consent of the Dogrib Treaty 11 Council. The lands identified as candidates for a protected area will be identified by the Dogrib Nation.

Blondin emphasized that land claims are the primary tools for dealing with protected areas. Circumstances are different in different regions. "Because of this, rather than developing a strategy here and forcing it on the regions, we thought it was better to describe what we do in

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

the communities, and with this information, GNWT can build a strategy that works," said Blondin. He noted that the conference provides a good opportunity to hear the perspectives of different groups, such as industry and ENGOS.

In order for a PAS to be successful in the NWT, it should involve the communities and Aboriginal groups in a meaningful way. He concluded by stating that he looked forward to the discussions in the Working Groups.

**Wrap Up**

*The Honourable Stephen Kakfwi, RWED, GNWT*

Minister Kakfwi thanked the First Nations leaders for their comments. "It was important to start defining the prominent role that First Nations should take in the PAS," he said, noting that the agenda was built to give ample room for self-definition.

The First Peoples are the people who depend on the land the most, the Minister pointed out. They are the biggest landowners in North America, and also have special Constitutional rights. "They will be the driving force determining whether or not we have a PAS," he observed.

"Some First Nations have been protecting their areas for years, while others are just starting," Minister Kakfwi said. "We have to allow these First Nations and regions to proceed when they are ready."

The Minister emphasized that the PAS must be community-based and community-driven. "Our approach has to be flexible so that work can begin in the communities at a pace that suits them."

"The PAS will begin to look like a quilt," said Minister Kakfwi. "We have to make sure all the pieces fit together in the end. We have to focus on the small pictures and put them together to get the big picture." The Minister concluded by stating that there must be agreement on what to do, and noting that the challenge is to come up with specifics on how to do it.

## **BREAKOUT SESSION 1: WORKING GROUPS**

**Objective:** *To identify the advantages and challenges of working together towards a PAS for the NWT.*

### **Working Group 1: North Mackenzie Region**

*Facilitator: Linda Michaluk*

#### ***Advantages of Working Together***

Working together enables:

- *Groups to learn from each other.* It improves linkages between local, territorial, national and global groups. Communication is improved between government, NGO and Aboriginal organizations, and past initiatives can be shared and built upon.
- *Identification of common issues and concerns.* By involving Elders, all knowledge is captured. People get the best value from their land. An understanding of each group is developed. Individual and group issues are brought forward. Strengths and weaknesses are identified.
- *Clarification and identification of the numerous boards and agencies, as well as their roles and responsibilities.* A representative from a land claim group said a strategy for the whole NWT could bring some logic to the issue of protected areas. "So far it's been pretty piecemeal," he said. The strategy could also play a part in how the NWT is viewed by those outside the NWT. A good network of protected areas could bring recognition and respect. An environmental representative said the PAS is a way to maximize the economic and social benefits from the land, not minimize them. "There are economic impacts that are costs, but there are lots and lots of benefits," he said.
- *Awareness raising about the various legislative vehicles available for establishing protected areas.*

#### ***Challenges of Working Together***

While group members stated that there are no disadvantages to working together, they identified a number of challenges, including that:

- *Prioritizing and classifying parts of the territories and lands is difficult from an Aboriginal perspective.* An Aboriginal leader said one of the most difficult things in this process is to select particular areas for protection: "It's difficult to say this area should receive protection and this shouldn't." He also said he realizes there are economic interests in the land: "We need jobs. We need work in the future for young people. We're prepared to negotiate those things, as long as we're in control of the decision." He said his concerns come from practical experience, in having lived with the impacts of industrial

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

development in his region, like the effects of drilling activities on water quality. An NGO representative said NGOs have the same fears. He compared the PAS to having an insurance policy: "If we don't, we're going to lose it all."

- *Not everyone is at the table.* An Elder expressed concern about not knowing all the players involved in the issue. "Who am I going to work with? I don't know anyone here, it's just government," he said. Participants noted that there is a shortage of funding to bring all the stakeholders to the table, and pointed out that many people are overloaded with other work. They emphasized that equal partnerships should be established, and no one partner should lead the initiative.
- *Something concrete needs to emerge from the conference.* "We need to have something real after the conference," said a mining representative. The mining industry has a responsibility to the environment and society. The industry has made mistakes over the years but it has made a "quantum leap" in attitude, he said. Industry has to spend more time explaining the difficulties of raising money for exploration and it has to do a much better job of communicating, he added. There are some very important principles brought forward by the environmental groups that cannot be denied. The questions are: How do we come up with a plan that makes sense? How do we put theory into action?
- *There is insufficient data to start developing a PAS.* "We must decide who will disseminate all relevant material," said a participant.
- *The PAS should be community-based and community-driven.* "There is no way we are going to be able to build anything without the Aboriginal groups," said a participant. "Their land use policies have to be taken into account." The PAS has to be accessible by community members and their input must be used for the final result, he added.
- *An appropriate process for moving forward must be developed.* "The challenge is finding the appropriate process for this thing to go ahead," said a participant. The regional land claim bodies must be respected, he added. Others agreed that the regional boards must be part of the process until the end. A representative from an Aboriginal organization pointed out that the regional boards are still going through their own developmental process, for example determining how community consultations should take place.
- *The PAS must be written in plain language that lay people can understand,* said a representative from a land claim group. Information in plain language should be distributed to communities, and this information should be properly interpreted. Partners should arrive at a common understanding of terms such as "protected area".
- *The timing of the strategy could be better.* People in the communities have the perception that land claims make things different, a participant said. They look to the regional bodies to get things up and running, but the PAS comes out of Yellowknife. Another reason why timing is a problem is that some of the land claim boards are not

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

yet empowered because the Mackenzie Valley Resource Management Act is behind schedule and still must be proclaimed. "The PAS may be too much, too fast, two years too early, or two years too late," said a participant.

- *The regional organizations define the process, they are not just a part of the process,* said a participant. "Very clearly it's a local process, both legally and morally," he said. This doesn't mean that Yellowknife does not have a role to play. For example, GNWT could provide technical information. Another participant said that in order to avoid the top-down process, participation rather than consultation should be stressed, to imply that communities are actually driving the process.
- *The different approaches of Aboriginal groups need to be considered in an over-riding strategy.* All the information needs to be gathered and every participant needs the same information.
- *Global environmental concerns such as airborne pollutants should continue to be addressed by governments worldwide.* Airborne pollutants is the biggest threat to the NWT, a participant said, adding that there needs to be an international component to the PAS. The government should concentrate its efforts on addressing global environmental issues such as global warming, or there won't be anything left to protect. He suggested the whole NWT should be recognized as a protected or "sensitive" area.
- *Transboundary issues have to be addressed.* Activities in BC and Alberta have repercussions in the NWT, said an Elder. "Who is going to take care of that?" he asked. "We haven't got the power to go to Alberta and say 'What's going on?' That's been going on for years now," he said. "Seems like nobody cares."
- *Sufficient funds have to be allocated for effective participation in the PAS, and trust needs to be developed.* "How do you prioritize protected areas, when there are social problems and a high level of unemployment in the communities? Can Aboriginal groups trust the government groups?" asked a participant. "Right now I don't know if the trust is there." Another participant noted that the co-management boards have developed some trust with Aboriginal groups, because the government is at the table.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

**Working Group 2: North Slave Region**

*Facilitator: Hal Mills*

***Advantages of Working Together***

Working together enables:

- Greater certainty for all.
- The establishment of common goals.
- The streamlining of consultation requirements.
- Information gathering and sharing.
- Promotion of understanding and dispelling of myths.
- Informed decision making at the community level.
- Simplification of government approvals by developing regulatory tools together.

***Challenges of Working Together***

The challenges include:

- The expectations in a land claims agreement may exceed what the process will allow.
- That community consultation is expensive and complex.
- That land claims settlements bring certainty, and may be the best way to deal with protected areas.

Comments and discussion included:

- *How can we expect this to be all-inclusive when clearly not everyone is at the table?* The facilitator replied: "We have yet to hear from anyone in the NWT who is not interested in a PAS." He said he was certain there will be opportunities to work with NTI and other Nunavut groups. A government official noted that given the activity in the North Slave, at the Treaty level, co-management boards will be required to work together.
- *Will a PAS include differing levels of protection?* "A strategy would include a whole range of levels," the facilitator responded. An Aboriginal participant added: "Arrangements can be made with the Dogrib, or whatever group, to operate on the land, with certain conditions. As to protected areas, it's a given that hunting, fishing, and trapping will take place on our land." A government representative asked if there would

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

be space for a higher level of protection. The Aboriginal representative clarified that there's always a level of protection in land claims: "When we say hunting, fishing, and trapping, it's only with conservation," he explained.

- *Prior to any PAS, we have to encourage government to settle land claims.* "It's difficult to set up a PAS before land claims are settled because we don't know the rules," an industry representative said. An Aboriginal noted that before his organization could support a PAS, it would have to be involved in settling its land claim. A Métis representative agreed: "Most Métis are in Yellowknife, so we're a minority in our own community," he said, adding that land claims are a priority, and that everything else falls behind them.
- *Can a PAS operate at the same time as land claims negotiations?* An Aboriginal representative replied that it can be a similar process because groups can identify lands that need protection while they identify their land claim territory. An industry representative disagreed: "The claims process has been two people at the table -- the Aboriginal group and the federal government," he said. "The federal government deems itself to represent all other interests, but is that a realistic assumption?" The Aboriginal participant agreed that it should not be one interest at the cost of the other: "The sooner industry talks with the communities, the sooner everyone will know what's happening."
- *What is a PAS?* "I've seen many definitions of what a PAS could be, but we've never talked about what it would look like for us," said a utilities representative. An ENGO representative agreed that part of the problem is definitions and lingo: "It's clear to me that a PAS in the NWT will be what the community wants it to be," he said. "I don't sense great openness or interest in what other people call protected areas. These other definitions are interesting, but Aboriginal groups are saying that it's like a shopping list, and they'll pick what suits them or add something new. I think this is good, but it means working with individual communities. There won't be one definition." An Aboriginal participant agreed: "We can't describe open allowance because it all depends on the specifics of each case," he said.
- *Is government really consulting with all interests?* "We start with the community and work our way up," a Parks Canada representative replied. "We would expect no success whatever with a top-down process. We make a very serious effort to involve industry, keeping in mind the other interests, such as community, tourism and ecology."
- *Could a PAS be combined with a sustainable economic development strategy?* An industry representative asked for government to speak more on economic development and not focus so strictly on the environment. "People in the North need a way to live," he said. "I've learned from Aboriginal people over the years that the environment is here to be used. Who cares if it's a beautiful river if the community is starving?" A second industry representative echoed this point: "We're looking at a three-legged stool that needs each of its legs to stand up -- economic development, social development, and environmental protection," he said. "By working together, we would build a sustainable

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

development strategy that gives full weight to all three components." An ENGO representative disagreed: "There are other processes in place, such as DIAND reopening the Northern Mineral Policy. We're hear to talk about a PAS," he argued.

- *Developing a PAS is an expensive process.* "As a Métis organization, we have zero resources to do any of this," said one Métis representative. An NTI representative agreed: "We've spent \$30,000 on salaries to bring people together to discuss things like this and come up with agreements, so I can see how this would be a big hit for other groups," he explained. An industry representative noted that junior companies also lack the resources to fully participate.
- *Can community consultations be streamlined?* "Our communities get consulted to death," said a utilities representative, stressing the need to find a way to consult that doesn't overload local communities already involved in many other processes. An ENGO participant suggested that the investment in consultations for a PAS and for land claims settlements will pay off with greater certainty for everyone. "In some areas, there are lots of communities," an Aboriginal participant noted. He recommended first talking with the regional bodies for advice about how to do the consulting.
- *How do you define community?* "Any community has divisions," said a government representative. "Any group from the South can say its members are a minority, and re-open the issue and interfere with local communities," he commented. An ENGO representative disagreed, noting that ENGO injunctions are often simply trying to uphold due process and the law: "Get advice from the regional boards so that you are really going to the community representatives," he said, "otherwise, you'll be accused of listening to a minority."
- *Aboriginal communities can be put into conflict with one another.* "The BHP Project was a perfect example of how the federal government put one group of Aboriginal people ahead of another by dealing only with the Dogrib and not other groups," an Aboriginal participant said, adding that consultation is needed with all groups affected. A Dogrib representative disagreed, saying the Dogrib pushed the federal government, and not vice versa.
- *There are other interests besides community needs.* The federal and territorial governments still have their jurisdictions, an industry participant noted. A second industry representative suggested that all needs can be met through meeting community needs. In Saskatchewan, forestry is using protected areas research to show how forestry activities are not damaging the environment, he pointed out.
- *How does a NWT-wide PAS relate to the bigger picture?* "As we work together, we can show that we're doing the job, and fitting into the bigger picture of international fora and circumpolar initiatives," a government representative suggested. "Then outside people will leave us alone." An Aboriginal representative laughed and said outside people wouldn't leave them alone.



**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

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- *Application and review processes need to be streamlined.* Outside reviewers can needlessly tie up initiatives that have been approved by local communities, an industry representative commented.
- *It all boils down to who decides.* "The worst scenario is when the process is not clear," stated an ENGO representative. A utility representative agreed: "It comes down to power. I don't think all Inuvialuit agreed about protecting bowhead whales, but someone decided in the end," he said.
- *Communities need information and time to make an informed decision.* "We all have an obligation to provide fair information, so it doesn't become an issue of who has the resources to fly people in to present their own side," said an industry representative. An Aboriginal participant agreed: "We want information from everywhere, such as industry and environmental groups, but the decision will be made by the Aboriginal group," he said.

### **Working Group 3: South Slave Region**

*Facilitator: Doug Burch*

#### ***Advantages of Working Together***

Group 3 identified four themes or reasons to work together:

- *In the spirit of co-existence.* To develop joint ownership, consensus, commitment and buy-in, and eliminate barriers and boundaries.
- *Maximize efficiencies.* To ensure that "the wheel is not re-invented", that duplication of activities is avoided, and that there is a common objective. Economies of scale should be taken into consideration.
- *Common information base.* To ensure that there are clear definitions and a pooling of information so that partners can come to an understanding of the big picture more quickly.
- *Maximize effectiveness.* To design appropriate mechanisms to catalyse the movement from **stating** positions to results.

#### ***Challenges of Working Together***

The challenges identified included:

- Building a common understanding and objective of a PAS.
- Clarifying terminology and describing the roles of protected areas. One participant

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

expressed concern about using the term "protected area", and noted that when some people use this term what they really want are protected species.

- Designing a strategy that accommodates everyone's viewpoints and takes into consideration the various paces at which stakeholders are working.
- Bringing together local and national objectives.
- Clarifying the objectives and benefits of a PAS to the various groups, as well as the role that a PAS can or cannot play in achieving sustainable development objectives.
- Ensuring that there is sustained commitment from all concerned parties. Such a commitment might be difficult to reach given the competing and conflicting mandates of partners, but it is necessary to ensure that the PAS is completed.
- Capacity to participate. Funding and human resources are necessary to ensure effective participation in a PAS, particularly since many stakeholders are "overloaded" with their current work.
- Addressing complex issues.
- Operating under the current regulatory system.

There was heated discussion among participants, particularly among mining and Aboriginal representatives. Comments and points of discussion included:

- *Aboriginal groups must be assured that their rights will not be taken away in lands that are designated as protected.* An Aboriginal representative stressed that an area should not be blocked off for "no use" because of a protection requirement. "Now when the people hear 'land protection', they say 'no' because they think they cannot use this area for anything," he said. "Aboriginal people have tools to deal with their protected areas, and let's leave it at that right now," a mining representative countered. "We have already heard this morning that the communities have most of the control."
- *The process should not be rushed.* An Aboriginal representative asked who was so anxious to have a PAS. Some people just want things left alone and not destroyed, he said. Enough time should be allotted to the process, and the people who will benefit most from the process should keep this in mind and not try to push it.
- *Elders must be consulted.* A participant said he likes to discuss issues with Elders and get their feedback before attending meetings.
- *People should be clear about whether they want to protect an area or a given resource.* "By protecting land from mining, we are protecting it from ourselves," one participant said. "We are not sitting in this meeting because we are worried about hunting; we are

worried about mining." A mining representative commented that people can't be sustained only by traditional use of the land; they need new opportunities.

- *The mining industry should be responsible for cleaning up after itself.* "People have seen the damage and contaminants left behind by miners, and yet the government is still issuing licenses to mine," a participant said. "We want the mining industry to be responsible for its mistakes and the government to be responsible as well for issuing these licenses," he said. "There are a lot of people who still depend on the land, even though there are mining opportunities. We have a plan in our community and would like areas to be protected from mining development."

## **AFTERNOON SESSION**

### **BREAKOUT SESSION 2: WORKING GROUPS**

***Objective: To identify the criteria and underlying characteristics of a PAS.***

#### **Working Group 1: North Mackenzie Region**

*Facilitator: Linda Michaluk*

According to participants in Group 1, a PAS should:

- *Recognize and adhere to the central role of regional co-management bodies created by the land claim agreements, as well as the role of regional bodies and communities in the region.*
- *Recognize that developing a PAS does not mean developing new laws.*
- *Recognize the interests, responsibilities and authorities of all stakeholders, including: land claim groups; wildlife boards; community members; governments; NGOs and industry.* The group defined the term "stakeholders" as those people who have a direct interest -- either monetary, cultural, economic or environmental -- in the resources of the North. The PAS needs to determine the roles, responsibilities and authority of each of the stakeholder groups, said an industry representative. Then, for example, the land claim groups will decide for themselves how to involve the communities. While this does not have to be determined at the conference, there needs to be clear lines of communication between the groups.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- *[Be guided by the principles of the Whitehorse Mining Initiative].* Because only five participants were familiar with the guiding principles of this initiative, this characteristic was put in square brackets.
- *Be realistic and achievable.* A PAS should not unduly raise expectations, especially considering the short time frame.
- *Have adequate funding and proper allocation of resources.* A participant noted that there shouldn't be too much concern about funding, particularly since the settlements are bought and paid for. "There are ongoing processes, and it's a matter of bringing it all together," he said. Rather than setting a timeframe, groups should be allowed to plug into the process whenever they are ready, he said.
- *Have technical support.* Resources to develop maps are particularly needed, a participant said, particularly because it is easier when you can see what everyone wants on paper. However, discussion should not be just about lines on maps. Other aspects like cultural and social issues must be considered.
- *Be well-coordinated and enable networking.* "There seems to be a matter of protecting information," stated a participant. "Everyone is reinventing the wheel." A structure should be set up so that all partners share information. "Making sure everyone has the same information base means less conflict and more learning from each other," she said, suggesting that a mechanism for formal networking be set up. Another participant agreed that a body needs to be set up to coordinate the process on a full-time basis.
- *Be based on technical and traditional information, as well as environmental, social, cultural, technical and economic realities.* "You've got to know what's there before you can decide what to do with it," a participant said.
- *Insist on coordination between the Regions.*
- *Have a flexible timeframe.*
- *Articulate a clear vision, and be written in clear and simple language.* The PAS needs to be based on a transparent and open process. Information must be accessible.
- *Have the commitment of stakeholders for implementation.*
- *Continue beyond 1998, and undergo periodic review.*

## **Working Group 2: North Slave Region**

*Facilitator: Hal Mills*

Delegates in Group 2 identified the following as necessary requirements to proceed with a PAS:

- *The players in the North Slave Region should be defined, including industry and ENGOs. "We all know who the Aboriginal groups are, but who are the rest?" an Aboriginal representative asked.*
- *All Northerners should be invited to participate in the process. A government representative argued that all Northerners have a stake in the process: "The community isn't only Aboriginal, there are non-Aboriginals in communities too," he said. A representative from industry agreed, citing Yellowknife and Hay River as examples of Northern communities with Aboriginal and non-Aboriginal representation.*
- *Non-Northerners should participate by invitation only. An ENGO representative said his group would assist in developing a PAS if an invitation were extended.*
- *Aboriginal participation should be meaningful, and the PAS should be community-driven. Adequate resources are needed for effective participation. Various group members expressed concern about the heavy workload being placed on Aboriginal communities, and the lack of financial resources for effective participation.*
- *Land claims in the North Slave should be settled. However, work on a PAS can take place before the Agreement is finalized. "I'm hearing from communities that we can only talk about some things to a certain point but no further until land claims are settled," one industry representative said. He reminded the group that until land claims are settled, anything done in this process can be vetoed at a later date. Another industry representative suggested that industry has to stop expressing fear that its initiatives will be stopped by land claims. "Rather, everyone should promote land claims, and that environmental, economic, and social development are all good things," he said.*
- *The PAS should recognize regional differences, including differences in preparedness to proceed. An ENGO representative suggested looking at the work that can be done on a PAS before claims are settled, such as sharing resources with marginalized groups. An Aboriginal representative said: "It's desirable for land claims to get settled first, but there are things that can be done in the meantime. We are identifying areas for protection and a tribal park, and can put them into place quickly once our claim is settled." An ENGO representative noted that "if staking and mining and development go ahead during land claim negotiations, it takes away from opportunities for choosing protected areas."*
- *A PAS should have room for industrial development. "Most of our comments have been about protection," an industry representative noted, "but issues of the economy and development should have been addressed from the beginning."*

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- *Technical tools are needed in the communities to map special areas.* A community member suggested that someone be tasked to map out the information communities need, such as opportunities and constraint zones, the ecology, and the zones WWF has identified as needing protection. ENGOs, government and industry representatives all expressed willingness to provide technical support to local communities. One industry participant described his company's experience in helping a local community combine GIS with traditional knowledge studies.
- *Geological mapping should take place so that mineral values are known. GIS information from all stakeholders should be pooled together and shared.* "Let's get as much information on the table so that everyone will know what's happening," an industry representative suggested. A government participant suggested that a secretariat be established to coordinate and ensure information collection and sharing.
- *The position of government should be clarified regarding interim withdrawals and compensation, among other things.* One utilities representative expressed suspicion that government is sitting back and watching other interests fight amongst themselves.
- *There should be a broad approach to interim protection, including economic development. Environmental, economic and social factors should be considered.*
- *North Slave Region organizations should first express support for the PAS before members of these organizations participate in developing a PAS.*
- *International obligations should be recognized, as should the NWT's opportunity for involvement in fulfilling these.* "There's lots going on that's broader than the NWT and Canada," an ENGO representative noted, "and we could learn from it."

Other points of discussion included:

- *Will a working group would from this conference, and if so, could it meet the needs of local communities?* An Aboriginal representative said this issue would be discussed by the Aboriginal caucus later in the afternoon. The facilitator suggested that this is a very complex issue which won't likely be addressed by a simple structure, such as a working group. An industry representative pointed to the Whitehorse Mining Initiative process which used a working group that had different phases.
- *The criteria outlined in the Whitehorse Mining Initiative (WMI) should be considered.* A number of participants discussed their involvement in the WMI, and their company practices of continual improvement. An industry representative suggested that an element of corporate stewardship might be useful: "This would put an onus on industry to create conditions that are sustainable from start to finish," he stated. Other industry participants argued that this kind of pledge for corporate stewardship is already in place in company agreements and methods of practice.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- *NWT industry is more than mining.* "There are many other activities that contribute to the NWT economy, and many of them are environmentally neutral," a utilities representative stated.
- *Does the fact that we developed a list of characteristics for a PAS imply that there was general consensus among the group members?* The facilitator reassured the group that the list is merely a brainstorming exercise, and does not represent binding recommendations.
- *The group should not move too quickly or go too far.* "We haven't decided if we are going to work together yet, so don't jump to solutions," an Aboriginal representative said.
- *The environment needs to be protected for its own sake.* "The community is important, but a PAS isn't just there for local needs," argued one government participant. "The federal and territorial governments also have the mandate to protect the caribou for the sake of the caribou."

### **Working Group 3: South Slave Region**

*Facilitator: Doug Burch*

Group 3 started with a mining representative stating that the media always tends to report in a way that casts one group against the other. An Aboriginal representative stressed that the communities and mining industries should get together to discuss their conflicts without ENGOS. When asked why ENGOS should be excluded, the Aboriginal representative responded: "They will just get bored sitting there."

Group members then focused on defining the characteristics of a PAS. According to participants, a PAS should recognize the principles related to process, content/framework, and the establishment of individual protected areas.

Delegates listed a set of principles required for working together. They agreed that the *process* involved in setting up a PAS should:

- Facilitate communication among stakeholders. All stakeholders must be involved and consulted.
- Be community-driven.
- Be open, inclusive and transparent, and define roles and responsibilities.
- Be compatible with other jurisdictions.
- Be consistent with land claims and Treaties. Existing tools should be used instead of developing new ones.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- Inform the public. There should be full knowledge of the implications of protection.
- Have sufficient commitment and resources from and for all interested parties.
- Be consistent with the principles of sustainable development and the Whitehorse Mining Initiative. However, there should be a common understanding of the definition of sustainable development.
- Have a rigorous ecosystem approach based on both scientific and traditional knowledge. Cultural protection should be the major rationale of establishing protected areas.
- Not conflict with traditional land use.

**Wrap Up**

*Craig Darling, facilitator*

Craig Darling reflected on how the day unfolded. He noted that a willingness to participate in a PAS seemed to emerge in discussions. The question that now needs to be addressed is how to proceed. Delegates agreed to attend one last round of breakout groups to address next steps.



## **DAY 3: THURSDAY, MARCH 6, 1997**

### **MORNING SESSION**

#### **BREAKOUT SESSION 3: WORKING GROUPS**

*Objective: To provide recommendations and advice to the Minister regarding how to proceed.*

#### **Working Group 1: North Mackenzie Region**

*Facilitator: Linda Michaluk*

Group 1's recommendations and advice to the Minister on next steps included:

- *Funding and resources should be allocated to developing a PAS. One Aboriginal participant stressed that the first stage, including this conference, is an information-gathering stage and that no green lights have been given to the process.*
- *A clear, detailed discussion paper should be written and presented to Aboriginal groups for their review, approval and consent. The paper could be put together by GNWT staff, and GNWT staff could also coordinate the initial stages of the development of the PAS until communities give the go ahead to the process. Once this happens, a more concrete coordinating body, such a steering committee, could be established.*
- *Communities that don't have mechanisms for dealing with protected areas should be identified, and attention should be focused on these. Other groups, such as the Gwich'in and the Inuvialuit, already have identified areas that need protection. "They're role may be talking to other groups about what they've done," an Aboriginal representative suggested. Groups that have progressed further regarding protected areas could still be present at information-sharing meetings to discuss lessons learned and options.*
- *A large-scale, detailed map of the NWT should be produced, and should indicate the protected areas that have already been designated, as well as the important wetlands.*
- *The role of the Minister is to coordinate, support and encourage the development of a PAS. The Minister should compile information and see if there is enough support for a PAS. He should also coordinate land claim efforts, and provide financial support, said an Aboriginal representative. He should not say "I'm going to do it," the representative added.*
- *Agreements about transboundary issues should be one of the outcomes of the conference. "If the GNWT doesn't do something, Aboriginal groups will," an Aboriginal*

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

representative said. "If the GNWT can't protect our water, why should we work with them? It's their job to let other jurisdictions know that we're living downstream." He referred to a number of instances in which pollution from other jurisdictions had a direct environmental impact on resources in the communities. "There's value in working together to protect areas," he said, adding that Aboriginal groups have to speak with mining interests.

Other comments included:

- *The main purpose of the conference is information gathering.* "I'm not here in a decision-making role," a community representative said, adding that no Aboriginal person is at the conference to make decisions on behalf of their groups.
- *The PAS should be regionally-driven. A coordinating committee -- rather than a steering committee -- should be set up, and representatives from all interested groups and stakeholders, including the regions, NGOs and industry, should sit on this committee and collectively support one another.* "Otherwise governments will have carte blanche," a mining representative said. An Aboriginal participant agreed: "A 'coordinating committee' is better than a 'steering committee'," he said, "because it lets people make their own decisions." Other delegates agreed.
- *The Minister could try to seek commitment from settlement areas to officially support a PAS, an ENGO representative suggested.*
- *Consider using the term "protected areas network" instead of protected areas strategy, in order that all regions, including Nunavut, feel comfortable participating.*

### **Working Group 2: North Slave Region**

*Facilitator: Hal Mills*

Group 2 stressed that its recommendations to Minister Kakfwi should be shared with Minister Ron Irwin and other federal ministers. Their recommendations and advice regarding next steps included:

- *Hold meetings with regional chairs.* This would ensure representation, but would also make the numbers of delegates more manageable, a participant said.
- *Pursue community buy-in. It's too soon to establish working groups or a steering committee.* An Aboriginal participant said everyone in the Aboriginal caucus expressed a need for a PAS, but different groups are at different levels: some are just here for information, others are ready to go ahead, and still others are unable yet to commit to any plan, he said. "If you want a community-driven process, it won't happen yet," he stated. "You must be aware that land claims are sacred." The facilitator suggested there is more to be identified about what various regions need in order to move forward.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- *Set up federal/GNWT/ENGO/industry-funded programs to assist groups undergoing claims processes to identify special areas. Increase capacity building at the community level.* "This process must kick in swiftly," an Aboriginal participant observed.
- *Consider the economic consequences of protecting areas in all decisions.* "There are special places on an economic level too," an industry representative argued.
- *Ensure full information is collected and delivered to communities. Continue to build the information base now.* "We all have the responsibility to bring a full information package when we talk with local communities, so they can make an informed decision," an industry representative commented.
- *Use land claim agreements as a tool to achieve a PAS.* "If someone wants to develop a mine," said an Aboriginal representative, "we want the development to happen but we also want to protect the land. A land claim agreement has 40 related articles in it, so there's a process for a protection strategy. We're already doing it!"
- *Pursue buy-in with Nunavut at its own pace.* An Aboriginal participant expressed his belief that NTI will plug into an NWT-wide strategy at some point. "Thought has to be given to how the strategy is developed according to timeframes, priorities, and community buy-in," he said.
- *Provide positive messages for the media about the broad involvement in the PAS.* One Aboriginal participant asked that the public be informed that Aboriginal groups are committed to a strategy: "People are committed to something happening, but people are at different levels, so we have to give it time," he explained. "This isn't a meeting with conflicts. It's just a matter of pulling everyone into the ball game, since there isn't a level playing field right now."
- *Make public specific goals, whether they be based on a percentage or on representation.* If there are specific goals in place, they should be made public, several participants said.
- *Clarify what "interim protection" means for communities and industry.* "If they go to all the trouble of identifying places they'd like protected, communities need to know what will happen next," an ENGO representative stated. "And industry has an interest in clarifying this too."
- *Reaffirm the government's commitment to proceed, including commitment to allocating financial and human resources.*

Several delegates stressed that the regions are committed to a PAS. However, one industry representative questioned its urgency: "We seem to be protecting against something, but we may only have one more diamond mine in the next 10 years, and maybe one more gold mine," he said. A government official disagreed with this interpretation. "Your premise is that this is a

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

reactionary process," he noted. "I think there's more driving a PAS than a response to a threat. We see an urgency among Aboriginal people about the passing of Elders. We see a PAS as a forward-thinking initiative that joins Canada with other countries of the world in positive action." An ENGO representative agreed: "If there's a perceived development threat in an area, then there's a reason to move quickly. If there's no pressure, it's also an opportunity to move during that breathing space." An industry representative countered: "The term 'development pressure' comes from the ENGOs as a fundraising exercise, among other things, and not from industry."

### **Working Group 3: South Slave Region**

*Facilitator: Doug Burch*

Group 3's recommendations and advice to the Minister regarding *decision making* included:

- The decision of whether to participate in a PAS has to be made by the communities, but the final decision rests with the Minister.
- The roles for decision making are set up in land claim agreements.

Group 3's recommendations and advice to the Minister regarding *next steps* included:

- *The Minister should organize a conference for Aboriginal groups similar to this conference. Aboriginal groups haven't had an opportunity to discuss the issues among themselves. While other parties may attend the conference, their attendance will be by invitation only. "We'll decide who comes," a community representative said. "You can have our seat at this conference." Facilitators from the North should be hired for the conference.*

The present conference was helpful in that now Aboriginal representatives have information from the South, he said. But the government is trying to get land back from Aboriginal groups 100 years after they signed Treaties. "I'm uncomfortable when I come here," he commented. He quoted Jim Bourque, who worked on the devolution of the territorial government, and said that the set up in the territories is like a football: the ministers at the top, civil servant bureaucrats in the middle, and community representatives at the bottom. "This conference is like that," the community representative said. "There's the Minister, lots of government representatives, and then a few Aboriginal groups; it's uncomfortable for me." According to Bourque, if the structure were built like a pyramid instead of a football, it would balance far more easily. The community representative noted that the Deh Cho didn't come because they wanted a conference for Native groups in Denendeh only. At the Aboriginal conference, the fundamental principles of a PAS would be developed. A Deh Cho representative noted that Aboriginal people would feel better with a document that they produced themselves.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- *The Minister's next move should be for GNWT staff to go into the communities and work with them. GIS computers and other resources should be brought to the communities to help identify candidate protected areas. While some communities have GIS computers, they do not have the capacity to use them properly. "We can coordinate the community work," an Aboriginal representative said, "we can work that way." The government people can also speak with the Elders and draw on their knowledge. Instead of bypassing communities and going straight out to the animals and collaring them, people should stop in the communities and speak with community people: "Work has to be done there, so let's quit going out to the animals and collaring them; let's stop in the community." He noted that Aboriginal groups are stretched and overloaded with work, and that they have many issues to deal with besides the PAS.*
- *The communities should give their consent before anything is developed, a Deh Cho representative said. "If you don't have community support, it's not going to fly," he said. "If you have community consent, the Deh Cho will more than likely come to the table." He remarked that there weren't enough landlords at this conference: "Usually we circle the plan," he commented, "but we're getting circled here." It is up to the communities to come up with the fundamental principles of a PAS. "Then we might need technicians and biologists to help us out," he said, adding that many Aboriginal communities don't have those resources. "But we'd be the one's to give them a call," he stressed. "You're meeting with everybody but the landlords, you're doing it top-down," he said. "Let us devise the principles and bring them to you."*

Another Aboriginal representative noted that the leaders will tell the communities about the proposed PAS, and that if the communities agree to participate in the process, they will ask for resources to be brought to their community: "Let's not do it backwards," he commented. "We have the resources and the people, I know it. It just means you have to work with the people."

- *Once the ideas of Aboriginal people are on paper, then they will consult with others, a Deh Cho representative said. "We are interested in what other people think, but the basis of what we present must come from the people," he said. He spoke of one case in the Fort Providence area, where the community wanted to establish a protected area that included land to which a non-Aboriginal individual had title. The site is important for migratory birds. However, the individual with title wanted to develop the site. In order to fight the development and to help establish a protected area, the GNWT and other partners were contacted. This process was a good one, and it was community-driven: "It's our decision to ask for assistance," the Deh Cho representative said, adding that personally he did not see the establishment of a coordinating structure in the future. "Once we get the principles on the table, we'd be interested in entering into a co-management arrangement," he said.*
- *The Minister should provide resources for those groups that have not entered into land claim negotiations, or that are undergoing negotiations, to be brought up to speed. Funding should be given to the Dogrib Nation, Treaty 8 and the Deh Cho to identify*

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

protected areas and bring them up to par, an Aboriginal representative said. A participant noted that when then Gwich'in, Inuvialuit and Sahtu claims were negotiated, a pool of money was available in order to collect information and identify areas. The groups undergoing land claim negotiations today, however, do not have comparable funds, she said.

- *The timeframe for developing a PAS should be set by the communities.* It takes time to review the material, and in the meantime, "the land is not going anywhere," a community representative said. "If you start pushing, the people will say we'll work with land claims," he said. "We need to make sure some communities come up to par with others." Resources have to be brought to the communities at their own pace, and when they ask for them.

Other comments included:

- *The role of ENGOs should be to gather relevant information, and to work on getting this information ready so that it can be delivered to groups that ask for it in a timely way,* an ENGO representative said. However, ENGOs need access to the information on the process. "Up until now it has been difficult," she said. "We haven't been well-informed." ENGOs could sit on the coordinating committee, should one be established. "I'm not sure how that works with a community-driven approach," she said. "Is there a need for a committee to stay informed?" She added that a consultation and partnership arrangement -- whether comprised of landowners and government, or inclusive of other partners -- needs to be established so that information is shared.
- *The challenge for mining interests is to go to into a large number of communities.* "This presents significant cost and time," a mining representative said. The mining industry would like a working group to be set up in which various interests would come together and develop a communications strategy "so we can figure out how the consultation should proceed, and so that all stakeholders are heard," the representative said. "It needs thought and work. Everything has to go to the community, but the issue is how to go to all the communities," he concluded.

## **Wrap Up**

*The Honourable Stephen Kakfwi, RWED, GNWT*

Following the presentation of summary reports of the morning's working groups, Minister Kakfwi addressed participants. Referring to the comment made by Danny Beaulieu of Treaty 8 that the government, as well as the conference, is shaped like a football, with not much representation from senior officials, a lot of representation from middle management, and not much representation from the communities, the Minister said: "There's some truth to the analogy of a football." However, the football is deflated and is sitting on its side more firmly; the government has cut spending by \$150 million, and has also cut 200-300 civil servant jobs.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

The Minister quoted a statement made by the Honourable Ethel Blondin-Andrew the previous day: "By bridging some of the gaps that exist, by extending what we have done, by considering the unique viewpoint of all NWT residents, your work will go far toward strengthening the stewardship of the northern environment." He noted that Blondin-Andrew was talking about "building on what we have, and looking at the gaps."

The Minister then reviewed the accomplishments made at the conference so far. Understanding had been reached that there is a need for:

- A PAS that is built from the bottom up.
- A forum in which stakeholders can share information and work together to develop a strategy and vision.
- An examination of tools that are already available. Land claims already have many provisions for protected areas.

"The question is how to work together to develop a vision and strategy that transcends these boundaries," said Minister Kakfwi. The decision makers in the process are the Aboriginal groups, leaders and governments, and this has to be respected in bilateral partnerships. Industry and NGOs are invited to participate and lend support.

Land claims have provisions and are invested with the authority to protect areas, the Minister said, emphasizing Nunavut's position. The question that needs to be examined is how these tools can be used in developing a PAS. He noted that there is a need to focus on areas that are not yet settled under land claims. In these areas there is no process for protected areas, and resources are also lacking. "As a government we have to come forward and say we're prepared to help," said Minister Kakfwi. However, this help is contingent upon communities inviting the government to work with them.

The Minister stated that the days of dividing and conquering are over, and that the emphasis now is on working together. He asked for direction on how to coordinate the specific regional initiatives, noting that the governments would be prepared to consider supporting a conference organized by Aboriginal groups. "But we'd like to have something more specific," he said, such as a coordinating body. He spoke of the lack of coordination between industry, jurisdictions and government departments, stressing that communication among these various stakeholders could better prepare communities for dealing with natural disasters such as flooding. "That's the reason why we say we need a forum," the Minister said. "So we can tell you what we know."

"We've accomplished more than I thought we would," the Minister commented. "I've sat here because of my commitment. I've been listening and asking technical questions about the staff...and provisions in land claims. I'm pleased with the things that I've heard so far." Minister Kakfwi noted that listening to some of the negative comments was also helpful in putting the pieces together for an effective PAS. "We're going to try to do a good job as far as we can," he concluded.

## **STATEMENTS TO THE MINISTER**

### **Aboriginal Caucus**

*Ted Blondin, Treaty 11*

Ted Blondin, Treaty 11, reported on the results of an Aboriginal caucus that had met during the conference. The reality is that Aboriginal groups are at various stages of addressing the issue of protected areas: while some are dealing with protected areas, others do not have the resources to begin to address them. "The difficulty in moving forward is that we're all playing at different levels," he said. "Some groups don't even have a process." He noted that in order for a PAS to go forward, all stakeholders need to be at the table. "I don't care where the money comes from," Blondin said, "but funds are needed to get everyone playing." The communities need resources to begin identifying the regions that need to be protected, the reasons why, and what size each area should comprise.

"Environmental issues know no boundaries," Blondin stated. For this reason it is critical that the Dogribs, Yellowknives and Métis groups develop a relationship and work on a strategy. However, Blondin noted that it's too early to start speaking about a formal coordinating structure. "Some groups don't think they have the ability to fit into any committee," he said. Aboriginal representatives at the conference will bring the information they have learned back to their communities. Blondin emphasized the need for more resources to enable action at the local level.

All participants at the Aboriginal caucus were committed at various levels to a territory-wide strategy, reported Blondin. "But they want to plug into it at different timeframes and at different levels," he said. "It'll all plug in in the end."

In short, the key messages from the Aboriginal caucus are:

- Aboriginal groups are committed to a PAS for the NWT.
- Appropriate resources are required "to allow the wheels to be moving in each community so they can contribute more effectively."
- There needs to be a firm commitment from the government.
- Territorial governments need to disseminate information on the PAS to the regions and communities in plain language, "so that we can all work together effectively."



**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

**DIAND**

*David Livingstone, DIAND*

David Livingstone, DIAND, said DIAND "is here to help." He noted that DIAND played a low-profile role at the conference, but that doesn't mean that DIAND isn't committed or that it has a pre-existing agenda. DIAND's role at the conference was to listen, and to help support the outcomes. "On behalf of DIAND," said Livingstone, "this is a real commitment. We will help in this process and we will commit." However, any forward movement must be at the pace of the various partners. Livingstone acknowledged that everyone is overburdened, but noted that in DIAND's view, the PAS is a priority: "It's in the interest of the environment that we move forward, and in the interest of individuals," he said.

He closed by commenting that DIAND will continue taking a "low-profile" role in the future, but will continue to be committed. "We've learned to appreciate partnerships, and that organizations need help," he said. "And we're here to provide that help."

**Inuvialuit Settlement Region**

*Alex Illasiak, Inuvialuit Land Administration*

Alex Illasiak made a brief statement about the protected areas in the Inuvialuit Settlement Region (ISR). Eighteen percent of the ISR -- 16,000km<sup>2</sup> -- consists of protected areas, compared with the 12% recommended by the global strategy. The ISR abides by provisions outlined in the National Parks Act and the Territorial Parks Act. It also has a system for managing beluga whales, and has established conditions for migratory birds. "So we do have a process to respond to pressures," said Illasiak, "and we should be able to respond to pressures from the communities." Illasiak said the Inuvialuit will continue to use their process, but stressed that they cannot work in isolation. "We are interested in what happens beyond our own borders," he concluded.

**NWT Chamber of Mines**

*Doug Willy, Diavik Diamond Mines Inc.*

Speaking on behalf of the NWT Chamber of Mines, Doug Willy pointed out that representatives from eight companies and four businesses had attended the conference. "We're really concerned about [the PAS] in a number of ways," he said. Mining contributes to the North, Willy commented, emphasizing that mining companies are the experts in community consultation. "We're good at [community consultation], and the partnerships we're forming with Northern communities are the best there can be."

Willy remarked that he has lived in the North for 34 years, and that discussions like the ones at this conference make him emotional: "We're seen as the bad guys, but we really aren't," he said. He noted that for the first time in history, Aboriginal groups have control over what happens in the North. "We're not just here on behalf of our stakeholders," said Willy. "We're

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

becoming part of the North." In the next 10 years, Willy predicted, a number of changes will take place in the mining industry, and more Aboriginal people will join mining companies.

"We're totally for the PAS," Willy stated. In the future, through the mining industry, community people will be able to have and be in control of their own resources, and will not be dependent on others for money, he said. "We are all behind this, and we want to be involved 100% as we have been for the last couple of years," Willy concluded.

### **NWT Environmental Non-Governmental Organizations**

*Gillian McKee, CPAWS-NWT Chapter*

Gillian McKee, CPAWS-NWT, spoke on behalf of NWT ENGOs. She thanked the Minister for his reassurance that the proposed PAS would be community-driven, and expressed pleasure that the mining industries made reference to the Whitehorse Mining Initiative. "We're excited to hear about the prospect of a community movement on protected areas," said McKee. "We heard a clear invitation to work with Aboriginal groups, and we're looking forward to moving on this," she concluded.

### **Gwich'in Representative**

*Charlie Snowshoe*

Charlie Snowshoe, Gwich'in Land Use Planning Board, said he still felt angry about the way the Treaties have been dealt with, stressing that "we have to look at the things the government presents carefully." One of the reasons the government has changed the way it does business with Aboriginal groups is because the Elders spoke out. "On account of that we have the land and settlements," he said.

Snowshoe said he felt "good" and "proud" to see an Aboriginal person in the position of Minister. "I'm happy to see the changeover and that we're listened to," he said, "but I'm still a little bit wary."

### **Discussion**

Ted Blondin noted that confusion prevailed about next steps in the development of a PAS. So far, all the stakeholders had bought into the PAS, and roles and responsibilities that had emerged so far included:

- *The government.* The GNWT will provide resources to the communities.
- *The mining industry.* Mining companies will get in touch with communities and share information on their activities. Moreover, in the future they will include more Aboriginal representation.

**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- *The federal government.* DIAND will move the PAS process forward, and will base the PAS process on community and regional input.
- *The communities and regions.* The communities and regions will have to decide how to move forward.
- *Environmental groups.* ENGOs will provide assistance to community groups.

"We have to cash in on these commitments and run with them before we consider another conference," Blondin said. However, the first priority is to establish intergovernmental relations. "Aboriginal people have to be involved," he said. He noted that the present conference is not a failure because a definitive coordinating structure for a PAS was not set up. Instead, the task at hand is to quickly take advantage of the commitments made. Blondin stressed that the federal government has the responsibility to carry this initiative forward, and to discuss how to proceed with the communities and regions.

"We're in a position of supporting the GNWT and Minister Kakfwi," David Livingstone underscored on behalf of DIAND. "We're not in the lead." He thanked Minister Kakfwi for his commitment to the exercise, his thoughtful words and his courage in attending the conference. "As a group we need to fully support Minister Kakfwi in his efforts, and get on with this exercise," Livingstone concluded.

Drawing from his experience as a technical support person working on establishing the proposed Tukturnogait National Park, Tom Nesbitt, lawyer, commented that the process involved in setting up a PAS is "doable". "You're on the right track," he commented.

## **CLOSING**

### **Closing Remarks**

*Craig Darling, facilitator*

*The Honourable Stephen Kakfwi, RWED, GNWT*

Speaking on behalf of the facilitation team, Craig Darling commented that the team had tried "to tread lightly on your process." He noted that without local and regional support, agreement on a PAS will be elusive. Quoting his father, Darling said: "You know you're on the right road when it's uphill all the way." "I sense you're on the right road," he concluded.

In his closing comments, Minister Kakfwi highlighted some of the statements that had been made in the morning's plenary, including that:

- It is necessary to recognize different peoples and regions, and to take different circumstances into account.
- There are a variety of different tools available to protect areas, including provisions in

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

- land claims. However, areas without land claims do not have access to tools.
- A PAS should not be developed in isolation; there has to be coordination. A coordinating body will be set up in consultation with the federal government and regional leaders.

"We'll be responding to the request for resources," Minister Kakfwi said. Speaking about the Yellowknives, Dogrib and Métis Nations, the Minister pointed out that "you need to be part of a larger team."

The Minister expressed appreciation for the commitment everyone had made to a PAS. "I think the resources and support are there," he said. He also noted that he took Doug Willy's comment to heart, that miners aren't all bad guys, because he too felt that way when he joined the government.

"The elements, roles and responsibilities have been identified," the Minister said. "I'm sure you'll be talking with your people when you go home, and that the governments will be responding."

Minister Kakfwi thanked the organizers, caterers, facilitators and writers for their work in putting the conference together. On behalf of the GNWT and Minister Ron Irwin, Minister Kakfwi thanked participants for attending and "grappling with such a complex issue."

"It's a great start, and we have a fairly clear idea of what to do," Minister Kakfwi said. "We can now go home and think about the things we've heard and done."

**APPENDIX 1:**  
**NWT ENVIRONMENTAL NON-GOVERNMENTAL ORGANIZATIONS**

**Ecology North**

Andrew Spaulding  
#1-4807 49th St.  
Yellowknife, NWT  
X1A 3T5  
Tel: (403) 873-6019  
Fax: (403) 873-3654

**Canadian Parks and Wilderness Society**

Gillian McKee  
1 Harriet's Lane  
Yellowknife, NWT  
Tel: (403) 873-9502  
Fax: (403) 873-3654

**World Wildlife Fund**

Chris O'Brien  
#1-4807 49th St.  
Yellowknife, NWT  
X1A 3T5  
Tel: (403) 873-6019  
Fax: (403) 873-3654

**Canadian Arctic Resources Committee**

Kevin O'Reilly  
#3-4807 49th St.  
Yellowknife, NWT  
X1A 3T5  
Tel: (403) 873-4715  
Fax: (403) 873-3654

**Ducks Unlimited**

Dave Kay  
Box 1438  
Yellowknife, NWT  
X1A 2P1  
Tel: (403) 873-9306  
Fax: (403) 920-4761

## APPENDIX 2: LIST OF PARTICIPANTS

### ABORIGINAL ORGANIZATIONS:

Adrian Boyd	Nunavut Tunngavik Incorporated
Fred Elias	Kitikmeot Inuit Association
Alex Illasiak	Inuvialuit Land Administration
Duane Smith	Inuvialuit Game Council & Inuvialuit Joint Secretariat
Richard Binder	Inuvialuit Game Council
Linda Graf	Inuvialuit Environmental Impact Review Board
Joseph P. Benoit	Gwich'in Land Administration
Richard Nerysoo	Gwich'in Tribal Council
Charlie Snowshoe	Gwich'in Land Use Planning Board
Ron Cruikshank	Gwich'in Land Use Planning Board
Neida Gonzales	Gwich'in Land Use Planning Board
Wynet Smith	Gwich'in Land and Water Board
Peter Clarkson	Gwich'in Renewable Resource Board
Cheryl Chatkiewicz	Gwich'in Renewable Resource Board
Patrice Simon	Gwich'in Renewable Resource Board
Shannon Ward	Gwich'in Renewable Resource Board
Alestine Andre	Gwich'in Social & Cultural Institute
Roy G. Doolittle	Sahtu Secretariat Incorporated
Robert Nowosad	Sahtu Renewable Resource Board
John T'Seleie	Sahtu Dene Council
Greg Nyuli	Deh Cho First Nations
Ted Blondin	Dogrib Treaty 11 Tribal Council
Jim Edmonson	Dogrib Treaty 11 Tribal Council
Fred Sangris	NWT Treaty 8 Tribal Council
Danny Beaulieu	NWT Treaty 8 Tribal Council
Leroy Bloomstrand	Dene Nation
Dennis Kachkowski	North Slave Metis Alliance
Robert Turner	North Slave Metis Alliance

**INDUSTRY:**

George Miller	Mining Association of Canada
Todd McKinley	NWT Chamber of Mines
Mike Vaydik	NWT Chamber of Mines
John Witteman	BHP Diamonds Inc.
John Bekale	BHP Diamonds Inc.
Doug Willy	Diavik Diamond Mines Inc.
Denise Burlingame	Canamera Geological Ltd.
Feisal Somji	Canamera Geological Ltd.
Tony Keen	Cominco Ltd.
Michael Ballantyne	Aber Resources
Pierre R. Alvarez	NWT Power Corporation
Andrew Nelson	NWT Power Corporation
Don Sandercock	NWT Development Corporation

**ENVIRONMENTAL:**

Chris O'Brien	World Wildlife Fund (NWT)
Monte Hummel	World Wildlife Fund Canada
Kevin O'Reilly	Canadian Arctic Resources Committee - Yellowknife
Andrew Spalding	Ecology North
Alex Hall	Ecology North
Gillian McKee	Canadian Parks and Wilderness Society - NWT Chapter
Juri Peepre	Canadian Parks and Wilderness Society
Dave Kay	Ducks Unlimited Canada (NWT)
Caroline Caza	Wildlife Habitat Canada
Robert McNabb	Wildlife Habitat Canada
Randall Hagenstein	The Nature Conservancy of Alaska

## **GOVERNMENT OF THE NORTHWEST TERRITORIES:**

Stephen Kakfwi	Minister, Resources, Wildlife and Economic Development
Lynda Sorenson	Executive Assistant, RWED, Yellowknife
Andrew Gamble	Deputy Minister, RWED, Yellowknife
Doug Doan	Executive Director, RWED, Yellowknife
Terry Foster	Senior Policy Advisor, RWED, Yellowknife
Barney Masuzumi	Traditional Knowledge Advisor, Yellowknife
Robin Reilly	Director, Parks and Tourism, RWED, Yellowknife
Doug Matthews	Director, Minerals, Oil and Gas, RWED, Yellowknife
Ron Graf	Manager, Int. Resource Management, RWED, Yellowknife
Bas Oosenbrug	Protected Areas Biologist, RWED, Yellowknife
Cathie Harper	GIS Specialist RWED, Yellowknife
Ron Morrison	Manager, Fish & Wildlife, RWED, Inuvik
John Nagy	Supervisor, Wildlife Management, RWED, Inuvik
Marsha Branigan	Wolf / Bear Biologist, RWED, Inuvik
Daryl English	Conservation Officer, RWED, Inuvik
Gerd Fricke	A/ Regional Superintendent, RWED, North Slave
Sam Ransom	Regional Tourism Manager, RWED, Fort Smith
Rick Hamburg	Product Development Officer, RWED, Iqaluit
David Monteith	Assistant Director, Parks & Tourism, RWED, Iqaluit
Masood Hassan	Director, Transportation Planning, Yellowknife
John Picek	Regional Superintendent, MACA, Inuvik

RWED = Resources, Wildlife and Economic Development

MACA = Municipal and Community Affairs



*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

**GOVERNMENT OF CANADA:**

Warren Johnson	Regional Director General, DIAND, Yellowknife
David Livingstone	Director, Renewable Resources & Env., DIAND, Yellowknife
Dave Nutter	Director, Mineral Resources, DIAND, Yellowknife
Rob Walker	Environmental Scientist, DIAND, Yellowknife
Jim Moore	Assistant Deputy Minister, NAP, DIAND, Ottawa
Leslie Whitby	Director, Env. & Renewable Resources, DIAND, Ottawa
Claude Bugslag	Planning Coordinator, DIAND, Ottawa
Ricki Hurst	Chief, Resource Planning & Conservation, DIAND, Ottawa
John Hodgkinson	Chief, Mining Legislation & Resource Man., DIAND, Ottawa
Sandy Lewis	Consultant to DIAND, Ottawa
Peter Hale	Resource Management, Natural Resources Canada, Ottawa
Julie Dahl	Acting Arctic Habitat Coordinator, DFO, Yellowknife
Helen Joseph	National Coordinator, Marine Protection Areas, DFO, Ottawa
Helen Fast	Freshwater Institute, Winnipeg
Ron Allen	Area Manager, DFO, Inuvik
Kevin McCormick	Chief, Northern Conservation Division, CWS, Yellowknife
Paul Latour	Habitat Biologist, Western NWT, CWS, Yellowknife
Gordon Hamre	Northern Parks & Sites Advisor, Parks Canada, Yellowknife
Dave McBurney	Marine Areas Coordinator, Parks Canada, Hull

DIAND = Department of Indian Affairs and Northern Development  
NAP = Northern Affairs Program  
DFO = Fisheries and Oceans Canada  
CWS = Canadian Wildlife Service

**PRESENTERS / GUESTS / FACILITATORS:**

Ethel Blondin-Andrew	Member of Parliament - Western Arctic
Pat Carney	Senate Committee on Energy, the Env. & Natural Resources
Randy Seguin	Saskatchewan Environment & Resource Management
Thomas Nesbitt	Lawyer
Leslie Wakelyn	Beverly and Qamanirjuaq Caribou Management Board
Katie Hayhurst	Yukon Parks
John Meikle	Yukon Parks
Andy Tardiff	Yukon Parks
Patrick Bowman	Student - University of Manitoba
Craig Darling	Facilitator
Doug Burch	Facilitator
Linda Michaluk	Facilitator
Hal Mills	Facilitator
Viviane Weitzner	InfoLink Consultants
Carolyn Chala	InfoLink Consultants
Julie Black	InfoLink Consultants
Debbie Gully	InfoLink Consultants

**Unable to Attend:**

Nunavut Planning Commission  
Nunavut Impact Review Board  
Nunavut Surface Rights Tribunal  
Nunavut Wildlife Management Board  
Kivalliq Inuit Association  
Qikiqtani Inuit Association  
Kitikmeot Inuit Association  
Sahtu Land Use Planning Board  
Deh Cho First Nations (additional representatives)  
Metis Nation  
South Slave Metis Tribal Council  
Wildlife Management Advisory Committee  
NWT Chamber of Commerce  
Royal Oak Mines Inc.  
Miramar Con Mines  
Canadian Association of Petroleum Producers  
NWT Fisherman's Federation  
Patterson Forest Products Ltd.  
NWT Arctic Tourism  
Nunavut Tourism  
Nature Conservancy of Canada  
Canadian Nature Federation  
The Nature Conservancy - Canadian Programs

### **APPENDIX 3: RESPONSES to EVALUATION FORM**

- 1. *Prior to receiving your information package, how familiar were you with "protected areas" and the commitment made to develop a Protected Areas Strategy for the NWT?***
1. Familiar as could be given the limited information distributed by GNWT.
  2. Very unfamiliar, but interested in any gained information that could / would impact specific NWT Development Corp. businesses.
  3. Moderately familiar.
  4. Quite familiar.
  5. Well.
  6. Full knowledge.
  7. Prior to receiving the package, I was not familiar with commitment for the Protected Area Strategy.
  8. I had read 2 "draft" discussion papers and had conducted some research on the topic myself.
  9. Very little.
  10. Very familiar with protected areas and somewhat familiar with NWT efforts through discussions with Robin Reilly.
  11. Very.
  12. Very - we (WWF) were completely involved and familiar.
  13. Very!
  14. Familiar with commitment to strategy by fed govt. and GNWT through threat of court case brought about by WWF. Not familiar with all different kinds of ways of protecting areas.
  15. Very familiar with this initiative but we suggested much more stakeholder involvement in designing the conference, setting the agenda, preparation of background material, etc. but this advice was ignored.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

16. I have been familiar with parks as a child visiting Banff, Territorial Parks and City Parks. The bigger picture of parks in the NWT came in my days of graduating from Renewable Resources program in Ft. Smith.
17. Familiar with protected areas and a little familiar on NWT commitment.
18. Somewhat from previous information.
19. Very little but from a Federal / GNWT viewpoint.
20. Somewhat weak, (on commitments in NWT)..without teeth.
21. Quite familiar.
22. Not applicable including my community of Dettah, Ndilo, Enodah.
23. Familiar with present methods to protect areas, not familiar with commitment to develop PAS.
24. I am well versed on the PAS concept. In terms of the commitment of Government to proceed with a PAS I was also aware of the decisions made in Yellowknife and Ottawa.
25. Protection of areas is not new to the Sahtu. We have dealt with this issue during our land claim negotiations and continue to do so. As for the GNWT process, a bit familiar with their intent.
26. I knew very little about the Protected Areas Strategy.
27. Very familiar, involved in (conference) organizational meetings.
28. Yes (familiar).
29. I was very familiar with the topic and activities across Canada.
30. Quite familiar.
31. On a scale of 1 - 10, about 5.
32. Very familiar with protected areas and well briefed on history behind PAS for NWT.
33. Very familiar with the initiative.
34. Very.
35. Very.
36. Very general and out of date information.
37. Quite familiar.
38. I received no information prior to conference; through work I have knowledge of Protected Areas.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

39. I heard it discussed several times while working within the Parks Division, but nobody had a clear understanding and suggested I attend this conference.
40. Yes (familiar).
41. General but not specific.
42. Fairly knowledgeable that we must protect some areas - no time better than now!
43. Reasonably familiar.
44. Well informed.
45. I am a resident of the NWT but because of land claims (IFA) I am an employee of the Yukon Gov't at Herschel Island Territorial Park.
46. Well versed.
47. Fairly familiar - more than many other representatives I encountered.
48. Highly familiar.

***II. Did the information package prepare you adequately for the presentations and discussions that took place during the conference? What other information would you have found useful?***

1. Yes - would have liked it sooner.
2. Information useful, more maps.
3. Yes.
4. References to land protection in the land claims agreements.
5. More information on economics of protected areas versus industrial uses; mining.
6. Package received too soon before conference.
7. Yes it did prepare me quite adequately.
8. Information package received too close to workshop; not enough time to review documents adequately.
9. No - I found the conference objectives unclear.
10. Yes. Additional information on aboriginal perspectives.
11. No - didn't get until at conference and no time to read there; but looks like useful information.
12. Yes, we did not need any additional information.

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

13. No. The ins and outs of the political situation would have helped. We could have dealt with a lot of the initial politics if we and other NGO's (including Aboriginal groups) had been involved before conference.
14. Enough information provided initially and lots of good information at conference but would have been better to have much of that information 2 weeks before conference started.
15. Position papers from regional Aboriginal organizations would have been helpful.
16. Yes/No. Yes, the information leading up to the conference was adequate. No, in that the players / representatives are not equal in combining (?) for a territory-wide strategy.
17. Wildlife management and the collection of harvest study information is crucial to monitoring environment conditions.
18. Status of information.
19. Yes - should have had the binder in advance of the conference.
20. Yes.
21. By itself, the package was very informative. However, it should have been provided at least a week prior to the conference.
22. Still have to read; may read it, providing mandated as First nation, staff have the funds available.
23. The information supplied was useful.
24. Ideally the information package would have been delivered two weeks prior to the workshop. Maps should have been provided identifying mineral opportunities as well as sensitive areas.
25. Somewhat. Other information that would have been nice to see or review would have been more detailed mapping from gov't departments and others.
26. I would have liked to have received the package well in advance of the conference so that I could have read it thoroughly.
27. More background than preparation.
28. Yes.
29. The background material was very appropriate and adequate.
30. Generally, yes.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

31. The package was very complete. A list of speakers, topics and government and other attendees would have helped orient me.
32. Yes.
33. There was a wealth of information in the package that was very useful. If it were any larger it would be overload!
34. Package quite useful - no complaints.
35. I had access to a wide range of information already.
36. Yes.
37. The package was comprehensive and useful. Particularly helpful was the backgrounder prepared by / for DIAND.
38. The binder plus other handouts were excellent but it would have been better if this information was available prior to the conference.
39. Would have preferred to see the information at least two weeks in advance. The Inuvialuit have been managing a protected area strategy for 10 years and should have been consulted to share their expertise.
40. Did not receive the package prior to the meeting.
41. It would have been good to receive it before Inuvik. I would have liked to see the gov't list or participants.
42. It was adequate, have to start somewhere.
43. The binder was quite useful. information sent beforehand was O.K. A map of existing protected areas in the NWT would have been useful.
44. I was last-minute to come so unfortunately did not review package in advance other than agenda.
45. Received it at a late stage but very informative. Other brochures and pamphlets were also very informative.
46. Yes.
47. There was little time to review the package prior to the presentations.
48. (no answer)

***III. What expectations did you have coming to the conference and to what degree were these satisfied?***



*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

1. (no answer)
2. Came without prior expectations, moderate to low feeling that the conference meet organizer expectations.. Having key representative missing distracted and negatively toned some discussions.
3. I expected that parties would agree to work cooperatively on the PAS. Expectations were satisfied.
4. Wanted to see clarification of the positions of various groups; to hear the aboriginal groups and get them to "buy in", also to avoid a fixed deadline and lines on maps and to get Whitehorse Mining Initiative into the process. I was satisfied.
5. Wanted to hear position of government and First Nations.
6. Better exchange of ideas was expected but not met.
7. Prior to attending the conference I expected there would be a plan towards the next step.
8. I expected to see the beginning of a framework - I did not see this.
9. I wanted to hear what aboriginal groups think of the (?) and I heard from some of them.
10. My goals were to meet people and understand approaches being taken elsewhere in the north. These expectations have been met.
11. Expected some kind of coordinating structure/committee to be put in place - didn't happen. Expected a confirmation of importance of involving aboriginal people as equal partners - did happen. Expected discussion of generic concepts of a PAS - didn't happen.
12. Hoped for consensus that protected areas are important, with some agreement to work together and move existing work forward, especially by mapping sites desired by communities. Got that from conference.
13. They were not entirely satisfied. I had hoped that there would be more agreement on what needs to be done and how.
14. Expected the process would have progressed further than it did. We only got into the elementary stages. Think we could have progressed further and talked about the stages and mechanisms that would come into play after communities on side, selections of protected areas. Disappointing Inuit and Deh Cho did not attend. Happy with consensus to proceed.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

15. Had hoped for a structure to carry on the work but given the lack of consultation in advance and exclusion of non-gov't interests from organizing committees, not really unexpected.
16. I expected all players to be honest and willing to work together. Only time will tell.
17. To see what, if anything, is being done outside my area (Inuvialuit) that may affect or enhance our position.
18. To exchange information.
19. Little - the conference exceeded expectations.
20. None - satisfied to high degree.
21. I had very limited expectations, and these were largely met.
22. Community driven and treaty with Canada, constitution, land relationship, to continue our way of life without interference from mining, govts (feds) or what happens on the land.
23. I expected to gather information at this point, and was pleased that there was a lot of information sharing and contacts made with other concerned groups.
24. No Comment.
25. We expected to assure that our land claim rights and processes were addressed and adhered to. Assurance that the GNWT and federal process starts at the community level. There was good consensus on these and we will be satisfied once the govt.'s commit to these concerns.
26. I did not have any expectations of the conference because I did not receive an agenda well in advance.
27. My expectations were to facilitate open ideas exchange - met.
28. Consensus for PAS - expectations satisfied.
29. That the strategy which evolves be consistent with the federal minerals and metals policy and the principles in Whitehorse Mining Initiative. Very pleased with the outcome.
30. Expectations were fairly basic, that at least we would leave with some sort of direction to proceed in. I think this was achieved.
31. I expected to get a sense of the extent to which a protected areas strategy was desired (well addressed), what was required (addressed more or less) and of the steps (not too well addressed).

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

32. To better understand potential benefits of a PAS for the NWT as seen by various stakeholder groups. I did develop a clearer understanding of perceived benefits and disadvantages.
33. I was hoping to "learn" from terrestrial focus discussions and see level of interest in marine issues. I was very satisfied with discussions.
34. No preconceived strategy. But a bit disappointed that no formal work group struck.
35. My expectations were low, my hopes were high. I think we have a means to proceed with much of the ground work.
36. I wanted to learn what all the players are thinking, be assured the development of the mining industry would not be overlooked. Satisfied.
37. My goal was to come out of the meeting with widespread commitments to continue working towards a Strategy. This was achieved.
38. My "role" was to do a GIS demonstration. No opportunity or information was provided to participants to view the data I worked hard to provide. However as a new-comer to the NWT I found the information I obtained to be invaluable from general understanding of the positions and issues specifically related to PAS.
39. My expectations were met as I felt that there should have been a different approach to this conference. I believe that the regional land claim groups are the landlords of their respective areas and that all participants should have been familiar with each completed land claim document.
40. None.
41. That a framework for future development process would be established.
42. It was what I expected. I was satisfied with the progress. Spent most of my life here, I am pleased that we have finally taken these steps to protect some special areas of the N.W.T.
43. Expectation was agreement among various stakeholders; a greater degree of involvement by DIAND. Expectations were partly satisfied.
44. I was expecting a bit more systematic approach to putting the global picture / obligations forward leading to local perspective, but in the end via another route I feel the concept came through. I was mostly here as observer / neighbor (Yukon).

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

45. I came with the expectation of looking for answers on economic development in protected areas, But! came away with just the question at hand.
46. (no answer)
47. I naively hoped for concrete plans, for action and responsibilities to be identified. These were not satisfied.
48. Expectations that clear process for implementing the processes laid out in land claims agreements, where operative, would be developed. Expectation only partially (half) met. Where land claims not settled, expectation for process to identify and deal with protected areas candidates would be developed. Again, only partially met. Technical support role not sufficiently developed.

***IV. How useful were the presentations in laying the groundwork for discussions on the development of a Protected Areas Strategy?***

1. Good.
2. The themes were broad, and presentations fine within this context. Specific or detailed conclusions had difficulty surfacing.
3. Useful, but some were too extensive.
4. Somewhat.
5. No information on industry in the North was provided.
6. Good, I would have appreciated better information from North Slave.
7. They were useful to me.
8. They were not all useful, too much bias; for example Bas Oosenbrug's presentation was not balanced by a presentation from Minerals, Oil & Gas or DIAND.
9. Some were useful.
10. I missed the first morning, but the afternoon and evening presentations were helpful.
11. Good but a real mixed bag from positions to more technical information.
12. Good.
13. The Gwich'in presentations were very useful.
14. Useful. The only ones that (?) were the presentations made by the various land claim settlement areas and their insistence that the strategy be "community driven" and

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

- environmental organizations saw this coming and had agreed that this was the best first step.
15. Helpful but not focused.
  16. I enjoyed most presentations. Chamber of Mines presentation should be careful when saying mining is replacing traditional use of the Land. I'm sure you agree that this is far from the truth. The most important relationship is between the mines and people living on the land.
  17. Fairly useful.
  18. Not bad, but not conclusive for NWT.
  19. Very useful.
  20. Presentations did lay good direction.
  21. The presentations in conjunction with written materials helped give me a better understanding of the various vehicles for creating Protected Areas.
  22. Good.
  23. The presentations were helpful in determining the concerns from most of the groups.
  24. I did not find the presentations to be all that helpful.
  25. Somewhat useful.
  26. I was familiar with the information from past experience. Therefore I did not feel that it was a wise use of time available for the conference.
  27. Quite informative.
  28. Good, but I wish Inuvialuit and Gwich'in parties had stayed to participate.
  29. In addition I would have liked a presentation on non-regulatory tools such as Model Forests that are designed around partnerships.
  30. Fairly useful.
  31. They were effective for this purpose.
  32. Yes, and in particular leadership shown by the Minister at critical points during the workshop.
  33. The flexibility in allowing everyone to speak / present was valuable and very supportive of the coordinated approach.
  34. OK, but presentation from Inuvialuit would have been very helpful.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

35. Good, especially in gaining insight into the views of others.
36. Useful although the actual objective of the conference did not get into the details of how areas are set aside.
37. Some quite helpful; other not so.
38. Excellent.
39. Leaving and forgetting to even include the Land Claim Groups is bad enough but not to request they give presentation is a insult to even begin this process. Land Claim groups should meet on this subject alone and be funded by the GNWT.
40. Good. Would have been nice to hear from each land claim area and had them give maps (if available) showing what has been done so far.
41. Good.
42. I suspected it would be like it was. Yes it was useful.
43. Very useful.
44. (no answer)
45. It was very well presented from specifics to overall views coming from all sectors.
46. Possibly backward - more from interest groups - more presentations to aboriginal groups.
47. I did not have the opportunity to discuss development of a PAS. Our working group never got past discussing the pros and cons of working together, and why the Strategy had to be community driven etc. The presentations were therefore not used during our discussions.
48. Cannot comment on my own. GNWT and Saskatchewan presentations very good - to - excellent in my opinion. Some participants appear to need more familiarity with the implications for protected areas, of land claims regimes.

***V. How useful were the Regional Working Group Sessions in identifying questions, issues and options related to the development of a Protected Areas Strategy?***

1. Limited by the large size of the group.
2. Working groups were very tight. A cautious air prevailed, presumably to not polarize the sector representatives or to offend.
3. Useful, because common issues emerged.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

4. Somewhat, weak facilitation.
5. No decision makers were present.
6. Good.
7. Although useful from a discussion point of view, I thought some more structure may have promoted more meaningful results.
8. Facilitator made too many personal observations. Very difficult for our group to identify meaningful questions because of inadequate representation.
9. It was a start, but very little substance was discussed.
10. Somewhat.
11. Good format but the question of advantage / disadvantage of working together sometimes got in the way of getting at real issues. Facilitator not great at capturing points because he was impeded by the questions too.
12. Very useful, though aboriginal participation was extremely cautious and at times political.
13. Somewhat. We wasted a lot of time investigating the pros and cons of working together. We all know that we'll accomplish zero if we don't work together. No use discussing it!
14. In the end I don't think the working groups accomplished much of real value except that I think they did help to reach consensus on how to proceed after all. However the questions examined were very elementary and I think we could have spent our time better on other questions.
15. Helpful but should have been smaller, more focused on key issues.
16. Very good! Give the facilitator (Doug Burch) a big pat on the back. This opens a lot of doors and invited discussion.
17. Other groups seemed to operate better than we did.
18. Not that useful; would have been better to just divide, but not by regions.
19. Slow but useful.
20. Very good, useful to see where others are, in the process.
21. Moderately useful in developing overall consensus on interests at stake in developing a PAS.
22. Too rushed, fast, push to the point of making presentation, and target First Nation people to make this working group presentation. "This is not good".

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

23. The working groups were most useful which outlined the concerns from our group and in establishing support from various other groups interested in our region.
24. Although interesting, the external bias and baggage brought to the sessions did not allow for the shift of a PAS from government to the community level.
25. Very useful and needed.
26. I could not attend the working group sessions because of prior work commitments.
27. Great opportunity for getting industry, aboriginals, gov't and NGOs at same table.
28. Plowed old ground poorly so not so helpful.
29. Very worthwhile.
30. Somewhat useful, but things were rather unfocused sometimes. The question to be discussed was fuzzy, awkward - sharper wording would have helped.
31. The workgroups were less politically biased and more practically oriented.
32. Useful, however I think more could have been achieved if group tasking had been more specific. Too much time was spent reconfirming the obvious (critical role of claims).
33. Very useful - everyone seemed to have ample opportunity to raise issues.
34. Wednesday morning was a waste of valuable time and the afternoon a little better. Thursday morning was good.
35. Good for developing understanding of others' positions.
36. Smaller groups were essential and I suspect different groups enable freer discussions in different areas.
37. A useful opportunity for representatives of various interests to talk together.
38. Excellent.
39. It was useful to identify other interest groups issues and concerns but again the land claim groups felt that they were supposed to be observers, but participated in most of the discussion in our group and made their feeling known about this process.
40. Sometimes it seemed like we were reinventing the wheel. Not everyone was sure about what we were trying to do.
41. Excellent but groups were too large.
42. It was good - a valuable exercise.



**Working Together Towards a Protected Areas Strategy for the NWT**  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

43. Reasonably useful; although there was too much posturing by interest groups / land claimants groups.
44. I found the questions tough to focus in on - too wordy and a little tough for First Nation elder etc. to focus in on. Otherwise good.
45. Had other commitments and did not attend but surely would have liked to.
46. Very useful.
47. Some issues were raised. No options were discussed other than having the communities decide on priorities and choose alternatives.
48. Of limited usefulness. Would have been better focused on the support the GNWT, Fed gov't and others can lend to community and regionally - focused processes. There is a role for the GNWT, the Fed gov't and others in the identification and establishment (planning etc.) of protected areas. This role was not defined.

**VI. *What do you see as the major impediment(s) to and/or opportunity(ies) for the development of a Protected Areas Strategy in the NWT?***

1. Communication, resources, time.
2. No clear objective. It seemed to be cloaked in too many words which caused confusion in developing PAS.
3. Consultation overload. Too many issues face people in the North. Process must be sensitive to these pressures and take it slow.
4. A major impediment could occur if parties get hung up on details too early. The major opportunity is the commitments expressed by each group.
5. Impediment: I see the political involvement of ENGOs as the largest factor. The unsettled claims will also be a factor.
6. Getting Deh Cho and Nunavut to be part of the process.
7. Not having all the Aboriginal groups attending; in my view it may have given a different end result.
8. Everyone was not at the table - unsettled land claims.
9. The mining industry and DIAND.

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

10. The need to build the strategy from the ground up by working through communities and aboriginal groups.
11. Impediment - resources, open communication not happening, not aware of what each other is doing; interim protection, especially in Slave Geological Province. Opportunities - commitment expressed by all; community-based approach is great.
12. Impediments: political differences between leadership of aboriginal peoples. Opportunities: the communities want protected areas; now they need to send this message to leadership.
13. That protected areas will be created for limited purposes. Also, if development goes ahead before protected areas area identified and set aside (for example, the Slave Geological Province).
14. Major opportunities: In the end everyone agreed on the value of protected areas and a willingness to proceed. All settlement areas have at least started thinking about and planning for protected areas. Major impediments: Nunavut's apparent unwillingness to cooperate with GNWT and apparent lack of progress in developing a PAS.
15. Impediments - lack of resources outside of settled claim areas, failure to involve Aboriginal govt's and co-management bodies. Opportunities - do this now before the NWT becomes further fragmented through claims settlements and private land ownership.
16. Major impediments: who will control the protected areas. Will other areas and countries respect our PA's. I strongly believe mines / industry can wait for the land to heal itself because the resources, non-renewable will always be there in the future.
17. Restricts economic development but it designates areas for preservation for cultural, wildlife or environmental purposes.
18. Unsettled Claims.
19. Time.
20. Non-Claims areas must be considered as "need" areas.
21. There is still a substantial set of differences among parties relating to value and uses of a PAS; there are differing levels of commitment and support.
22. As First Nation request including Deh Cho declaration.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

23. Not being involved, not being able to afford to be involved properly and no settled claim for our group in this region.
24. Provide information (maps) to the community level and give the responsibility on producing a PAS in a "homegrown" fashion.
25. Bring all the players and aboriginal groups on side, coordinating all current processes to fit in together, and assuring adequate funds for those who require it.
26. (no answer)
27. Aboriginal land claims take priority right now, but both will hopefully work together.
28. Canada Mining Act.
29. Competing pressures, lack of resources.
30. Clearly we do not have total buy-in at the moment. There is still an opportunity in that people are still at least willing to talk about a Strategy and perhaps take the next step in developing one.
31. Impediments: lack of resources and complexity of the task. Opportunities: willingness of all to discuss alternatives.
32. Demonstrating benefits of PAS at addressing transboundary and trans claim issues.
33. Major impediments are the large number of interests / agendas - this could turn out to be an opportunity if all these interests can be brought on-side.
34. Lack of resources (\$, people, time); conflict (apparent or real) between co-management board responsible and PAS.
35. (no answer)
36. Wide support but have still to get consensus on How.
37. Impediments: Getting all (or most) regional Aboriginal interests to accept and participate in the process. Keeping all parties at the table.
38. Community involvement, resources, commitment by all partners.
39. The GNWT has to prove their worth, at present most native groups feel they have been let down by the GNWT because of their lack of action regarding the Alberta's hydro dams and pulp mills. How do they expect the GNWT to protect areas when they can't protect the quantity and quality of the water.
40. Coordination and information.

***Working Together Towards a Protected Areas Strategy for the NWT***  
**March 4-6, 1997 • Inuvik, NWT • Summary Report**

---

41. Uneven stages of various aboriginal groups, lack of time by groups.
42. If Land Claimant groups hold up the process in the South Slave for some time. Some of these same Lands will become an issue with the Metis Nation / Treaty 8. However we should continue to develop the PAS.
43. Lack of federal leadership, lack of appreciation that protected areas are based on many factors and not simply on traditional knowledge. Lack of cooperation by land claimant groups.
44. This is a good start. People care about the quality of their environment and lifestyle. That commitment will lead to success!!!
45. The cost in holding informative sessions. The degree of cooperation from all sectors with their interest (polarization). A better understanding of economic development in all areas.
46. (no answer)
47. If the Strategy is entirely community driven, only local and regional concerns of communities will be taken into account. There appears to be little attention paid to territorial / national / international concerns and responsibilities. Therefore an overall strategy may not be developed.
48. Failure to define the legitimate role of the GNWT, Fed gov't on protected area identification, planning, establishment. Opportunity in regional / community focus on this issue. Opportunity in others' focus on this issue.

***VII. Are there any outstanding issues or questions that you feel were not adequately addressed at the conference?***

1. (no answer)
2. More discourse on industry /economic expectations, and interest group reactions, if any.
3. No.
4. Is the Minister of DIAND really behind the process and prepared to provide the support needed?
5. I see the one-sided view of the government bureaucrats as a major issue. As usual 90% of the govt. representatives are active environmentalists who do not agree with the aboriginal concerns in the NWT.

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

6. What are the next steps?
7. (no answer)
8. Craig Darling made many references to people having been consulted on the agenda. He was misinformed. This was not the case.
9. Interim protection.
10. (no answer)
11. Yes - what are generic elements of a PAS or network? How does PAS fit with gov't direction in sustainable development. Interim protection.
12. I thought Nunavut's position was not reasonable and more people than Steve (Kakwi) should have had the guts to say so.
13. All the different reasons for creating protected areas; areas identified by aboriginal communities will not necessarily be enough to protect biodiversity. Other groups must have a role in identifying areas in need of protection.
14. I think we should have decided what the process should be after the communities make their selections. My biggest criticism of community process is that it will probably result in selecting relatively small areas close to communities. Large remote areas and areas crossing land claims and political boundaries will tend to be left out.
15. (no answer)
16. Yes, do all NGO's, industry and gov't support the Land Claim settlements. We all understand that PAS will come from the communities, therefore settlement of Land ownership will enhance the PA and allow development to move forward.
17. (no answer)
18. No.
19. Who is doing what.
20. None.
21. Mainly questions of resourcing and of how a territorial-level PAS will be integrated with regional-level initiatives.
22. Too many to address.
23. I believe the issues raised were addressed as fully as they can be at this time.

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

24. What "surprises" does Government have in terms of completing the PAS by 1998. Next step?
25. Self government negotiations and / or agreements.
26. (no answer)
27. No, this is just an initial step.
28. PAS is a public policy issue. This was lost as it was portrayed as a means to express regional interests.
29. Many but achieved a great deal.
30. (no answer)
31. Next steps.
32. I missed part of the final plenary so this may have been addressed, but a clear statement of next steps.
33. (no answer)
34. Lots, but to be discussed.
35. Clarification and linking of goals of each stakeholder group. Fed, GNWT, community, regional, industry.
36. Detail of process, but this would be premature.
37. It went as far as could be expected; obviously there is much more to be done.
38. Why was the forest sector not included? The annual cut has tripled in the last three years.
39. Land Claim Groups should be formally identified as the landlords of their regions. After this is completed then the process should begin by consulting with the communities with aboriginal groups taking the lead role.
40. If there is to be another meeting, decide soon what each group is to bring to the meeting so they can discuss it in the communities.
41. No central clearing house for existing information from all parties including traditional knowledge.
42. You can only go so far with the process at level 1. It will take time. The process is started and we should not get discouraged.
43. We need to define protected areas in simple yet comprehensive terms in that protection can be for a large number of reasons.

**Working Together Towards a Protected Areas Strategy for the NWT**  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

44. (no answer)
45. N/A Didn't attend all sessions especially the plenary sessions.
46. (no answer)
47. Many! Absence of many Aboriginal groups hindered this. How will the Strategy reflect all levels of concerns, and take ecology into account? It appears that human values, rather than ecological requirements for a healthy environment, will drive the system. How to include ecology?
48. Identification of role of GNWT, federal government and others.

**VIII. Additional comments / suggestions?**

1. (no answer)
2. Aboriginal interests and need for control was a limiting factor in free flow of ideas. A presumption that these groups will ultimately decide hindered open dialogue.
3. Facilitators did a good job.
4. Overall, I was quite pleased with the conference. Very pleased that Minister Kakfwi participated fully; this contributed to the success.
5. (no answer)
6. (no answer)
7. (no answer)
8. What's next? [Why not a "minerals, oil & gas" mug?(as opposed to a "Parks" mug, for completing evaluation)]
9. I was not consulted at all about the conference agenda or goals. I was told in writing that I would be. This resulted in me not really understanding the reasons for this conference.
10. (no answer)
11. You guys did lots of work. Felt we could have moved further ahead in this if aboriginal / environmental groups were involved earlier in process, as we have said since beginning.
12. I thought Steve Kakfwi's presence, interest and leadership were exceptional. I thought DIAND's support was sincere. Now its up to the rest of us to build on that!

*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

13. It was a start, and it was an encouraging sign to see the Minister there the whole time. We need to keep the process rolling and not lose momentum.
14. There needs to be room for other points of view (environmental organizations, government, industry) after the communities have had their input. At this point we really do not know what the process will be after the communities have done their work.
15. Invite NGO's and Aboriginal organizations earlier and as partners.
16. (no answer)
17. If there is to be another gathering one day should be set aside to have presentations made by claimant groups to show what they have done or what they would like to see in their area.
18. No.
19. More time needed. Firm direction needed.
20. Well worth the time. More / better communications as soon as possible.
21. I understand the logistical difficulties in setting this conference up, but it might have been easier to achieve more concrete results if it had been proceeded by several months of work undertaken by an open, multi-party working group.
22. Refer to First Nation leadership and their governing body.
23. The North Slave Metis Alliance needs to be involved in all aspects of management in the North Slave Region and requires resources to be on an even plane with government and other groups.
24. Are you going to mail me my mug?
25. (no answer)
26. (no answer)
27. (no answer)
28. (no answer)
29. Please seek out the mapping and resource assessment (minerals, oil and gas) expertise within NRCan to ensure informed decisions.
30. The conference was probably 2-3 months premature in that we could likely have gotten to the stage we are at now without a conference (general buy-in). A conference / workshop could then have been held to address more specific issues.



*Working Together Towards a Protected Areas Strategy for the NWT*  
March 4-6, 1997 • Inuvik, NWT • Summary Report

---

31. Good luck.
32. (no answer)
33. (no answer)
34. Very well organized.
35. (no answer)
36. (no answer)
37. Community involvement, resources, commitment by all partners.
38. (no answer)
39. I am very pleased that the conference was held in Inuvik or someone such as myself would probably not have a opportunity to be involved. I look forward to receiving additional information and would like to be involved in future conferences.
40. Make up understandable list of 52 types of PAS available and what is involved to get this designation. Provide GIS and other resources needed at the community level.
41. (no answer)
42. Well organized, met new people, learned a few things. Good food!
43. More presentation of the type made by the Saskatchewan representative. A simple map of NWT showing the areas already protected and why is a must; and also why we need more protection.
44. Thanks.
45. Did not have enough time to prepare and had other commitments during the on going sessions.
46. Larger type on nametags?!?
47. The conference should have been delayed until all Aboriginal groups agreed to participate. If a second conference for Aboriginal groups is held, ecological concerns and national / international perspectives and responsibilities should be discussed in a meaningful way, including how communities can contribute / participate.
48. Maintain initiative and focus. Define and implement legitimate roles of GNWT, DIAND in protected area identification, planning, establishment.

