

12th Assembly

Standing Committee on Agencies, Boards and Commissions

Report On

The Proposed Elimination of the Denendeh
Conservation Board.

**Fred E. Koe, M.L.A.,
Chairperson.**

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Members of the
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INTRODUCTION

The Standing Committee on Agencies, Boards and Commissions has received three requests from the Executive Council to comment on Government initiatives related to the elimination of boards and agencies. The Committee has agreed to respond to these requests during the Third Session.

The current report comments on the Standing Committee's review of a plan advanced by the Minister of Renewable Resources for eliminating the Denendeh Conservation Board. Two reports dealt with earlier during the Third Session have considered plans for the elimination of the Student Financial Assistance Board and the Board of Directors of the Northwest Territories Housing Corporation.

On March 9, 1992 the former Minister of Renewable Resources (the Honourable John Ningark) wrote to the Standing Committee on Agencies, Boards and Commissions to indicate his intention to dissolve the Denendeh Conservation Board [see Appendix B]. He stated that the Board lacked the support of regional native organizations and would be made redundant by the development of regional land claims. He indicated that he wished input from the Standing Committee on Agencies, Boards and Commissions on this issue.

The Standing Committee initially considered this matter on April 9, 1992 and further discussions were held with the new Minister (the Honourable Titus Allooloo) on October 27, 1992.

Throughout this review, the Standing Committee on Agencies, Boards and Commissions has focused on the following aspects:

- the establishment authority and intended role of the Denendeh Conservation Board;
- financial costs related to the operation of the Board;
- the current status of the Board;
- the rationale for considering elimination of the Board; and,

- the present availability and future development of an alternative framework for ensuring that community-level input is provided into departmental policy regarding wildlife and habitat management, forestry and environmental conservation from harvesters' organizations and other public interest groups.

The Standing Committee on Agencies, Boards and Commissions wishes to acknowledge the assistance of both Ministers in meeting with the Committee and in responding to members' concerns and comments.

GENERAL OBSERVATIONS AND RECOMMENDATIONS

A general point should be made, from the outset, about the Committee's role in responding to initiatives undertaken by the Government with respect to the management of public boards and agencies.

The Standing Committee on Agencies, Boards and Commissions has been made aware that the function and suitability of government-created boards and agencies are being evaluated by the Cabinet. This has been linked to general recommendations in the *Strength at Two Levels* report, which state that "*all boards and agencies should be assessed specifically in light of elimination, downsizing or consolidation*".

It should be clear that review projects undertaken by the Cabinet in this regard are their own. Where certain Ministers have determined that a review is necessary and have asked for input on a specific proposal, the Standing Committee has been willing to consider reviewing departmental plans and providing the Cabinet with some feedback through the reporting procedures established by the Rules of this House. While the Committee expects to be *informed* about Government initiatives in this area, it is not a requirement that the Standing Committee conduct a comprehensive *review* of each and every Cabinet strategy for board modification or elimination.

On certain occasions, and particularly with respect to the review of the Denendeh Conservation Board, members of the Standing Committee have been concerned by public comments that Ministers' hands have been tied by the fact that the matter was being considered by the Standing Committee.

The Cabinet should be mindful of the fact that Committee priorities have been set by the workplan that was tabled in the Legislative Assembly in Committee Report No. 3-12(1). Where the opportunity permits itself, the Standing Committee may decide to respond to Ministerial requests for input on key board management issues. However, the Government should realize that the Standing Committee takes its work very seriously and, that once a request for input is accepted, the review will be a thorough one which may take some time.

In responding to the Government's request for input, the Standing Committee on Agencies, Boards and Commissions focused initially on the authorities under which the Denendeh Conservation Board had been established.

There are no statutory provisions nor establishment policy directives for this Board. In general terms, however, the Board received its mandate from an agreement between the Dene/Metis negotiating secretariat and the Government of the Northwest Territories in 1986. The Board is a model of the sort of wildlife management board described in the Dene/Metis claim.

The Minister of the day provided the Board with the following operational mandate:

The Denendeh Conservation Board is authorized by the Minister of Renewable Resources to provide recommendations, within the Department of Renewable Resources to the Minister.

The Board provides advice on wildlife, habitat and forestry issues and other issues as they relate to the Department's mandate.

When the Dene/Metis comprehensive claim process was replaced by the establishment of regional land claims for Dene and Metis, the authority for the Denendeh Conservation Board became uncertain.

This uncertainty, coupled with fiscal restraint requirements imposed by the Executive Council, impacted on the operation of the Denendeh Conservation Board. The Standing Committee was advised that the Board has not met since October 1991.

As well, the current Minister of Renewable Resources has indicated that, since the onset of regional land claims negotiations, his Department has received requests from communities and native organizations to disband the Denendeh Conservation Board. Reportedly, these groups have indicated a strong preference to be consulted directly on issues relating to renewable resource management. This is apparently a practice that the Department had continued even while the Denendeh Conservation Board was operating.

Following its initial review of this matter in April 1992, the Standing Committee on Agencies, Boards and Commissions noted that, while the composition of the Board and perhaps even the substance of much of its advice had been open to question, its fundamental role should still be seen as vital. The Committee recognized that, during the early negotiation of the Dene/Metis *Agreement in Principle*, considerable thought had gone into developing a board that would provide community-based input to senior management within the Department of Renewable Resources. The need for that consultative process has not lessened over the past four years.

Members of the Standing Committee on Agencies, Boards and Commissions gave careful consideration to the question of whether it should support any decision to dissolve the Board until it had a formal assurance that alternative mechanisms *do* exist for receiving input from aboriginal harvesters and other stakeholders.

The Standing Committee received some comfort, in this respect, from the current Minister's statement on October 27, 1992, that:

... the Department is committed to furthering the co-management of renewable resources with the people of the Northwest Territories. Public consultation is vital to this concept. The Department will continue to look for the most effective means to obtain advice from the public and develop new strategies as required.

The Standing Committee on Agencies, Boards and Commissions confirmed that, even during the operation of the Denendeh Conservation Board, the Department continued to work with local wildlife committees but looked to the Board to provide advice on regional issues. With the elimination of the Board, the local committees would continue to be a primary contact.

A regional level of consultation will now be established through the land claim process and the eventual creation of renewable resource management boards. The structure and operation of these boards will vary among regions. The Department has expressed a continuing commitment to working with these boards when they are formed.

The Standing Committee on Agencies, Boards and Commissions was generally satisfied that existing communication patterns with communities will be sufficient in the proposed absence of the Denendeh Conservation Board. It recognized that the Minister will have to devote additional attention to maintaining contact with existing regional organizations until wildlife management boards or committees can be established under regional land claim agreements. Contact with other public organizations, such as guide/outfitter associations, the Dene Nation, the Metis Nation, and other stakeholder groups should also be ensured.

As well, the Minister is urged to address the inconsistency in levels of organization demonstrated by local hunters' and trappers' groups across the Territories so that each community can have a dependable, well-functioning avenue for providing input on wildlife policy and management.

The Minister should remain assured that his progress in maintaining effective communication channels with local and regional organizations, and with harvesters, will be an area to which attention is paid by the Legislative Assembly.

At this time, however, the Standing Committee on Agencies, Boards and Commissions was of the opinion that the Denendeh Conservation Board is not providing a significant policy input function. There are better ways to ensure that community and regional input is received on wildlife policy matters.

Recommendation #1

Therefore, this Committee recommends:

THAT THE MINISTER PROCEED WITH THE PROPOSED ELIMINATION OF THE DENENDEH CONSERVATION BOARD.

The Standing Committee on Agencies, Boards and Commissions was also of the opinion that the Legislative Assembly should be advised of the Minister's progress in carrying out the proposed plan to eliminate the Denendeh Conservation Board.

Recommendation #2

Therefore, this Committee recommends:

THAT, IN ACCORDANCE WITH RULE 94(4), THE EXECUTIVE COUNCIL TABLE A COMPREHENSIVE RESPONSE TO THE RECOMMENDATION CONTAINED IN THIS REPORT WITHIN 120 DAYS OF THE PRESENTATION OF THIS REPORT TO THE HOUSE.

- b) review the operation of all such agencies, boards, public committees, councils and commissions, with a view to improving operations, including reducing possible redundancy and overlapping;
- c) make recommendations on the continuance or re-organization of individual agencies, boards, public committees, councils and commissions.



MAR 09 1992

FRED KOE
CHAIRMAN
STANDING COMMITTEE ON
AGENCIES, BOARDS AND COMMISSIONS

Denendeh Conservation Board

The Denendeh Conservation Board was formed in 1987 in anticipation of the Wildlife Board which would have been created within the Dene/Metis Agreement-In-Principle. The Board was created under the initiative of the Department of Renewable Resources and is not contained in legislation. With the collapse of the Agreement-In-Principle the Denendeh Conservation Board no longer has the support of all regional native organizations. Regional claims will necessitate the development of regional wildlife and resources management regimes.

It is my intention to dissolve the Denendeh Conservation Board, and I would like to inform you of this intention and ask that the committee discuss this issue at the next meeting of Agencies, Boards and Commissions. I am prepared to discuss this item with the Standing Committee and am interested in obtaining the views of members on this issue.

I look forward to discussing this matter with the Standing Committee. Thank you.

A handwritten signature in black ink, appearing to be 'John Ningark', written in a cursive style.

John Ningark

