

Five-Year General Review of the **Gwich'in** Implementation Plan

December 22, 1992 - December 21, 1997



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Foreword



The three parties to the Gwich'in Comprehensive Land Claim Agreement (Final Agreement) monitor and direct the implementation of the Final Agreement through a three-member Implementation Committee. The Implementation Committee is composed of three senior officials: one representing the Gwich'in Tribal Council, one representing the Government of Canada and one representing the Government of the Northwest Territories. The Implementation Committee operates on a consensus basis.

An Implementation Plan accompanies the Final Agreement for the purpose of explanation, and identifies Final Agreement obligations and activities. The Implementation Plan also identifies who is responsible for, and the time frames required to fulfil, the Final Agreement obligations and the activities.

One of the responsibilities of the Implementation Committee is to complete a general review of the Implementation Plan in year five following settlement legislation. This five year review document is based on information provided by various departments within the federal and territorial governments, the Gwich'in Tribal Council and the various implementing bodies established under the Final Agreement. It covers the period from December 22, 1992 to December 21, 1997.

Over the course of the five year review, a number of outstanding issues were identified. Several of these issues have since been resolved or are being resolved by the Implementation Committee. The page by page review of the 174 projects identified in the Implementation Plan confirmed that in general, the majority of the Final Agreement obligations are proceeding smoothly. The Implementation Committee has reallocated funding, as required, due to delays in the passage of MVRMA legislation and changes in planning assumptions. The Committee, as a result of the five year review, has recommended that all planning assumptions be reviewed and considered in the re-negotiation of the Implementation Plan during the eight to ten year review. Funds have also been carried forward to subsequent fiscal years in order to allow implementing bodies more flexibility in performing their obligations under the Final Agreement.

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1. Introduction

On April 22, 1992, the Gwich'in Tribal Council, the Government of the Northwest Territories and the Government of Canada signed the Final Agreement and the accompanying Implementation Plan to guide the implementation of obligations by all parties to the Agreement. The Final Agreement became effective on December 22, 1992, when the Parliament of Canada adopted the Gwich'in Land Claim Settlement Act.

The roles and responsibilities of the Implementation Committee are defined in Annex E of the Implementation Plan. One of the responsibilities of the Implementation Committee is to determine from time to time when an obligation has been fulfilled. One-time activities are deemed fulfilled when the activity described in the Implementation Plan has been completed. Ongoing activities are reviewed annually by the Committee to determine which obligations, if any, remain unfulfilled. The Implementation Committee is further directed to complete a general review of the Implementation Plan in year five following settlement legislation. This document represents the efforts of the Implementation Committee towards fulfilling this obligation.

The purpose of the Five Year General Review is to assess how the various Boards, government departments, agencies and other implementing bodies are assuming their Final Agreement obligations as outlined in the Gwich'in Implementation Plan. The Implementation Committee agreed that the scope of the review should be general, taking into account that a more extensive review is to be conducted in the eight to ten years following settlement legislation. The general scope of the review also reflects the fact that many of the implementing bodies are still not fully functional due to delays in the enactment of the proposed Mackenzie Valley Resource Management Act under which some of the implementing bodies will be established.

The objectives of the review, as defined in the Terms of Reference, are to:

- Determine the current status of Final Agreement obligations and activities;
- Provide opportunity for Board members, staff and government agencies to discuss land claim obligations and future direction for implementation;
- Identify larger implementation issues;
- Determine the overall adequacy of implementation funding;
- Identify potential amendments to the Implementation Plan; and
- Provide recommendations that will help to address concerns, issues or conflicts that surface from the activity review.

2. Process for Completing the Review

The Implementation Committee approved the Terms of Reference (see Appendix 1) and established a Working Group to conduct the Five Year General Review of the Implementation Plan.

The first step was to consult with all parties identified as either Project Managers or Participants in the Implementation Plan. The Project Managers and Participants have particular responsibilities for each Final Agreement obligation and activity identified in the Plan. Canada and the GNWT agreed to consult with their respective government departments and prepare status updates identifying the current status of all government obligations and activities. The GTC committed to completing internal consultations to determine the status of their obligations and activities. The Working Group made a commitment to consult with the various implementing bodies (boards and committees) and to request operational plans identifying current status of Final Agreement obligations and activities. In addition, they were asked to include an analysis of anticipated activities and projected costs of board operations over the ensuing five years based on funds allocated in Annex C of the Implementation Plan.

Parties identified as either Project Managers or Participants were provided with copies of the applicable pages of the Implementation Plan, and were asked to comment on the status of their respective Final Agreement obligations and activities.

The Working Group met in Inuvik May 6-8, 1997, to discuss the progress of the review, particularly the status updates for the Final Agreement obligations and activities as identified in the Implementation Plan. The Renewable Resources Board, the Land and Water Working Group, the Environmental Impact Review Working Group and the Interim Land Use Planning Board all made presentations which included a history of their respective organization, a review of activities, and goals and objectives for the future of the Board. The Working Group reinforced the need for activity by activity status reports corresponding to Final Agreement obligations in the Implementation Plan.

The Working Group recommended to the Implementation Committee that a graphic design expert be contracted to develop a database for the activity by activity review. They identified the need for a document that would correspond to the Implementation Plan, and would accommodate the consolidation of the activity by activity status updates from both governments, the GTC and the boards/working groups. With the support of the Implementation Committee, a design expert from Gwich'in Geographics was hired to develop the database.

It was further agreed by the Implementation Committee that Gwich'in Geographics would be contracted to prepare a visual presentation, focusing on the process of the five year review, for display at the Gwich'in Assembly in July 1997. A 3'x8' poster was on display for the duration of the Assembly.

The Working Group completed a page by page review of the Implementation Plan, providing a comprehensive analysis of all Final Agreement obligations and activities. The Working Group cross-referenced each page in the

Plan with the corresponding status update page in the database. The database provided a detailed, consolidated status update from the respective parties for all Final Agreement obligations and activities identified in the Plan.

As a result of the page by page review of the Implementation Plan, the Working Group was able to identify 13 outstanding implementation issues and 21 potential amendments for the Plan. The GTC subsequently identified an additional 7 implementation issues that it felt should be discussed under the purview of the five year review. The Working Group recommended that these issues and potential amendments be referred to the Gwich'in Implementation Committee for further discussion and possible resolution.

It must be noted that the contents of the database were not negotiated by the Working Group and, therefore, reflect issues and potential amendments as identified by any one or more of the parties associated with the review. The database summary, with consolidated status updates for each Final Agreement obligation and activity, is attached to this document as Appendix 2.

3. Implementing Bodies: Highlights of Activities

The following is a summary of activities and highlights for each of the implementing bodies:

Enrolment Board

The Gwich'in Enrolment Board was established to register eligible candidates under the Final Agreement and was funded by the Government of Canada for the initial enrolment period of five years. In the spring of 1993, the Enrolment Board was established in Fort McPherson and began the enrolment process. The eight member Enrolment Board was established with appointments from the GTC and Canada.

By the end of the initial enrolment period 2,152 individuals were enrolled as beneficiaries. During this time, the Board assisted people with completing successful applications, provided enrolment cards to successful applicants and published an annual Gwich'in Enrolment Register. They also conducted and published genealogy research which was of significant interest to Elders and those interested in their ancestry.

The GTC assumed project management responsibility for the enrolment function as of April 1, 1997.

Renewable Resources Board (RRB)

The RRB was established as the main instrument of wildlife management in the Gwich'in Settlement Area. The RRB also has the power to establish policies and propose regulations in respect of the harvesting of trees and to approve forest conservation and forest management plans and policies within the Settlement Area. The RRB was established as an institution of public government in 1994 when

Canada and the GNWT jointly appointed six board members, six alternates and a chairperson. Three board members and three alternates were appointed from nominees put forward by each of the Gwich'in and government. The chairperson was nominated by members of the board and subsequently appointed. An office was established in Inuvik and professional staff and Gwich'in beneficiaries were hired and trained in various capacities.

As the main instrument of wildlife management, the RRB is responsible for management planning and wildlife research in the Settlement Area. The RRB funds research through the Wildlife Studies Fund and conducts independent research through its core operating budget. Management planning has begun for Bluenose Caribou, grizzly bear, Rat River Charr and forests.

The RRB is also responsible for administering the Gwich'in Harvest Study, a study that will set a minimum needs level for future use of wildlife in the Settlement Area. The Implementation Plan identifies the harvest study as a seven year project to be completed during the initial ten year implementation period.

A coordinator, an assistant and community interviewers are conducting the study. A working group meets at least once per year to discuss methodology, emerging issues and potential concerns.

The RRB has developed a successful communications strategy and has taken a proactive role in the education and training of Gwich'in beneficiaries in renewable resources related areas. The RRB has secured independent funding to administer the Gwich'in Environmental Knowledge Project which is helping the board to meet the land claim objective of using Gwich'in

knowledge to make co-management decisions.

Land and Water Board (LWB)

The Final Agreement states that Canada will, with the enactment of the Mackenzie Valley Resource Management Act (MVRMA), establish the Land and Water Board to regulate land and water use throughout the Settlement Area, including Gwich'in private lands. The MVRMA was to be enacted within two years of the date of settlement legislation, however, the MVRMA legislation was not passed during the first five years of implementation. The main function of the LWB will be to issue land use permits and water licenses throughout the Settlement Area.

As a transition measure, the Land and Water Working Group (LWWG) was incorporated in November 1995 to prepare prospective board members and the public for the new regulatory regime. The Minister of DIAND made notional appointments to the LWWG in 1995. The permanent LWB will have equal membership from nominees of the GTC and government and a chairperson selected by the board members.

The LWWG has developed operating guidelines and application procedures for the LWB, designed and held orientation sessions for board members, established office procedures and purchased office furniture and supplies. The LWWG has also hired Gwich'in beneficiaries to train in the areas of environmental screening and financial management. A series of discussion papers about integrated resource management frameworks were produced and two integrated resource management workshops were held with institutions of public government, Gwich'in organizations, government and industry.

The LWWG also worked towards developing a Geographic Information System (GIS). The GIS will be a key tool for the storage and transfer of relevant geographical information. It will provide the permanent board with the most up-to-date and concise information on the type and location of resources in the Settlement Area, which will assist the board in making decisions on land use permit and water license applications.

Mackenzie Valley Environmental Impact Review Board (EIRB)

The Mackenzie Valley Environmental Impact Review Board will be established as the main instrument for the conduct of environmental impact assessment and review in the Mackenzie Valley. The EIRB, like the LWB, will be established pursuant to its enabling legislation, the MVRMA. The EIRB will have equal membership from nominees of aboriginal groups and government. No less than one member of the board shall be a nominee of the GTC.

In 1996, the Mackenzie Valley Environmental Impact Review Working Group (MVEIRWG) was established, pursuant to the NWT Societies Act, to prepare for the creation of the permanent board. Four out of a possible eleven notional board appointments have been made and an Executive Director has been hired.

The MVEIRWG has initiated guidelines for preliminary screening and environmental assessments, designed and held training sessions for board members, established office procedures and attended public meetings to disseminate information and to build liaisons with other organizations.

Interim Land Use Planning Board (ILUPB)

The ILUPB was established in March 1993, when the Minister of DIAND appointed the four members and a chairperson. The permanent Land Use Planning Board will be created when the federal government passes the MVRMA. The Land Use Planning Board will have equal membership from nominees of the GTC and government and a chairperson selected by the board members.

The ILUPB was initially established to review past planning efforts in the Mackenzie Delta and to make recommendations to the permanent LUPB regarding that process as it currently relates to the planning environment in the Settlement Area and the Final Agreement. Due to the delay in the establishment of the permanent LUPB, the ILUPB began to take on the responsibilities of developing the draft land use plan for the Gwich'in Settlement Area. Recognizing the importance and need for having a land use plan, the Implementation Committee reallocated an additional \$200,000 to the ILUPB to assist in drafting the new land use plan.

The ILUPB continues to work toward a draft land use plan based on a strategy it prepared in 1995. The ILUPB has completed the initial data collection and analysis by producing resource inventory and assessment reports and associated maps. These reports summarize the past, present, and future types of land use in the Settlement Area. The reports include: Waste, Forestry, Significant Wildlife Areas and Use, Fishery Resources and Use, Water Use, Transportation and Communication, Military Uses, Mineral Resources, and Oil and Gas Resources and Use. The ILUPB is currently developing a list of significant cultural sites in the Settlement Area. The ILUPB has also consulted with the communities regarding its Plan Options document which identifies goals and objectives of the plan, the board's interpretation of the Final Agreement and the MVRMA as they

relate to land use planning, a land use classification system, and the process the board will follow as it produces the draft land use plan. The ILUPB plans to release a draft land use plan in the spring of 1998.

Arbitration Panel

The Arbitration Panel was established to resolve disputes in accordance with the Final Agreement. In June 1993, Canada, the GNWT and the GTC reached consensus as to the persons to be appointed to the panel. The Minister of DIAND appointed two Canada members, the GNWT Minister of Justice appointed two GNWT members and the GTC appointed four members.

To date, the Arbitration Panel has not been called upon to arbitrate any disputes.

Surface Rights Board

A Surface Rights Board is to be established as an institution of public government and shall have jurisdiction over matters relating to surface entry and compensation but has yet to be legislated. In the absence of surface rights legislation any matter which is to be determined by the Surface Rights Board, pursuant to the Final Agreement, shall be determined by arbitration.

The Implementation Committee met and discussed the 13 issues that were identified by the Working Group and the additional 7 issues that were raised by the GTC. The Implementation Committee discussed the status of each issue, and where possible, made recommendations as to how the issues could be resolved. The following provides a status update, and potential recommendations to resolve each of the issues identified during the five year review process.

The corresponding pages from the Implementation Plan are provided in parentheses for the following issues:

1. Planning of institutions and preparation of legislation (10)

4. Issues & Recommendations

Issue: Finalizing the precise costs of GTC participation on the Co-ordinating Group regarding the Mackenzie Valley Resource Management Act (MVRMA).

Background: It was originally anticipated that the MVRMA would be enacted by December 22, 1994. However, it was not enacted within the first five year implementation period. Canada agreed to entertain reimbursement of costs for GTC participation on the Co-ordinating Group from the original MVRMA deadline of December 22, 1994, until the bill was passed. The GTC filed a Statement of Claim against Canada on April 17, 1997, stating that Canada was in breach of its obligations under the Agreement due to the delays with the MVRMA.

Recommendation: The Implementation Committee recommends that Canada and the GTC continue to discuss out of court settlement of this issue.

2. Enrolment Board (13)

Issue: Should the GTC be added as a “Project Manager” to reflect the fact that future enrolment functions would be a GTC responsibility.

Background: The Implementation Plan identifies DIAND as the “Project Manager” and the GTC as a “Participant”. After the initial enrolment period (5 years), the GTC assumes responsibility for the enrolment function.

Recommendation: The Implementation Committee recommends that Canada redraft the activ-

ity sheet in the Implementation Plan to reflect the fact that the GTC will assume the enrolment function after year 5. “Project Manager” should be amended to reflect “DIAND: December 22, 1992 to March 31, 1997” and “GTC: April 1, 1997 ongoing”.

3. Support of traditional economy and encouragement of employment of Gwich'in (29)

Consultation regarding proposed economic development programs (31)

Issues: (a) Whether government obligations are being fulfilled, and (b) what methodologies could be utilized to measure the progress of economic development programs.

Background: There is an obligation for government to meet with the GTC not less than once every three years to review the effectiveness of programs relating to the objectives in 10.1.1 of the Agreement. Those objectives are (a) that the traditional Gwich'in economy should be maintained and strengthened; and (b) that the Gwich'in should be economically self-sufficient. The GTC has acknowledged that they need to respond to the papers submitted by the GNWT and Canada in accordance with the initial three year review process.

Recommendation: The Implementation Committee recommends that Canada and the GNWT make best efforts to organize a working group by June 30, 1998, to review, implement and monitor the

economic measures provisions of Chapter 10. The working group should be comprised of departments involved in economic development programs and GTC representatives.

Recommendation: The Implementation Committee recommends that the working group should work towards developing a methodology, or means, by which progress of economic development programs can be measured in relation to the objectives in Chapter 10.

4. Settlement Area Harvesting Study (44)

Issue: Whether the mandate of the Settlement Area Harvesting Study (SAHS) should be extended beyond the initial ten year implementation phase per the recommendation from the Renewable Resources Board.

Background: The Implementation Plan states that the SAHS will be concluded within seven years following settlement legislation. The SAHS is to provide the necessary information for the RRB and government to effectively manage wildlife. The RRB raised the concern that the collection of harvest study data is ongoing in nature. Data collection over a six year period provides a limited perspective in relation to long term monitoring of subsistence activity in the Settlement Area.

Recommendation: The Implementation Committee recommends that an analysis of the SAHS should be completed by the RRB prior to the 8-10 year review, which would determine the merits of

extending the SAHS beyond the initial 10 year implementation period.

5. Management of Migratory Wildlife Species (48)

Issue: Whether schedules listing migratory and non-migratory species should be added to the activity sheet in the Implementation Plan.

Background: The RRB suggested that a schedule identifying the individual species would make the Implementation Plan more useful and meaningful for users of the Plan.

Recommendation: The Implementation Committee recommends that discussions take place between the Canadian Wildlife Service (Canada), Resources, Wildlife and Economic Development (GNWT) and the RRB to determine the need and value of such a schedule.

6. Establishment of Renewable Resources Board (64)

Issue: Whether a set of principles, guidelines, and procedures for the appointment of all members to public boards should be established.

Background: The RRB raised a concern that board appointments should be consistent with the planning assumptions identified in the Implementation Plan. The Implementation Committee discussed this issue in the context of membership travel costs, qualifications of prospective board members and timing of the appointment process.

Recommendation: Recognizing that the appointment process must respect the prerogative of the appointing authority and the relative independence of boards, the Implementation Committee agreed to review the planning assumptions with respect to board appointments.

7. Approval of forest conservation and forest management plans and policies by the Renewable Resources Board (74)

Issues: (a) Whether the Agreement and Implementation Plan should be amended to address the project management discrepancy, and (b) consideration of implementation funding for forest conservation and forest management plans.

Background: The RRB is taking an active role in the area of forest management planning and development. The GNWT is responsible for forest management, and as a result, the Plan identifies the GNWT as “Project Manager”. The GNWT has clarified that the obligation under 13.1.10 of the Agreement is to consult with the RRB on any matters that affect forestry and forest management. There is, however, no obligation for government to produce a Forest Management Plan within a specific time frame. The GNWT acknowledges the benefit of having a Forest Management Plan, and that the RRB is playing an active role in producing such a plan because of its ability to consult locally with the communities, the GTC and government. The GNWT stated that although there are no implementation resources identified for the completion of a Forest Management Plan, the GNWT has contributed financially to much of the forest inventory work and photo interpretation. The GNWT also stated that it is committed to ensuring that all departments fulfill their land claims obligations and will pursue any challenges with the appropriate departments.

Recommendation: The Implementation Committee recommends that, despite the fact the RRB is taking an active role in the area of forest management, the GNWT still maintains ultimate responsibility, and therefore, the Plan

should not be amended. The Implementation Committee further recommends that the GNWT initiate discussions with the RRB regarding the implementation dollars identified in the Implementation Plan (p.71).

8. Coordination of the Activities of Boards (141)

Issues: (a) Whether enactment of the MVRMA necessitates amendments to the Implementation Plan to describe the activities of implementing bodies in more detail, and (b) whether cost calculation worksheets/planning assumptions should be updated to reflect the financial information submitted by the implementing bodies (Boards/Working Groups) as part of their long range Strategic Plans, including costed work plans for years 6 - 10.

Background: Concerns were raised that the MVRMA will impose additional activities and responsibilities on the various implementing bodies, activities and responsibilities that are not reflected in the Plan. As a result, concerns were also raised that some of the costing assumptions for the implementing bodies may no longer be valid. While Canada is not prepared to make additional funds available to the implementing bodies at this time, it is clear that the institutions of public government were intended to be sustainable and that it would be in no one’s interest to see them fail. Accordingly, if volume-driven indicators substantiate budgetary reviews, Canada will need to take the necessary action to ensure that the institutions of public government remain sustainable.

Recommendation: The Implementation Committee recommends that Canada develop an approach to deal with the contingent needs that may arise from time to time from the resource management boards, including a review of arguments made by the implementing

bodies in their costed work plans. This approach will take into consideration changes in planning assumptions in the Implementation Plan and the development of a mechanism that provides for timely responses to meet statutory timeframes of the MVRMA.

9. Heritage Resources (155-166)

Issue: Consideration of implementation funding for GTC - Gwich'in Social and Cultural Institute (GSCI) to fulfill responsibilities in Chapter 25.

Background: There is an obligation for government to consult with the GTC (GSCI) when formulating policy and legislation on Gwich'in heritage resources. The GTC (GSCI) is also expected to build an inventory of heritage sites in the Gwich'in Settlement Region through place name, oral history (traditional knowledge) and ethno archaeological research projects. An issue was raised that implementation funding was not provided for these activities. The only implementation resources identified for Chapter 25 are for the repatriation of artifacts. This funding is provided to the GNWT, who has in turn contracted the GSCI to complete the work. The GTC has submitted a proposal for consideration requesting implementation funding of \$25,000 per year to provide government with the type of information that government needs to build an inventory of Gwich'in heritage sites. There is also a request of \$10,000 per year to develop a heritage resource management plan and to support the review of heritage resource legislation. The GTC is awaiting a response to this request.

Recommendation: Consistent with the Terms of Reference (review adequacy of funding), the Implementation Committee recommends that Canada review and consider the GTC funding request.

10. Training for Gwich'in (170)

Issue: Assessment of funding requirement for education and training for Gwich'in beneficiaries.

Background: Canada provided the Gwich'in with a one-time lump sum training fund of \$761,250 which was intended to enable the Gwich'in to identify their training needs, to encourage the adaptation of existing training programs to the needs of the Gwich'in, and where appropriate, to supplement existing training programs to meet Gwich'in training needs which arise from implementation of the Agreement. The GTC is adamant that the funding requirement for education and training of beneficiaries was underestimated when the Plan was negotiated. The GTC maintains that the one-time lump sum training funding of \$761,250 was not sufficient to meet their education and training needs. Canada indicated that there are no new implementation resources available for education and training. The GTC is currently developing a training initiative and it was agreed that the GTC should consult with government to determine what other training support programs are available. The GTC intends to pursue additional education and training resources outside the scope of the 5 year review process.

Recommendation: The Implementation Committee recommends that the GTC, Canada and the GNWT work together to identify training support programs that will assist beneficiaries in their education and training needs. It was further recommended that Canada and the GNWT make every effort to identify the appropriate government training programs or training opportunities that will assist the GTC to improve its training abilities under the Implementation Plan.

11. Confirmation of an official survey plan for Tetlit Gwich'in Yukon land (215)

Issue: Consideration as to why the GTC has not received official survey plans for selected Tetlit Gwich'in Yukon land.

Background: Prior to confirmation of an official plan by the Surveyor General, the Tetlit Gwich'in must provide confirmation that they are satisfied that the parcel, as surveyed, conforms to the area originally selected or as modified by the Surveyor General. Confirmation was received from the Tetlit Gwich'in but the GTC was not notified. Canada provided the Gwich'in Land Administration with copies of all survey plans, with registration details and aerial photographs on July 30, 1997.

Recommendation: No further action required.

12. Summary page outlining roles and responsibilities of federal departments

Issue: Should activity sheets be added to the Plan summarizing the activities and obligations of federal departments similar to page 70 (Department of Renewable Resources, GNWT)?

Background: The GTC recommended that a one or two page summary for each federal department, identifying their specific activities and obligations, be added to the Plan. The summary would include all references to that particular department, similar to Renewable Resources (p.70) and Culture and Communications (p.155) for the GNWT.

Recommendation: The Implementation Committee recommends that Canada provide a schedule summarizing the roles and responsibilities of federal depart

ments under the land claim for incorporation in the Implementation Plan.

13. General improvements to the Implementation Plan

Issue: Consideration as to whether more specific detail should be provided under Project Manager and Participant/Liaison columns in the Plan. For example, amendments could be made replacing “government” or “GTC” with the specific government (GNWT or Canada) or Designated Gwich’in Organization responsible for the project.

Background: The Terms of Reference for the 5 year review tasked the Working Group with identifying potential amendments for the Implementation Plan.

Recommendation: The Working Group recommended 21 amendments to the Implementation Plan which were subsequently approved by the Implementation Committee. The amendments are included as chapter 6 of this document.

14. Planning of institutions and preparation of legislation (10).

Issue: Consultation on the establishment of the Mackenzie Valley Land and Water Board.

Background: The GTC raised the concern that they have not been consulted with respect to the development of legislation for a valley-wide Land and Water Board pursuant to 24.4.6 of the Agreement. Correspondence was subsequently exchanged between the two parties. The GTC submitted a response to DIAND’s letter on October 10, 1997.

Recommendation: The Implementation Committee recommends that the GTC and Canada continue discussions regarding the consultation process for establishment of the Board.

15. Implementation Funding for Renewable Resources Councils (68)

Issue: Whether Renewable Resources Councils (RRCs) need more funding to carry out their implementation obligations.

Background: The RRCs are responsible for encouraging and promoting local involvement in conservation, harvesting studies, research and wildlife management in the communities. The majority of their budget comes from implementation funding which averages \$44,000 per community. The GTC has identified a concern, which was raised at the Gwich’in Annual Assembly, that the RRCs are drastically underfunded considering their implementation obligations. The GTC has analysed the structure, function and day to day operations of the RRCs to gauge whether implementation funding provided for in the Plan is adequate to meet implementation obligations. The GTC has completed its analysis and has submitted a funding request identifying the need for an additional \$20,000 per year for each RRC. The \$20,000 is comprised of \$10,000 to cover basic operation and maintenance costs and \$10,000 to support the RRC Co-ordinator in terms of consultation at the community level.

Recommendation: Consistent with the Terms of Reference (review adequacy of funding), the Implementation Committee recommends that Canada review and consider the RRC funding request.

16. Monitoring of cumulative impacts of land and water uses on the environment, and periodic environmental audits (142)

Issue: Consideration as to whether DIAND has fulfilled its obligation to develop a Cumulative Impacts Monitoring (CIM) framework, within the proper timeframe, and whether

the GTC has been properly consulted.

Background: Canada has an obligation to pass legislation and establish a monitoring process for cumulative impacts of land and water uses on the environment within three years of settlement legislation. An options paper outlining various methods of Cumulative Impacts Monitoring has been developed by ESSA Technologies and is currently being reviewed by DIAND officials. DIAND Regional Office has formed a small committee with other government departments which has started gathering information regarding existing programs and Cumulative Impacts Monitoring related issues.

Recommendation: The Implementation Committee recommends that the DIAND Regional Office consult with the Gwich’in and Sahtu in trying to determine what work is currently being performed in regard to CIM.

17. Wildlife management in the Primary and Secondary Use Areas (220 -226)

Issue: The Yukon Government and the Government of Canada must address land claim obligations with respect to wildlife management in the overlap areas.

Background: The GTC has raised the concern that formal relationships must be set up to facilitate consultation and cooperation on wildlife management issues in the overlap areas between government, the co-management boards and the affected RRCs.

Recommendation: The Implementation Committee recommends that Canada invite the appropriate federal resource persons to a future meeting of the Implementation Committee to initiate more focussed dialogue on the Yukon Overlap Agreement issues.

18. Forest fire management in the Primary Use Area (Yukon) (229)

Issue: A provision of the existing Cooperation Zone Agreement between the GNWT and Canada permits the GNWT, at GNWT cost, to enter up to 20 kilometres into the Yukon to suppress forest fires. However, the Gwich'in residents of the NWT have cabins, traplines and cultural sites that are between 20 and 40 kilometres from the border.

Background: In March 1996, The Minister of RWED, GNWT, wrote a letter to the Minister of DIAND suggesting two options for addressing forest fire protection for specific Gwich'in properties that are located between 20 and 40 kilometres of the border. The options were that the federal fire policy for the Yukon Territory be revised to protect these lands or that the Cooperation Zone Agreement be amended to allow the GNWT, with reimbursement from Canada, to provide fire management services for these lands. The Minister of DIAND responded stating that representatives from the Gwich'in, the GNWT and DIAND/Yukon Region met in April 1995 to discuss fire management priorities and related issues. DIAND/Yukon's position was that the co-operative agreement with the GNWT would continue, protection of specific priorities would be reviewed (with broad consultation) in a timely manner, and the GNWT would conduct primary assessment of fires outside the 20 kilometre agreement, but within the 40 kilometre area of concern. No commitment was made by DIAND/Yukon Region to reimburse costs outside of the co-operative border agreement. The letter further states that section 13.5 of the Transboundary Agreement does not obligate government to fight fires that are outside the Fire Action Zone, and that DIAND/Yukon Region intends to meet

the Yukon and transboundary protection needs within the current climate of limited resources.

DIAND's Forest Resources Division in the Yukon has initiated a review of forest protection priorities, goals and objectives. Inter-agency border agreements, First Nation agreements and transboundary agreements will be reviewed and updated as part of the exercise. The consultation process will encompass First Nations, communities, other stakeholders and the Yukon Government. The resulting action plan will be a first step in updating the Forest Protection Policy to reflect current environmental considerations.

Recommendation: As the Transboundary Agreement obligates government to consult with the Tetlit Gwich'in on general priorities for fighting forest fires on Tetlit Gwich'in Yukon land (primary use area), the Implementation Committee recommends that government consultations also include the Gwich'in of the Northwest Territories.

19. Communication and Information Strategy (279)

Issue: Consideration as to whether DIAND has fulfilled its obligations to communicate the land claim to the public as outlined in the Plan.

Background: The communications objectives identified in the Implementation Plan are to (1) identify and convey to all target audiences the specific undertakings, responsibilities, costs, benefits and time frames involved in the implementation of the Final Agreement, (2) outline the impact of the Final Agreement on existing legislation and regulations, both federal and territorial, and (3) stress that the Plan was negotiated to implement the Final Agreement; and will be managed by the Implementation Committee. The GTC feels that communications with

beneficiaries or the "target audience" could be more effectively handled with special attention being given to the use of plain language writing and visual forms of communication. The GTC is also proposing that a plain language version of the Agreement be produced.

The Implementation Plan requires that a series of information sheets on the implementation process be drafted by DIAND. An information sheet was produced in January 1993. Four brochures were also distributed to the public. In January 1993 letters were sent to government departments advising them of the passage of Land Claim legislation and reminding them of their obligations therein. The Annual Report is produced every year with input from all parties with obligations under the Implementation Plan. A news release was also produced announcing tabling of the MVRMA. An MVRMA tool kit, consisting of eight fact sheets, a flow chart explaining the board structure and process visually, and a brochure, was recently completed and distributed throughout the Northwest Territories (NWT). This package was developed through the joint efforts of the public boards, DIAND and the GNWT. The material from the brochure was translated into five Aboriginal languages and produced on CD which will be distributed to a number of radio stations throughout the western NWT, libraries, the public boards, the NWT Legislative Assembly and the GNWT.

Recommendation: The Implementation Committee recommends that the GTC document specific concerns regarding communications obligations for further consideration by government.

20. Resource Royalties (25)

Issue: The Implementation Committee reviewed whether or not the GNWT is properly applying sand

and gravel royalty provisions within the Gwich'in Settlement Area as provided by the Gwich'in Land Claim Agreement, and consistent with other land claim agreements, specifically the Inuvialuit Final Agreement (IFA).

Background: The IFA provides for the payment of sand and gravel royalties, as well as a reasonable administrative fee, for sand and gravel removed from Inuvialuit lands. The Contribution Agreement between Canada and the GNWT provides implementation funding for the payment of these costs. The Gwich'in Final Agreement (chapter 9) obligates government to pay the GTC an annual amount based on a percentage of resource royalties received by government. This includes sand and gravel royalties received by government.

Recommendation: The Implementation Committee recommends that the GNWT make payment to the GTC, consistent with the resource royalty provisions of the Final Agreement.

5. Overall Adequacy of Implementation Funding

The Implementation Plan states that the adequacy of funding for the various boards and committees (Annex C-1), the Gwich'in Tribal Council (Annex C-4) and the GNWT (Annex C-5) will be reviewed by the Implementation Committee as part of the five year review.

One of the responsibilities of the Implementation Committee is to reallocate implementation resources to ensure that those limited resources are used to efficiently and effectively implement obligations identified in the Implementation Plan. The Implementation Committee has the authority to reallocate resources between boards and to recommend the carry-over of surplus funds to future years. At the December Implementation Committee meetings, the various boards and GNWT implementation budgets are reviewed and funding reallocations and carry-over requests are considered. During the first five years of implementation, the Implementation Committee approved many funding reallocations from boards with identified surplus, to boards with projected deficits. Moreover, recommending the carry-over of funds to future years has allowed the implementing bodies to safeguard projected year-end surplus. This has provided implementing bodies with the ability to defer funding that is associated with particular obligations that have been deferred or delayed.

As part of the five year general review, the Renewable Resources Board, the Mackenzie Valley Environmental Impact Review Working Group, the Land and Water Working Group, and the Interim Land Use Planning Board were asked to submit long term work plans identifying their forecasted activities and expenditures for implementation years six through ten. The implementing bodies were also given the opportunity to present their work plans to the Implementation Committee.

The presentations by the implementing bodies raised the same concerns expressed by both the GNWT and the GTC regarding the adequacy of funding. Both parties have expressed concern that the negotiations of the original budgets were based on several assumptions which, due to circumstances beyond the control of the negotiators, are now incorrect. It was noted that the current expenditure plans for the implementing bodies have been supported by the significant carry-over of surplus funds, due to the delays in the enactment of the MVRMA. It is anticipated that the accumulated surplus will be fully utilized in fiscal year 1998-99.

The Implementation Committee was unable to reach a consensus on how to address the resource forecasts submitted. Given that virtually all implementing bodies were arguing for incremental resources (over those already provided for in the Implementation Plan) for years six to ten, the Implementation Committee found itself unable to consider internal reallocations among the bodies. Moreover, differing views were expressed as to the soundness of the future year forecasts. While not prepared to seek additional federal resources for years six to ten simply based on the submissions, Canada's representative agreed

to undertake an internal review of the arguments made therein. This review would better position the federal government to respond to annual budget requests, and to participate with the other parties in the required eight to ten year review leading to renewal of the Implementation Plan.

The Implementation Committee did agree that implementing bodies were generally expected to live within the resources available to them in the Implementation Plan and that they should be so advised. Canada's representative assured the other members that the Institutions of Public Government established by the Final Agreement were intended to be sustainable, that it was not in the interests of anyone to see them fail, and that volume-driven workload of the regulatory bodies would be a key factor in determining resource levels for future years. It was further acknowledged that some of the assumptions reflected in the Implementation Plan had changed, and that this would be a key consideration in renewing the Implementation Plan beyond the initial ten year planning period.

6. Amendments to the Implementation Plan

In accordance with the Terms of Reference, and based on the Working Group recommendations, the Implementation Committee approves the following amendments to the Implementation Plan.

1. Page 13 - Indicate under Project Manager that the GTC has assumed responsibility for funding the Enrolment Board from DIAND by adding the following, “DIAND: December 22, 1992 to March 31, 1997” and “GTC: April 1, 1997 ongoing”.

2. Page 16 - Indicate that GTC is the Project Manager. Replace “Gwich’in” with “GTC”.

3. Page 27 - Indicate that DIAND is the Project Manager. Replace “Canada” with “Canada-DIAND” or just “DIAND”.

4. Page 52 - Indicate that CWS is Project Manager. Replace “Canada” with “Canada-CWS”.

5. Pages 48, 49, 51 and 70 - Replace all references to “Renewable Resources” with “Resources, Wildlife and Economic Development” to reflect departmental consolidation.

6. Page 67 - Change title of project to read “Involvement of Renewable Resources Councils and Gwich’in harvesters in the conduct of wildlife research or harvesting studies in the settlement area”.

7. Page 78 and 80 - Indicate change for Project Manager. Replace “DOE - Canada Parks Service” with “Heritage Canada - Canada Parks Service”.

8. Page 82 - Add “Land Use Planning Board” and “Renewable Resources Board” under Participant/Liaison.

9. Page 94 - Amend planning assumption to indicate that the Arctic Environmental Strategy ended on March 31, 1997. A contaminant sites clean up program is being developed.

10. Pages 96 and 97 - Replace “EMR” with “NR CAN”.

11. Page 116 - Under Project Manager, replace “Transport Canada” with “DFO - Canadian Coast Guard”.

12. Page 125 - Add “Environmental Impact Review Board” under Participant/Liaison.

13. Page 129 - Under Project Manager replace “GNWT-EMPR” with “GNWT-RWED”.

14. A new Activity Sheet should be added to the Implementation Plan (page 132) to address the obligations in section 21.2 of the Gwich’in Final Agreement. Section 21.2, Interim Measure, states that “any person who proposes to explore for, develop or produce oil and gas on Gwich’in lands described in 18.1.2(a) shall, in addition to any other obligations under this agreement, submit a benefits plan to the Minister of Indian Affairs and Northern Development for approval.” Section 21.2 was approved as an amendment to the Gwich’in Final Agreement by Order in Council on January 30, 1995. Section 21.2 also describes consultation provisions relating to the implementation of a benefits plan.

15. Page 139 - Under Planning Assumptions replace “the costs of arbitration will be borne by the expropriating authority” with “costs of arbitration is the sole responsibility of the Minister of Natural Resources under sections 88 to 103 of the National Energy Board Act”.

16. Page 149 - Under Participants replace “FEARO” with “CEAA”.

17. Page 155 - Change title from “Activities of the Department of Culture and Communications” to “Activities of the Department of Education, Culture and Employment”. Under Project Manager replace “GNWT-Dept. Of Culture and Communications” with “GNWT-EC&E” to reflect departmental name change.

18. Page 157 - Change title of project from “Formulation of government policy and legislation” to “Formulation of government policy and legislation on Gwich’in heritage resources”.

19. Page 200 - Add “Advisory” to last line under Planning Assumptions. Should read “Peel River Watershed Advisory Committee”.

20. Page 210 - Indicate under Project that “Dominion Water Power Act” has been replaced by “Yukon Waters Act”.

21. Page 249 - Pursuant to Issue #12, add a summary page reflecting the key activities and obligations of federal government departments.

Conclusion

The page by page review of the Implementation Plan was completed by the Gwich'in Implementation Committee and Working Group. The review provided implementing bodies with an opportunity to present their long-term work plans to the Implementation Committee. The work plans included forecasted activities and expenditures for implementation years six through ten. The Implementation Committee was unable to reach consensus on how to address the resource forecasts, however, Canada did commit to developing an approach to deal with the contingent needs that may arise from the resource management boards, including a review of their costed work plans. It was acknowledged that the implementing bodies were intended to be sustainable and that volume-driven workload would be a key factor in determining future resource levels.

The Five Year Review of the Gwich'in Implementation Plan revealed the following conclusions:

In general, the majority of Final Agreement obligations are being implemented effectively and efficiently;

During the first five years of implementation, the Committee was able to reallocate implementation funding to support the requests of various implementing bodies;

Twenty outstanding issues were tabled as a result of the Five Year Review and recommendations were put forth by the Committee. Twenty-one amendments to the Implementation Plan were approved;

It was recognized that the most dramatic impact on the implementation of the Final Agreement was the delay in the passage of the Mackenzie Valley Resource Management Act. The delay hampered the timely implementation of regulatory boards in the Gwich'in Settlement Area; and,

The Committee identified the need to revisit the planning assumptions within the Implementation Plan. The Committee agreed that an evaluation of planning assumptions would be included in the eight to ten year review of the Implementation Plan.

To conclude, while the Gwich'in Implementation Plan provides a means for guiding the implementation of Final Agreement obligations, it also provides a mechanism for measuring the status of implementation activities and obligations. The five year review exercise was a valuable experience for all parties as it provided a forum to address current or potential implementation issues before they became disputes.

APPENDIX 1:

Revised Terms of Reference and Proposed Workplan for the General Five Year Review of the Gwich'in Implementation Plan

June 12, 1997

1. Summary

The purpose of this document is to provide a workplan and revised terms of reference for the general five year review of the Gwich'in Implementation Plan. The requirement for a general review of the Implementation Plan in year five following settlement legislation is based on paragraph 11 of Annex E. The parties agree that the scope of the review shall be general, taking into account that a more extensive review is to be conducted in the ninth and tenth years following settlement legislation in accordance with paragraph 12, Annex E. The general scope of the review also reflects the fact that many of the implementing bodies have not been fully functioning due to delays in the enactment of the proposed Mackenzie Valley Resource Management Act under which some of the implementing bodies will be established.

The review will be conducted by a Working Group, consisting of one person representing each of the parties to the Agreement. The Working Group members are as follows:

Shannon Ward

Implementation Coordinator
Gwich'in Tribal Council
Phone: (867) 777-4869
Fax: (867) 777-4538

Scott Alexander

Implementation Coordinator
Ministry of Aboriginal Affairs
Government of Northwest Territories
Phone: (867) 873-7149
Fax: (867) 873-0233

John Leefe

Policy Advisor
Claims Planning and Implementation
Department of Indian Affairs and Northern Development
Phone: (819) 994-5101
Fax: (819) 994-1249

The Implementation Committee will oversee and provide direction to the Working Group. The members of the Implementation Committee are as follows:

Richard Nerysoo

President, Gwich'in Tribal Council
Phone: (867) 777-4869
Fax: (867) 777-4538

Mark Warren

Director, Claims Negotiation and Implementation
Ministry of Aboriginal Affairs
Government of Northwest Territories
Phone: (867) 873-7109
Fax: (867) 873-0233

Terry Henderson

Director General
Claims Implementation Branch
Department of Indian Affairs and Northern Development
Phone: (819) 994-3434
Fax: (819) 953-6430

The review must be complete by December 22, 1997. The principles driving the review are those outlined in the Gwich'in Comprehensive Land Claim Agreement.

The review will involve the following phases of project development:

PHASE 1: Completion of reviews involving the following components: (a) operational review of activities by co-management boards/working groups/GTC/Government (b) strategic planning exercise by co-management boards/working groups in the form of a costed workplan to identify the most efficient use of resources allocated for funds during years 6-10.

(Expected completion date is July/97)

PHASE 2: Activity review of all obligations by Working Group – review status reports (boards/working groups, government, GTC) – identify outstanding issues. To facilitate this review, a common template will be developed to assist the Working Group in consolidating data of the three parties.

(Working Group meeting to be held in July, 1997)

PHASE 3: Five year review document with recommendations for consideration by the Implementation Committee. Possible reissue of Implementation Plan if there are enough amendments or additions to warrant it.

(Working Group to draft document in September, 1997)

PHASE 4: Implementation of approved recommendations by Implementation Committee.

1. PURPOSE AND OBJECTIVES OF THE FIVE YEAR REVIEW

The purpose of the five year review is to assess how Boards, Government departments, agencies, and other implementation bodies are assuming their land claims obligations as outlined in the Gwich'in Comprehensive Land Claim Agreement. In doing so, the Plan will be reviewed in light of its ability to help implement the land claim.

Specifically, the review should:

- Determine the current status of obligation activities;
- Identify larger implementation issues;
- Determine the overall adequacy of implementation funding;
- Provide opportunity for Board members, staff and government agencies to discuss land claim obligations and future direction for implementation;
- Provide recommendations which will help to address concerns, issues or conflicts which surface from the activity review.

2. PROJECT SCOPE

The following implementation bodies are involved in the review:

- GTC (RRCs and Designated Gwich'in Organizations);
- Land Claim Co-management Boards/Working Groups;
- Government Agencies with land claim obligations;

The review may result in amendments to the Implementation Plan. It must provide the Implementation Committee with enough information to review the adequacy of funding and reallocate implementation funds.

3. PROJECT MANAGEMENT

The three members of the Working Group shall act as project managers for the five year review. A contractor may be hired to develop a common template and input data to assist the Working Group in consolidating the status reports of the three parties. The Implementation Committee members shall be available to advise the Working Group.

4. METHODS

The five year review will be based on three primary methods:

- review of land claim literature and documentation;

- interviews and informal communications with individuals from the co-management boards/working groups and government departments (Canada/GNWT/GTC) involved in the implementation of the land claim; and,
- meetings of the Working Group to review status reports of the implementation bodies.

5. PROJECT DESIGN

The processes involved in the five year implementation review are:

1) Co-management Board WG/GTC/Government Reviews

- Assist all organizations in completing their five year review;
- Develop Implementation Review Database (Filemaker Pro);
- Prepare status report, discussion papers, and executive summaries; and,
- Review by Boards, Agencies and support staff;

June - August, 1997

1) Working Group Activity Review

- Activity review of all projects in the Implementation Plan;
 - Consolidation of data
 - Identification of outstanding issues
- July, 1997
- Preparation of a five year implementation review document, integrating the results from individual reviews and workshops.

September, 1997

1) Report to Implementation Committee

- Distribute final implementation review document for review by co-management boards/WG/GTC and Government agencies; and,
 - Submit report to Implementation Committee for approval.
- October, 1997
- Publication of document

6. IMPLEMENTATION

- Implementation of Approved Recommendations
- Amendments to Implementation Plan as needed
- Funding reallocations as needed

7. FINAL PRODUCTS

7.1 Five year review document will contain the following components:

1. Narrative similar to Annual Report format (reports from Canada, GNWT, and GTC)
2. Appendix - status reports (government, boards, GTC)
3. Appendix - financial information
4. Executive Summary - recommendations

2. Amendments and additions incorporated into revised implementation plan, as needed.

A Schedule of Meetings is attached to this document.

SCHEDULE OF MEETINGS – Gwich'in Five-Year Review

June 10

Implementation Committee conference call meeting to seek approval of terms of reference and work plan.

July 15-17

Working Group meeting in Inuvik to conduct activity review - review status reports (boards, government, GTC) and identify outstanding issues.

July 28-31

Members of the Implementation Committee to speak to Gwich'in Annual Assembly on the status of the review.

August

Implementation Committee meeting to discuss outstanding issues (i.e. MVRMA, CIM, appointments to boards, role of Coordinating Group, government budget cuts, funding).

September

Working Group meeting - consolidation of data / draft five year review document with recommendations for Implementation Committee - possible amendments.

October

Implementation Committee meeting to approve draft document and amendments and resolve any outstanding issues.

November

Implementation Committee meeting (if necessary) to finalize draft amendments.

December

Implementation Committee meeting to review final draft and authorize funding reallocations.

Summary of the Gwich'in Implementation Plan

Five-year Review Database (1992-1997)

Foreword

PURPOSE AND INTENDED USE OF THE GWICH'IN FIVE-YEAR REVIEW DATABASE

The purpose of this Five-year implementation Review Database is to provide the Gwich'in Implementation Working Group and Committee with a consolidated on past and projected implementation activities within the scope of the Gwich'in Comprehensive Land Claim Agreement.

The database was developed by the Working Group with the intent of helping all implementation bodies with the following tasks:

- Identifying action in years 1-5 on each implementation activity in the Implementation Plan;
- Identifying project status of each activity in the Implementation Plan;
- Identifying outstanding issues in the Implementation Plan;
- Planning activities for years 6-10;
- Identifying costs in years 6-10 and;
- Making recommendations for improving the Implementation Plan.

In the Gwich'in Settlement Area individual records within the database were electronically distributed to area managers to be filled out and returned to the implementation coordinator. The records assisted the area managers to see the progress their organizations have made in years one through five and to plan for the next five years. It also helped area managers to identify any discrepancies in the Implementation Plan and in the overall implementation process.

Once consolidated, the Gwich'in Working Group reviewed the information contained in the database to develop a list of outstanding implementation issues and a list of amendments to be made to the Implementation Plan. The contents of the database have not been negotiated by the three parties and will not be interpreted as an official documented result or outcome of the review. The recommendations for future activity and costs by the Boards are the views of those bodies and not necessarily those of Canada, the Government of the Northwest Territories of the Gwich'in Tribal Council.

HOW TO USE THE DATABASE

Each page of the database corresponds to a page in the Gwich'in Implementation Plan. A project status has been determined by the Working Group as a result of activities in years 1 to 5. Projected activities and costs of implementation in years 6 to 10 have been developed by the appropriate implementation bodies and are contained in the last two columns on each page. The database should be used in conjunction with the Gwich'in Implementation Plan.

APPENDIX 2:

Acronym Key

ABE: Adult Basic Education	GCLCA: Gwich'in Comprehensive Land Claim Agreement	PRWAC: Peel River Watershed Advisory Committee
AGJV: Arctic Goose Joint Venture	GDC: Gwich'in Development Corporation	PY: Person-Year
BNCMP: Bluenose Caribou Management Plan	GLWB: Gwich'in Land and Water Board	RCT: Revenue Canada Taxation
CDSC: Constitutional Development Steering Committee	GNWT: Government of the Northwest Territories	RRC: Renewable Resource Council
CIM: Cumulative Impacts Monitoring	GRRB: Gwich'in Renewable Resources Board	SRRB: Sahtu Renewable Resources Board
CWS: Canadian Wildlife Service	GSA: Gwich'in Settlement Area	TAC: Technical Advisory Committee
DFO: Department of Fisheries and Oceans (Canada)	GSC: Gwich'in Settlement Corporation	TAH: Total Allowable Harvest
DGO: Designated Gwich'in Organization	GTC: Gwich'in Tribal Council	WMAC: Wildlife Management Advisory Council
DIAND: Department of Indian and Northern Development (Canada)	IC: Implementation Committee	WSF: Wildlife Studies Fund
DIAND-NAP: Northern Affairs Program (Canada)	IP: Implementation Plan	YTG: Yukon Territorial Government
DND: Department of National Defense (Canada)	ISR: Inuvialuit Settlement Region	
DOT: Department of Transport (GNWT)	MAA: Ministry of Aboriginal Affairs (GNWT)	
DRWED: Department of Resources, Wildlife and Economic Development (GNWT)	MACA: Municipal and Community Affairs (GNWT)	
EC&E: Education, Culture and Employment (GNWT)	MBC: Migratory Bird Convention	
EDA: Economic Development Agreement	MOU: Memorandum of Understanding	
EMR: Energy, Mines and Resources (Canada)	MVEIRB: Mackenzie Valley Environmental Impact Review Board	
	MVRMA: Mackenzie Valley Resource Management Act	
	NDHQ: National Defense Headquarters	
	NWMB: Nunavut Wildlife Management Board	
	NWTHC: NWT Housing Corporation	
	PCMB: Porcupine Caribou Management Board	

Summary of the Gwich'in Implementation Plan

Five-year Review Database (1992-1997)

Project:
ANNUAL TREATY MEETINGS

Reference: 007

Project Managers: DIAND – Indian and Inuit Program

Project Status: COMPLETE

The Treaty Party meets annually with each of the four Gwich'in Bands to make payments under Treaty 11.

Details/exact dates of payments are available from DIAND-NWT Region.

Project:
AMENDMENT OF THE AGREEMENT

Reference: 008

Project Managers: DIAND

Project Status: ONGOING

Nov. 1995: Proposed amendments to section 4.1.1 regarding the adoption of children approved by GTC and GNWT and an Order in Council (OIC) submission is to be completed. Amendments to Agreement, printed as "schedule A" and dated June 29, 1994 were completed by OIC in Jan. 1995. Copies provided to GTC and GNWT. Amendment to section 2.1.1 that would define the GTC as "the Canada Corporation" not required. April 1997 - Amendment to Section 4 (Eligibility and Enrolment) with Ministers for consideration.

1994 - An addition to the Agreement on interim measures for benefits Agreements between developers and GTC (21.2)

Project:
PLANNING OF INSTITUTIONS AND THE PREPARATION OF LEGISLATION

Reference: 010

Project Managers: DIAND

Project Status: ONGOING

This activity ensures that government shall consult with the GTC in the planning of legislation and institutions. MVRMA still not enacted five years into implementation period. Bill went before Standing Committee in November 1997 and is expected to pass third reading in Spring 1998. Surface rights legislation consultation beginning in 1998.

Project:
DISCLOSURE OF INFORMATION

Reference: 012

Project Managers: DIAND, GNWT

Project Status: ONGOING

This activity outlines the nature of disclosure of information, where government has discretion. GTC has been advised of all legislation effecting the GSA. Federal Departments advised of the coming into effect of the GCLCA in January 1993.

GNWT Justice drafted Access To Information and Protection of Privacy Act. The Act received assent on October 21, 1994 and came into force December 31, 1996. The Act contains provisions protecting the confidentiality of information provided to the GNWT by land claims organizations.

Project:
ENROLMENT BOARD

Reference: 013

Project Managers: DIAND (1992-97), GTC (1997...)

Project Status: COMPLETE

This activity sheet describes the implementation and duties of the Enrolment Board.

The activities of the Enrolment Board will continue under the direction of the GTC (Motion, GTC Meeting - May 14/97). Genealogical information is still being collected throughout the Settlement Area and will be funded by the GTC. As of April 1996, 2,152 Gwich'in people were enrolled in the Gwich'in Claim as of 1997.

In the Enrolment Board's four years of operation, allocations of implementation funding were:

93/94	\$209,093
94/95	\$264,577
95/96	\$129,593
96/97	\$114,763

Project:
NEGOTIATE SELF-GOVERNMENT AGREEMENTS

Reference: 016

Project Managers: DIAND, GTC, GNWT

Project Status: IN PROGRESS

DIAND Negotiator - John Bayly

GNWT Negotiator - Gabriella Sparling

Gwich'in/Inuvialuit Chief Negotiator - Bob Simpson
GTC - Charlie Furlong, Inuvialuit - Vince Teddy

October 1995 - Federal Government approves Inherent Right Policy.

Sept. 96 - Joint discussion paper developed by all parties, outlining options for governing structures in the Beaufort Delta. Inuvialuit/Gwich'in Process and Schedule Agreement signed by all parties (DIAND, GNWT, GTC, Inuvialuit).

Negotiators presently working on governing structures sub-agreement (AIP). AIP negotiations are in progress. Process and Schedule Agreement sets tentative deadline for

Agreement-in-Principle for two years after Agreement signed (September 4, 1998).

Project:
CONSTITUTIONAL REFORM IN THE NORTHWEST TERRITORIES

Reference: 017

Project Managers: GNWT, DIAND

Project Status: IN PROGRESS

The GTC shall be given an opportunity to participate in any constitutional conference or similar process for reform of the constitution of the NWT. GTC has participated in the development of framework for constitutional reform, Constitutional Conference 1995, and has been active as a member of the Working Group and Aboriginal Summit.

Project:
ARBITRATION PANEL

Reference: 018

Project Managers: DIAND, GNWT, GTC

Project Status: COMPLETE

This activity outlines how the Arbitration Panel is to be established and how consultation, appointments and operations are to occur. Members appointed in 1993/94.

DIAND - Richard Hill, Charlie Gaudet.

GNWT - John Bayly, Letha MacLachlan (vice-chair)

GTC - Willard Hagen, Robert Alexie Jr., James Ross (chair), Peter Ross.

The Panel has implemented guidelines for arbitration based on provisions in Chapter six of the GCLCA which include guidelines for arbitrators; checklists for drafting arbitration agreements; model arbitration agreements; and outlines for arbitration decision-making. No administrative meetings held during 1995-96, 1996-97. No meetings to date in 1997-98.

Project:
ASSIGNMENT OF RIGHTS AND OBLIGATIONS

Reference: 020

Project Managers: GTC

Project Status: IN PROGRESS

Designated Gwich'in Organizations have been incorporated and registered by the GTC. The GTC maintains a register of DGOs in Fort McPherson. The GTC has incorporated the following Gwich'in organizations: Local Councils, RRCs, Gwich'in Land Administration, Gwich'in Development Corp., Gwich'in Settlement Corp. and the Gwich'in Social and Cultural Institute.

The GTC has not assigned all rights and obligations outlined in the GCLCA and Implementation Plan.

Project:
ORGANIZATIONS RECEIVING CAPITAL TRANSFER PAYMENTS AND OTHER PAYMENTS

Reference: 021

Project Managers: Gwich'in Tribal Council

Project Status: COMPLETE

This activity sheet facilitates the transfer of capital payments to the GTC and the power of designation of these funds by the GTC to Designated Gwich'in Organizations and Societies. The Gwich'in Tribal Council has been designated as the organization to receive all capital transfer payments and created the Gwich'in Settlement Corporation to act as the investment arm of the GTC. Bylaw 18 requires that \$7,000,000 per annum of the financial compensation be transferred into the Gwich'in Settlement Corporation until the year 2004. Investment of the Land Claim Settlement Fund are made to promote employment, education and training to Gwich'in beneficiaries, and to stimulate economic activity in the GSA. The overall objective is to ensure that the principal amount of financial compensation is preserved.

Project:
CAPITAL TRANSFER PAYMENTS

Reference: 022

Project Managers: DIAND

Project Status: IN PROGRESS

The GTC has received the following payments:

April 22/92 \$2,000,000.00
Dec. 23/92 \$7,426,766.03
April 22/93 \$4,180,680.28
April 22/94 \$6,271,020.43

April 22/95 \$8,361,360.57

April 22/96 \$9,318,835.28

April 22/97 \$9,318,835.28

The above payments are net of negotiation loan repayments.

Project:
REPAYMENT OF NEGOTIATING LOANS

Reference: 023

Project Managers: DIAND

Project Status: IN PROGRESS

Repayment of loans have been facilitated in accordance with Schedule II Chapter 8. On April 22, 1996 the compensation payment to the GTC reflected the loan repayment due on that date.

The GTC has made the following Negotiation Loan payments:

April 22/93 \$906,292.00

April 22/94 \$1,132,865.03

April 22/95 \$1,132,865.03

April 22/96 \$1,132,865.03

April 22/97 \$1,132,865.03

Project:
LOANS AGAINST CAPITAL TRANSFER PAYMENTS

Reference: 024

Project Managers: DIAND, Dept. of Finance

Project Status: IN PROGRESS

No loans requested to date.

Process in place to facilitate loans process.

Section 3.1 of GTC Bylaw 18 states that the GTC, affiliates or subsidiaries shall not borrow funds from any government or any other lending institution if any portion of capital transfer is required by the lender as security for such a loan. The only situations in which this may occur is if approval is obtained in the form of a resolution, from an annual or Special Assembly where 100% of the delegates are in attendance and a minimum of 75% of the delegates vote in favor of such a resolution.

Project:
RESOURCE ROYALTY PAYMENTS

Reference: 025

Project Managers: DIAND

Project Status: ONGOING

NAP has designed and implemented an accounting system for these royalties.

Payments to date:

1992: \$ 10,122.29
1993: \$212,883.27
1994: \$197,008.80
1995: \$204,344.58
1996: \$242,090.06

The GTC has received Resource Royalty payments on a quarterly basis.

The GTC has not requested or received the Auditor General's annual audit reports verifying the accuracy of the annual statements.

Project:
**CONSULTATION REGARDING
ALTERATION OF RESOURCE ROYALTIES
PAYABLE TO GOVERNMENT**

Reference: 027

Project Managers: Canada

Project Status: ONGOING

June 1996 - The GTC was consulted on two occasions regarding changes to the royalty schedule under the Territorial Quarrying Regulations. The changes were effective in early 1996. August 1996 - In response to direction in the February 1995 federal budget, DIAND has initiated a comprehensive review of the mining royalty regime. Proposed changes will be made to the royalty regime in the Canada Mining Regulations. September 1996 - Consulted with Gwich'in/Sahtu April 1997 - Some issues yet to be resolved with Dept. of Finance.

GTC has been consulted regarding changes to resource royalty structure and payments on an ongoing basis.

Project:
**SUPPORT OF THE TRADITIONAL
ECONOMY AND ENCOURAGEMENT OF
THE EMPLOYMENT OF GWICH'IN**

Reference: 029

Project Managers: Government, Gwich'in

Beneficiaries

Project Status: IN PROGRESS

GNWT has funded various projects to encourage and support Gwich'in traditional economy. Between 1992 and 1996 ED&T contributed approximately \$1,642,000 under the EDA, BDF and SBG Programs towards economic ventures in traditional crafts, arts, clothing, outfitting, music festivals, etc.. On the Renewable Resources side, approximately \$517,000 was allocated to support various land claims initiatives, including RRC funding, CHAP, fire crew employment, Gwich'in traditional knowledge research support and support for PCMB lobbying. DRWED regional staff continue to assist in the preparation of funding proposals in the areas of business/economic infrastructure.

The GTC and its member Bands continue to be full participants in DIAND's Community Economic Development Organization (CEDO) funding program.

The Implementation Committee have recommended that an Economic Measures Working Group be established to pay special attention to Chapter 10 activities in years 6-10 of implementation.

Project:
**CONSULTATION REGARDING
PROPOSED ECONOMIC DEVELOPMENT
PROGRAMS**

Reference: 031

Project Managers: Canada

Project Status: IN PROGRESS, In Need of Review

Oct. 1995 - DIAND sent letters to other government departments requesting the departments advise DIAND on status of any economic programs in Gwich'in Settlement Area and also on when they expect to initiate communications to address this obligation if they have not yet done so. Dec. 1995 - Canada submitted paper to GTC outlining review of effectiveness of programs pursuant to section 10.1.3(b). April 1997 - Awaiting input from GTC. GNWT MAA coordinated the three year review of economic development programs and support for objectives in Ch..10 for GNWT departments. Awaiting response from GTC. GTC Received reports from DIAND and GNWT which outline where

funding has been allocated to hold workshops in communities with regards to economic development programs. No official response submitted to either department by GTC.

The Implementation Committee have recommended that an Economic Measures Working Group be established to pay special attention to Chapter 10 activities in years 6-10 of implementation.

Project:
**FEDERAL CONTRACTING IN THE
SETTLEMENT AREA**

Reference: 033

Project Managers: Canada (any federal dept.)

Project Status: ONGOING, In Need of Review

April 1996 - DIAND Announces new procurement measures designed to increase the participation of aboriginal businesses in bidding for federal government contracts. Measures include support for the development of a national Aboriginal business database, orientation sessions for Aboriginal business and support for supplier promotion and marketing activities. Public Works still awaiting invitation from GTC to conduct seminars.

GTC - The Gwich'in Development Corporation became a subscriber to Open Bidding System (OBS) in November 1994. The number of bidding opportunities for the settlement area on OBS continues to be minimal. June 1997 - the GTC was informed by DIAND that efforts would be made, with GTC direction, to organize a workshop in the settlement area regarding information for contractors with regards to federal tenders.

The Implementation Committee have recommended that an Economic Measures Working Group be established to pay special attention to Chapter 10 activities in years 6-10 of implementation.

Project:
**GOVERNMENT OF THE NORTHWEST
TERRITORIES PREFERENTIAL
CONTRACTING**

Reference: 034

Project Managers: GNWT, Gwich'in

Beneficiaries

Project Status: ONGOING, In Need of Review

GNWT preferential contracting policies, procedures and approaches designed to maximize local, regional and northern employment are being followed. When contracts on settlement lands are granted without going to public tender, Gwich'in shall be given first opportunity to negotiate such contracts, provided they satisfy all criteria.

The Implementation Committee have recommended that an Economic Measures Working Group be established to pay special attention to Chapter 10 activities in years 6-10 of implementation.

Project:
MODIFICATION OF THE GOVERNMENT OF THE NORTHWEST TERRITORIES PREFERENTIAL CONTRACTING POLICIES AND PROCEDURES

Reference: 035

Project Managers: GNWT

Project Status: ONGOING, In Need of Review

Business Incentive Program (BIP) applies throughout the NWT and Gwich'in receive same preferences as others. Should the policy be amended, the GTC will receive full consultation prior to amendment. A consulting process to amend the BIP Policy has been initiated and a letter of invitation was sent to GTC November 18th, 1994. Public Works and Services has received input from groups across the GNWT on ways to revise the BIP. Public Works and Services presented a discussion paper to Cabinet, which was approved in June 1995. Public consultation occurred in spring 1996. In January 1997 the GTC requested a MOU with the GNWT to develop a more specific process regarding issues, approaches and solutions to the implementation of the economic measures/employment provisions.

The Implementation Committee have recommended that an Economic Measures Working Group be established to pay special attention to Chapter 10 activities in years 6-10 of implementation.

Project:
FIRST OPPORTUNITY TO NEGOTIATE CONTRACTS FOR GOVERNMENT OF THE NORTHWEST TERRITORIES PROJECTS ON SETTLEMENT LANDS

Reference: 036

Project Managers: GNWT, Gwich'in Beneficiaries

Project Status: ONGOING, In Need of Review

The GNWT elects to contract out an activity on settlement lands without public tender, Gwich'in have first opportunity to negotiate contracts. DOT - Cabinet gave approval to award 93/94, 94/95, 95/96 and 96/97 Dempster Highway contracts to Gwich'in development companies.

PWS - Negotiated a contract with the GTC and Tetlit Zeh Construction for the construction of the Peel Plateau Interpretive Stop and future annual maintenance.

The GTC has requested that a list of negotiated contracts be supplied to them by GNWT to confirm compliance with 10.1.6 and 10.1.7. This list has not been provided.

The Implementation Committee have recommended that an Economic Measures Working Group be established to pay special attention to Chapter 10 activities in years 6-10 of implementation.

Project:
TAXATION INFORMATION

Reference: 038

Project Managers: RCT

Project Status: INCOMPLETE, In Need of Review

March 93 - the federal secretariat was provided with a contact person for the Gwich'in and a document outlining a general description of the taxation implications of the legislation and the role of Revenue Canada Taxation (RCT). This information was forwarded to the GTC on March 15, 1993. There have been one or two inquiries over the past two years, which have been addressed as they arose. The GTC have been provided with the name of the Revenue Canada official in Edmonton who would be their point of contact for any questions concerning taxation matters.

Document outlining taxation information for Settlement Corporation/participants being reviewed and prepared by officials.

Awaiting documentation from Revenue Canada.

Project:
WITHDRAWAL OF GWICH'IN ACCESS TO HARVEST ON LANDS OTHER THAN GWICH'IN LANDS

Reference: 039

Project Managers: Government, Holder of an Interest in Land (proponent)

Project Status: ONGOING

No proposals have been received to date.

DRWED will continue to liaise with private land owners in respect of access for harvesting by Gwich'in. No requirement as of yet.

Project:
CONSULTATION PRIOR TO LEGISLATING HUMANE HARVESTING OF WILDLIFE

Reference: 041

Project Managers: Government

Project Status: ONGOING

All Aboriginal communities have been informed about the impending European Union Regulation. It is the responsibility of the GNWT to discuss the implication of this law on their individual wildlife regulations. The GTC was involved in two meetings of the Wild Fur Coalition. This group was organized to develop a Canadian Strategy to address the European Unions Fur Import Regulations.

No new legislation has been requested or introduced regarding humane harvesting since the signing of the GCLCA.

GTC has been informed regarding European Union policy and has had the opportunity to participate in Canadian Strategy.

Project:
WILDLIFE STUDIES FUND

Reference: 042

Project Managers: GRRB

Project Status: COMPLETE

The Wildlife Studies Fund (WSF) is the result of a one-time funding contribution from the

Government of Canada of \$2,030,000.

1995 - The WSF was invested with Wood Gundy/CIBC in Edmonton. Interest is used by the GRRB to fund renewable resource research conducted in the GSA on an annual basis. The Wildlife Studies Fund currently produces approximately \$200,000 per year to cap wildlife research funding monies in the GRRB operating budget. The Departments which participate in this project including DRWED, DFO, and CWS report to the GRRB through the proposal process the percentage of funding it will spend on the project in the GSA as related to Assumption #1 in the Implementation Plan. A large amount of funding for Departmental research is drawn from the WSF.

Project:
SETTLEMENT AREA HARVEST STUDY

Reference: 044

Project Managers: GRRB

Project Status: IN PROGRESS

Harvest Study on schedule with respect to the Implementation Plan as of July 1997. The GHS Coordinator (Ian McDonald) was hired in 1995, four community interviewer positions are in place and one GHS assistant position has been implemented. The first annual report of the GHS will be released in Fall 1997. The Harvest Study Working Group meets once yearly to review the methodology of the Harvest Study and to make recommendations to the GRRB for the following year.

Project:
ESTABLISHMENT OF TOTAL ALLOWABLE HARVEST FOR MIGRATORY GAME BIRDS

Reference: 046

Project Managers: CWS

Project Status: ONGOING

CWS has been diligent in advising GRRB of all changes to migratory bird legislation that may impact Gwich'in use. The GRRB is aware, through CWS membership on the Board, that migratory birds are managed according to a well defined set of regulations which cover a continental region. The GRRB has been consulted in migratory

waterfowl management, and migratory bird research has been conducted by DRWED. To date the GRRB has not discussed setting an allowable harvest for migratory birds. The GRRB has never made a request to CWS or received any data on harvest figures from CWS to date. Total allowable harvest for migratory game birds in the GSA has not been identified as a high priority issue at this time. No action has been taken nor is it likely to in the near future.

Project:
MANAGEMENT OF MIGRATORY WILDLIFE SPECIES

Reference: 048

Project Managers: DRWED, DFO, CWS, DIAND

Project Status: ONGOING

The co-management structure developed within the GSA has been an effective body for the management of migratory wildlife. Responsible government agencies have addressed their obligations under the GCLCA, facilitating the participation of co-management bodies in the development of management plans and the review of management issues, including licensing and research activities. DRWED has coordinated the development of a Bluenose Caribou management plan and cooperative agreement.

Ratt River Charr have been studied and a Fisheries Management Plan is being developed with DFO and RRB. Porcupine Caribou Management Agreement has involved the GRRB in terms of lobbying and co-management efforts. CWS is responsible for Endangered species management and sits on the Working Group of the Arctic Goose Joint Venture. Research has been conducted on migratory game birds with the CWS.

Project:
ESTABLISHMENT OF AN AGREEMENT FOR THE MANAGEMENT OF THE BLUENOSE CARIBOU HERD

Reference: 049

Project Managers: DRWED

Project Status: IN PROGRESS

Initial status work (consultation) with users of Bluenose Caribou to develop a manage-

ment agreement was complete within the GSA in March 1995. A draft plan was prepared and distributed to interested parties. A second round of consultation with representatives from the management boards and the department in the communities was completed March 1996. Workshop held in Inuvik for all users Nov. 1996. Final recommendations from workshop were incorporated into draft plan and circulated to communities April 1997. Recommendation was to draft a cooperation agreement which would ultimately lead to a formal co-management agreement (2-3 years).

Implementation funding from 1992-6 for this activity was \$162, 825.

Project:
MANAGEMENT OF MIGRATORY SPECIES WHICH CROSS INTERNATIONAL BOUNDARIES

Reference: 051

Project Managers: CWS

Project Status: ONGOING

CWS informs the GRRB of international management of migratory species through its membership on the GRRB. CWS member Paul Latour, has consulted with GRRB over recent changes to the Migratory Birds Convention and Federal Endangered Species Legislation. CWS membership on international co-management boards (International Porcupine Caribou Management Board) enables GRRB to remain informed and participate in international negotiations. GTC needs to be consulted in future.

Project:
DEVELOPMENT OF CANADIAN POSITIONS FOR INTERNATIONAL CONSULTATIONS AND NEGOTIATIONS RELEVANT TO MIGRATORY BIRD MANAGEMENT

Reference: 052

Project Managers: Canada

Project Status: ONGOING

The Gwich'in were consulted on amendments to Migratory Birds Convention Act and their opinions solicited. Gwich'in were part of the Aboriginal Committee who provided input into Federal Government posi-

tions prior to negotiations. The GRRB has provided formal response to the amendments of MBCA. GRRB participation in the MBCA was funded by CWS. The GRRB helps facilitate consultation on negotiations relevant to migratory bird management.

Project:
ISSUANCE OF NEW LICENSES FOR THE COMMERCIAL HARVESTING OF WILDLIFE

Reference: 053

Project Managers: GRRB

Project Status: ONGOING

To date the issuance of new commercial licenses by the GRRB for the harvesting of wildlife has not occurred in the GSA. A suggested process for issuance is outlined in the IP, but to date the process has not been initiated. Most hunting of wildlife in the GSA is done at the subsistence level, with only localized commercial Bluenose activity.

The issuance of new licenses by the GRRB for the commercial outfitting for wildlife should not result in any significant future cost to the Board. The GTC will, upon receipt of an application for commercial harvesting of wildlife, retain the right of first refusal.

Project:
EXISTING COMMERCIAL HARVESTING RIGHTS IN WATERS OVERLYING GWICH'IN LANDS

Reference: 056

Project Managers: DFO

Project Status: ONGOING

April 97 - No new commercial fishing licenses have been issued during the review period for any fishery in waters overlying Gwich'in lands.

Project:
ISSUANCE OF COMMERCIAL LICENSES FOR FISHING IN WATERS OUTSIDE GWICH'IN LANDS

Reference: 057

Project Managers: DFO

Project Status: ONGOING

In April 1995, DFO and GRRB set an interim

number of eight commercial fishing licenses in the GSA for that year. No official limits have been set since that time.

April 97 - GRRB did not recommend a limit for the number of licenses for each fishery within nine months of settlement legislation. DFO and GRRB agreed to maintain the status quo on licenses (renewal of existing eight commercial licenses) until such time as GRRB is prepared to deal with issue. No new commercial fishing licenses have been issued during the review period. Issue is reviewed by DFO and GRRB at regular intervals. Discussions with RRCs to take place in 1997.

Project:
ISSUANCE OF NEW LICENSES FOR GUIDING AND OUTFITTING FOR BARRENGROUND CARIBOU

Reference: 060

Project Managers: GNWT

Project Status: ONGOING

No new licenses have been issued to date.

Under the Porcupine Caribou Management Agreement no commercial harvest is permitted. Process for issuance of new licenses will be covered by the development of the Bluenose Caribou Management Plan. The cost of administering and processing guiding and outfitting licenses for Bluenose caribou is incurred by DRWED and should not mean additional cost to the GRRB under the provisions of the GCLCA.

Project:
RELINQUISHMENT OF A LICENSE AND/OR SALE OR TRANSFER OF ENTERPRISES RELATED TO COMMERCIAL NATURALIST ACTIVITIES AND TO COMMERCIAL GUIDING AND OUTFITTING ACTIVITIES IN RESPECT OF HUNTING AND SPORT FISHING

Reference: 063

Project Managers: Licensing Authority

Project Status: ONGOING

No licenses have been relinquished, sold or transferred.

Project:
ESTABLISHMENT OF RENEWABLE RESOURCES BOARD

Reference: 064

Project Managers: DIAND

Project Status: COMPLETE

Project complete. The GRRB was established early in 1994 and has been operating with implementation funding since that time.

Budgets approved for:

1993/94 - \$453,005; amended to \$53,005;

1994/95 - \$401,945; amended to \$337,567;

1995/96 - \$678,800;

1996/97 - \$794,056;

1997/98 - \$738,372.

Full time staff are in place. The GRRB staff and members work in conjunction with appointed members agencies involved in renewable resource management within the GSA, including DFO, CWS and DRWED. Structures have been implemented to facilitate coordination for research endeavors, management plans and education and training.

Project:
INDEPENDENT RESEARCH CAPABILITY OF THE RENEWABLE RESOURCES BOARD

Reference: 066

Project Managers: GRRB

Project Status: ONGOING

The GRRB evaluates wildlife research conducted by agencies, external researchers and others that are applying for funding. In the past four years, the Board has reviewed legislation related to endangered species and migratory birds. To date, GRRB staff have conducted independent research on: Moose populations/habitat; Gwich'in environmental knowledge; Rat River Charr habitat; Forest use in the GSA; and conducted timber cruising.

Within the first five years of Implementation, funding for independent research has been facilitated through the GRRB operating budget (\$50,000). Additional core budget funds were used to fund research and management projects. GRRB staff are conduct-

ing and participating in more research and management projects than originally anticipated due to agency cutbacks and implementation requirements.

Project:
CONDUCT OF WILDLIFE RESEARCH OR HARVESTING STUDIES IN THE SETTLEMENT AREA

Reference: 067

Project Managers: Government, GRRB

Project Status: ONGOING, In Need of Review

This activity outlines the obligations which government and the Renewable Resource Board have to include RRCs in wildlife research and harvesting study.

RRCs have become increasingly involved in the conduct of renewable resource research and management projects in the Gwich'in Settlement Area. The GRRB, Government and RRCs are working on renewable resource management plans that identify research and management work needed in the GSA. The GRRB has ensured that the RRCs are fully involved in management, planning processes and research projects.

The Implementation Committee recommends that the title of this Activity Sheet be changed to "Involvement of Renewable Resources Councils and Gwich'in harvesters in the conduct of wildlife research or harvesting studies in the Settlement Area".

Project:
ESTABLISHMENT OF RENEWABLE RESOURCES COUNCILS

Reference: 068

Project Managers: Designated Gwich'in Organization - GTC

Project Status: COMPLETE, In Need of Review

RRCs have been established in each of the four Gwich'in Settlement Area Communities. Core responsibilities of the RRC in accordance with 12.9.1, 12.9.2, 12.9.3 are to encourage and promote local involvement in conservation, harvesting studies, research and wildlife management in the local communities. They have the power to allocate any Gwich'in needs level; manage local exercise of Gwich'in harvesting rights includ-

ing methods, seasons and location; establish group trapping areas subject to approval of the GRRB; and, to advise the Board with respect to harvesting by Gwich'in. Throughout the first five years of implementation RRCs have expressed to the GTC that they are underfunded, particularly now that they are taking on more responsibilities with the passage of the MVRMA.

The GTC submitted a proposal as part of the Five-year Review for additional funding for years 6-10. The Committee has recommended that DIAND review the request for funding.

Project:
FORMULATION OF GOVERNMENT POSITIONS IN RELATION TO INTERNATIONAL AGREEMENTS RESPECTING WILDLIFE OR WILDLIFE HABITAT

Reference: 069

Project Managers: CWS, DFO

Project Status: ONGOING

April 97 - Gwich'in were advised and consulted during preliminary meetings prior to Migratory Bird Convention (MBC) negotiations with U.S. The CWS member on the GRRB keeps Board informed of all developments re: MBC.

May 1996 - Gwich'in were consulted over recent changes to the MBC.

CWS played a major role in recent negotiations with European Union concerning humane trapping. The European ban has been lifted provided that the lobby continues to demonstrate and develop more effective and humane trapping systems.

The Gwich'in have participated in lobbying efforts, including the PCMBs work to protect calving grounds in ANWR and the fur lobby in Europe. Johnny Charlie and Frank Edwards sit on the PCMB for the GTC.

Project:
ACTIVITIES OF THE DEPARTMENT OF RENEWABLE RESOURCES

Reference: 070

Project Managers: DRWED

Project Status: ONGOING

This activity summarizes the activities of the Department of Resources, Wildlife and Economic Development. Implementation

funding provided to DRWED by Canada for activities in the Settlement Area include:

92/93	\$28,554
93/94	\$105,426
94/95	\$106,701
95/96	\$109,903
96/97	\$113,199
97/98	\$115,654

The implementation funding was used by DRWED primarily through a PY - DRWED - RRC Coordinator position.

The title of this activity sheet will be changed to reflect the Department name change. Similar summary pages will be created for Federal Departments by DIAND.

Project:
LICENSES FOR THE COMMERCIAL HARVESTING OF TREES

Reference: 072

Project Managers: GNWT

Project Status: ONGOING

The GNWT-RWED is responsible for licensing activities for forestry in the GSA. This sheet outlines community-based resource council involvement in licensing. Five permits were issued in the first five years. Process in place for small scale harvesting. Timber harvesting guidelines under consultation.

In conjunction with DRWED, the GRRB has developed a new licensing process for timber permits in the GSA. Forest Working Group facilitates forest use activities in the GSA - membership includes DRWED and GRRB staff. New process will still be administered by the DRWED, but will ensure that each RRC reviews commercial timber applications before issuing permits.

Project:
APPROVAL OF FOREST CONSERVATION AND FOREST MANAGEMENT PLANS AND POLICIES BY THE RENEWABLE RESOURCES BOARD

Reference: 074

Project Managers: GNWT

Project Status: IN PROGRESS, In Need of Review

To date, GRRB has taken much of the initiative to develop a forest management plan. The GRRB Forestry/Fisheries Biologist will be

working on the forest management plan over the next four to five years. From a funding perspective, the GRRB has taken on project management responsibilities within the context of dispensing monies the development of a Forest Management Plan, which is an outlined DRWED responsibility in the GCLCA. During the Five-year Review, this issue was discussed and it was concluded that the GNWT 's obligation here is to consult with the RRB on any matters that affect forestry and forest management. and that there is no obligation for them to develop a plan within a certain time frame.

While the GNWT recognizes the role that GRRB has played, it is not currently the Board's obligation.

The GNWT agreed to send a letter to the RRB stating that implementation dollars identified in the Plan (p.71) are for consulting with the GTC, RRB and RRCs on matters likely to impact on wildlife or wildlife habitat, forestry and forest management.

Project:
CONSULTATION WITH THE RENEWABLE RESOURCES BOARD REGARDING FORESTRY

Reference: 075

Project Managers: GNWT

Project Status: ONGOING

Regional Superintendent of RWED works very closely with the GTC, RRB and RRCs on all aspects of forest conservation and forest management. DRWED is also involved in a potential logging program, aerial photography project and a timber cruising exercise which will be part of the Forest Management Plan.

The Forest Working Group organized through the GRRB helps to facilitate much of this consultation.

GRRB has been consulted by the Interim Land Use Planning Board regarding the Plans Options Document as it relates to any forest activity in the settlement area.

Project:
LEGISLATING TO REGULATE OR PROHIBIT GATHERING OF PLANTS

Reference: 077

Project Managers: Government

Project Status: ONGOING

This provision ensures the GTC will be consulted on plant legislation related to gathering of plants: pre-notification, consideration of response, amendment as warranted.

No legislation was introduced in years one to five.

Project:
CHANGING BOUNDARIES OF A NATIONAL PARK, ONCE ESTABLISHED

Reference: 078

Project Managers: DOE- Canadian Parks Service (CPS)

Project Status: ONGOING

As of April/97, there were no national parks in existence or proposed for the Settlement Area.

Project:
ESTABLISHMENT AND OPERATION OF NATIONAL PARKS

Reference: 080

Project Managers: DOE - Canadian Parks Service (CPS)

Project Status: ONGOING

As of April/97, there were no national parks in existence or proposed for the Settlement Area.

Project:
ESTABLISHMENT AND OPERATION OF PROTECTED AREAS

Reference: 082

Project Managers: GNWT, DIAND

Project Status: ONGOING

In March 1997, a workshop was held in Inuvik by DRWED to discuss Protected Areas in the GNWT. Justice has provided legal advice regarding parks.

The Gwich'in Land Use Planning Board has been discussing protected areas with community-based organizations in the area. GILUPB was directly involved in drafting the Gwich'in Territorial Park Master Plan, implementing the Arctic Red River Heritage River Management Plan, and advising the Peel River Watershed Advisory Committee which

recommended protected areas in the Arctic Red River and Peel River Watersheds. GILUPB also developing comprehensive list of "protected areas" (not legislative) to determine land use classifications for the Gwich'in land use plan.

The Interim Planning Board has taken the lead in the establishment of legislative protected areas at the regional level.

Project:
CONSULTATION WITH THE GWICH'IN TRIBAL COUNCIL PRIOR TO THE ESTABLISHMENT OF A TERRITORIAL PARK WHICH IS NOT INCLUDED IN THE DEFINITION OF TERRITORIAL PARK

Reference: 084

Project Managers: GNWT

Project Status: IN PROGRESS

Park committee is in place and development of Gwich'in Territorial Park is proceeding. For the last several years the committee has been working on layout and construction of the park site as well as the structures which are required for the park to become operational.

Project:
PARK MANAGEMENT PLANS

Reference: 085

Project Managers: GNWT

Project Status: COMPLETE

1995 - DRWED involved in the development of a Gwich'in Parks Committee (Chair, two GTC reps and two GNWT reps). Development of the Gwich'in Territorial Park at Campbell Lake is proceeding. A Park Management Plan was established by Gwich'in Geographics and was approved by the Parks Committee (April 1995). Gwich'in Geographics/Ferguson Simek and Clark are now working to develop conceptual and thematic designs for the park infrastructure. The contract for RV camp ground site development work and road access to the lake has been awarded to Chii construction, a Gwich'in firm.

The Park Management Plan was completed and approved by the Minister of Economic Development and Tourism prior to the creation of DRWED.

Project:
EMPLOYMENT AND TRAINING OPPORTUNITIES ASSOCIATED WITH PROTECTED AREAS

Reference: 086

Project Managers: GNWT, DIAND

Project Status: ONGOING

Gwich'in beneficiaries have been hired and trained as the Parks and Visitor services Officer and Seasonal Parks Officers within the region (visitors centers throughout the GSA).

The Park Management Plan has identified further employment and training opportunities that will become available once the Gwich'in Territorial Park is completed.

August 1997 - DRWED - Inuvik Region reported that Gwich'in owned companies and organizations have been awarded a total of \$918,784 in contracts and employment.

Implementation funding provided to the GNWT by Canada used to fund a person year:

92/93	\$2,753
93/94	\$10,233
94/95	\$10,540
95/96	\$10,855
96/97	\$11,182
97/98	\$11,424

Project:
RESOLUTION OF CLAIMS FOR COMPENSATION FOR HARVESTING LOSSES AS A RESULT OF DEVELOPMENT ACTIVITY

Reference: 088

Project Managers: Parties to Harvesting Compensation Claim

Project Status: ONGOING

No action to date has been made against a proponent in the loss of harvesting equipment or property.

Project:
PROVISION OF SAND AND GRAVEL BY GWICH'IN

Reference: 090

Project Managers: GLWB

Project Status: ONGOING

This activity outlines the process for review by the GLWB with regards to sand and gravel extraction on Gwich'in land. Outlined is the process of negotiation between Gwich'in (GTC) and user and the review process administered by GLWB for alternate sources.

Concern for the status of the GLA Control Rules have been expressed by the GLWWG and passed on to the GTC. Need to formalize a procedure for communication between GTC, the user, and the GLWB. Preliminary work towards this has been done within the IRM context. GLWB has begun to develop GIS and collect information base for use in the fulfillment of its roles and responsibilities. DIAND continues to act in this role until the passing of the MVRMA.

Project:
GOVERNMENT RIGHT TO TAKE SAND AND GRAVEL WITHOUT CHARGE FROM CERTAIN GWICH'IN LANDS FOR A PERIOD OF 20 YEARS

Reference: 092

Project Managers: Government

Project Status: ONGOING, In Need of Review

DOT - GNWT has agreed to provide the GTC with expertise as and when required for developing a Pit Management Plan for the Frog Creek gravel source. DOT currently receiving the fullest cooperation from GTC on use of the Frog Creek Pit as well as access to all other gravel sources in the Settlement Area . December 1994 - The GTC raised concern regarding future costs of reclamation after 20 year period of GNWT extraction and stated that without a resolution of the road maintenance and the costs of processing the application for the quarry permit, the pit access would be closed to GNWT. They also indicated that the establishment of camps in the pit and the hauling of garbage and sewage are not part of the free access.

The development of a Pit Management Plan was discussed to remedy reclamation issues and indicated they were willing to work with the GTC in developing the Plan.

Project:
DATA AND INFORMATION RELATING TO GWICH'IN LANDS.

Reference: 093

Project Managers: DIAND-NAP

Project Status: ONGOING

Canada shall make available to the Gwich'in Tribal Council data and information relating to resources and to existing rights, titles and interests on Gwich'in lands as soon as practicable after the date of settlement legislation.

At the time of settlement legislation, there were no existing leases on lands selected by the Gwich'in. Data relating to resources on Gwich'in lands is being provided on an ongoing basis.

NAP to prepare a list of all existing leases and alienations on lands selected by the Gwich'in - report received by GTC (via Jeff Weist - legal counsel) on April 30/97. Some properties have not been submitted for title but are in the process of application. The GTC is still waiting for the Land Titles Office to issue the titles.

Project:
CLEAN UP OF HAZARDOUS WASTE SITES

Reference: 094

Project Managers: DIAND

Project Status: ONGOING, In Need of Review

April 97 - Arctic Environmental Strategy ended on March 31/97. Non-hazardous waste sites have been identified in the GSA. Clean up of non-hazardous waste sites is being done in consultation with the communities.

Project:
REGISTRATION OF TITLE TO GWICH'IN LANDS

Reference: 096

Project Managers: GNWT-Justice

Project Status: IN PROGRESS

Title has been issued to those settlement parcels for which survey work has not been done and is not contemplated (15 parcels). Plans of survey have been registered for all

but two of the specific sites, 14 of the previously unsurveyed municipal parcels, and portions of the boundaries of settlement land parcels. Land titles is currently processing the requests to issue title for 14 more parcels, among the settlement lands, for which surveys have been registered for portions of the boundaries. Titles to all the municipal lots have been issued (90).

April '97 - All but three survey plans yet to be registered. All Plans have been signed off by GTC and technical reviews are complete. Three remaining plans in Aklavik area will be registered shortly. Work that needs to be completed are along the Gwich'in Inuvialuit boundary. This is the last section of boundary which is identified in the need for survey by the Gwich'in and DIAND officials.

Project:
BOUNDARY SURVEYS OF GWICH'IN LANDS

Reference: 097

Project Managers: DIAND

Project Status: IN PROGRESS

All surveys of boundaries of existing interests within or adjoining Gwich'in lands that were identified in Agreement have been completed. All surveys complete with exception of Aklavik boundary for which field work has been completed and plan being prepared.

One additional survey was completed to determine the exact location of the boundary of a parcel adjacent to the quarry east of Inuvik. All surveys of rights-of-way which are used as boundaries of Gwich'in Lands (parts of the Dempster Highway and the Mackenzie Highway) are completed.

Project:
ROYALTIES OR NON-REFUNDED RENTS ON GWICH'IN LANDS BETWEEN FINAL AGREEMENT AND SETTLEMENT LEGISLATION

Reference: 099

Project Managers: DIAND

Project Status: COMPLETE

There have been no royalties or rents accrued to the government.

Project:
PAYMENTS RECEIVED BY CANADA FROM HOLDERS OF INTERESTS IN THE AKLAVIK LANDS

Reference: 100

Project Managers: DIAND

Project Status: COMPLETE

Aklavik lands did not include any known existing interests in land for which government collected royalties or rents.

Project:
ROYALTY FOR SAND, GRAVEL, CLAY AND OTHER LIKE CONSTRUCTION MATERIAL REMOVED FROM AKLAVIK LANDS

Reference: 101

Project Managers: DIAND

Project Status: COMPLETE

Sand and gravel royalties due on Aklavik were calculated in early 1993, and a cheque issued in the amount of \$140,407.31. These royalties, referred to as the Willow Creek Royalties, were distributed to the Aklavik Gwich'in Council (DGO).

Project:
GOVERNMENT ADMINISTRATION OF EXISTING MINERAL INTERESTS ON GWICH'IN LANDS

Reference: 102

Project Managers: DIAND

Project Status: COMPLETE

Completed. No mineral interests existed on Gwich'in lands at the date of settlement legislation.

Project:
SHARED DRAINAGE BASIN AGREEMENTS

Reference: 104

Project Managers: DIAND

Project Status: IN PROGRESS

Ongoing Mackenzie River Basin Committee negotiations among NWT, Yukon, Alberta, Saskatchewan., British Columbia and the federal government (DOE and DIAND).

Master agreement signed by GNWT, DOE and DIAND.

August 12/97 - GTC received Mackenzie River Basin Transboundary Water Master Agreement.

May 94 - Gwich'in Tribal Council supports First Nations Forum's resolution to the MRBC for stronger First Nations participation in Basin monitoring process.

The GTC was consulted regarding Mackenzie River Basin Transboundary negotiations through their participation in the Peel River Watershed Advisory Committee (chaired by DIAND - Yukon Regional Office). This committee was struck to deal with the bilateral water agreement to be signed between the Yukon and NWT with respect to the Peel River Watershed and to include First Nations in water management.

Project:
AGREEMENTS TO COMPENSATE FOR LOSS OR DAMAGE WHICH MAY BE CAUSED BY DEVELOPMENTS WITHIN THE SETTLEMENT AREA

Reference: 105

Project Managers: GLWB

Project Status: INCOMPLETE

This activity sheet outlines the process which the Gwich'in Land and Water Board will follow in the case of a water use that substantially alters the rate of flow or quality of water in the settlement area. The GLWB will recommend that the activity only be authorized after a compensation agreement is arranged between the GTC and the applicant.

GLWB has not received the legislative authority to review applications for water licenses as the MVRMA has not been passed in the federal legislature. GLWB has begun to develop its operating procedures and guidelines, an information base and GIS for use in determining compensation.

The GTC, through the development of its Land Administration Office and Land Management and Control Rules, will develop a process whereby compensation agreements are developed and implemented.

Project:
AGREEMENTS TO COMPENSATE FOR LOSS OR DAMAGE WHICH MAY BE CAUSED BY DEVELOPMENTS OUTSIDE THE SETTLEMENT AREA

Reference: 107

Project Managers: GLWB

Project Status: INCOMPLETE

Land and Water Board has not received the legislative authority to review applications for water licenses as the MVRMA has not been passed in the federal legislature.

GLWB has begun to develop its operating procedures and guidelines and has begun to develop an information base and GIS for use in determining compensation.

The GTC, through the development of its Land Administration Office and Land Management and Control Rules, will develop a process whereby compensation agreements are developed and implemented.

Project:
LEGISLATION PROVIDING FOR FEES OR CHARGES ATTACHED TO THE EXERCISE OF ACCESS

Reference: 109

Project Managers: Government

Project Status: ONGOING, No action to Date

This obligation ensures that consultation occurs with GTC on legislation providing for fees or charges attached to the exercise of access.

No action to date.

Project:
TERMS AND CONDITIONS ATTACHED TO CERTAIN TYPES OF ACCESS TO GWICH'IN LANDS

Reference: 110

Project Managers: GTC

Project Status: IN PROGRESS, In Need of Review

Local Access - It was decided by the GTC that RRCs create a simplified process for public access to Gwich'in lands. Each RRC has developed its own application process and decision-making approach for this type of access.

The decision-making structure around other more exclusive types of access, i.e. high impact commercial, has not been determined by the GTC. The GTC has completed a draft final version and is developing policy for the administration of the Rules. It is anticipated they will be ratified by the Annual Assembly in Summer 1998.

Project:
DESIGNATION OF ROUTES FOR PUBLIC ACCESS ACROSS GWICH'IN LANDS

Reference: 112

Project Managers: Local DGO

Project Status: IN PROGRESS

All four DGOs have been given the responsibility to designate routes for public access across Gwich'in lands in their region. Although local Councils have designated which routes should be used for public access, the proper documentation outlined in activity #1 in terms of the production of maps and other aids has not been completed to date.

Project:
GOVERNMENT ACCESS TO GWICH'IN LANDS

Reference: 113

Project Managers: Government

Project Status: ONGOING

Government will provide prior notice of government access to Gwich'in lands

Project:
ACCESS TO GWICH'IN LANDS FOR MILITARY MANOEUVRES

Reference: 114

Project Managers: DND

Project Status: ONGOING

Canadian Air Force have entered into a five year Exercise Training Plan with First Nations. Four Ranger exercises were conducted in 1995. Cadet unit located in Inuvik conducts up to three field training exercises annually near the community. An air exercise and communication exercise were also conducted in the Inuvik area.

DND provided information on project training

and exercises being undertaken in the settlement area by Canadian Park Ranger Patrols, Cadets, and southern-based military units.

DND provides GTC with yearly plan of activities - GTC are notified again one month before activities occur.

Project:
ADVANCE NOTICE OF MILITARY EXERCISES OR OPERATIONS IN THE SETTLEMENT AREA

Reference: 115

Project Managers: DND

Project Status: ONGOING

NDHQ Northern branch continues to communicate with GTC, GLA and communities as required in advance of Canadian Ranger, Cadet and southern-based Canadian military unit training and exercises. DND provided information on project training and exercises being undertaken in the settlement area by Canadian Ranger Patrols, Cadets, and southern-based military units.

In the absence of a pre-negotiated agreement, the Gwich'in Tribal Council requires reasonable notice of intended access. Specific arrangements will be made on a case by case basis. All costs for this activity are born by the military.

Project:
ESTABLISHMENT OF NAVIGATIONAL AIDS AND SAFETY DEVICES ALONG NAVIGABLE WATERS

Reference: 116

Project Managers: Transport Canada

Project Status: ONGOING

The issue of locations which are on Gwich'in Lands for more than 2 years will be reviewed in the fall of 1997.

Project:
ACCESS TO GWICH'IN LAND BY PUBLIC UTILITIES

Reference: 117

Project Managers: Public Utilities

Project Status: ONGOING

There are several utilities located on

Gwich'in lands: Northwestel and NWT Power Corporation. NWT Power Corp. have power lines between Inuvik and the Inuvik Airport. Land Management and Control Rules should act as the policy framework through which public utility access is administered in the future. Any disputes regarding access to private lands will be addressed through the Surface Rights Board, or failing this the Arbitration Panel. Surface Rights legislation has not been enacted in the Mackenzie Valley to date.

Project:
AMENDMENT TO AN EXISTING RIGHT OF ACCESS TO GWICH'IN LANDS

Reference: 118

Project Managers: DIAND, GNWT

Project Status: ONGOING

As required (no action to date).

Project:
ACCESS TO GWICH'IN LANDS IN THE COURSE OF CONDUCTING A COMMERCIAL ACTIVITY

Reference: 119

Project Status: ONGOING

There has been minimal activity on Gwich'in land, with the exception of those who are accessing for gravel. These are the Department of Transportation, Tetlit Zheh Construction, Arctic Tire.

Tourism is the only activity with very short term activity on private lands (GLA report).

The Gwich'in Land Management and Control Rules will specify terms and conditions of access during commercial activity.

Project:
ACCESS ACROSS GWICH'IN LANDS TO REACH ADJACENT LANDS OR WATERS FOR COMMERCIAL PURPOSES

Reference: 121

Project Status: ONGOING

To date there has not been any crossing of lands for commercial purposes (GLA report).

Casual access is handled locally by each RRC in conjunction with the GLA in accordance with the Land Management and Control Rules. Persons fill out access forms

describing nature, duration and location of activity. It is reviewed by the RRC and forwarded to the GLA depending on the nature of the activity.

The Gwich'in Land Management and Control Rules will specify terms and conditions of access during commercial activity.

Project:
REASONABLY REQUIRED ACCESS ACROSS GWICH'IN LANDS TO REACH ADJACENT LANDS FOR A COMMERCIAL PURPOSE

Reference: 122

Project Status: ONGOING

Reasonable notification has occurred to date. There has been activity with regard to access roads for granular materials in the Willow creek area. There have been some tourism activity also in the Willow and John Martin Creek.

The Gwich'in Land Management and Control Rules will specify terms and conditions of access during commercial activity.

Project:
ACCESS TO GWICH'IN LANDS TO EXPLORE, DEVELOP, PRODUCE OR TRANSPORT MINERALS

Reference: 123

Project Status: NO ACTION TO DATE

To date there has been no such activity on these lands.

Surface Rights legislation not yet developed in the Mackenzie Valley.

Legislation will outline guidelines for notification during exploration, subject to surface rights legislation, terms of reference for development, production and transportation of minerals (permitting process).

The Land Management and Control Rules will act as a policy framework for issues of access to Gwich'in lands to explore, develop, produce or transport minerals.

Project:
ACCESS TO GWICH'IN LANDS WHERE THE CROWN RETAINS THE MINERAL INTEREST FOR THE PURPOSE OF PROSPECTING

Reference: 124

Project Managers: GTC, Licensed Prospectors

Project Status: NO ACTION TO DATE

To date there has not been any activity on these lands.

The Land Management and Control Rules will act as a policy framework for issues of access to Gwich'in lands to access where Crown retains mineral interest for the purpose of prospecting.

Project:
INFORMATION PUBLICATION

Reference: 125

Project Managers: DIAND

Project Status: IN PROGRESS

Following the completion of the proposed MVRMA, the NWT Regional Office will prepare a publication on the new management regime.

MVRMA Communications strategy sessions just commenced in March of 1997. GLWB has been a participant at meetings to develop a draft "Information Kit" for distribution. GILUPB has been invited to participate in future sessions. Once a draft is developed GTC will be consulted.

Project:
CONSULTATION PRIOR TO OPENING ANY LANDS FOR OIL AND GAS EXPLORATION

Reference: 126

Project Managers: DIAND

Project Status: ONGOING

DIAND has consulted with the Gwich'in Tribal council on the 1997/98 call for bids/call for nominations process.

Project:
CONSULTATION PRIOR TO OIL AND GAS EXPLORATION, AND PRIOR TO OIL AND GAS DEVELOPMENT OR PRODUCTION

Reference: 127

Project Status: IN NEED OF REVIEW

The draft version of the GTC's draft Land Management and Control Rules discusses surface rights issuance in general terms but does not specify which Gwich'in organization will be appointed to handle such matters. The GTC must clarify which group will be responsible for initial consultation of surface rights issuance in the case of oil and gas development. To date there has been no exploration activity within the settlement region for oil or gas.

Project:
CONSULTATION PRIOR TO MINERAL EXPLORATION, AND PRIOR TO MINERAL DEVELOPMENT OR PRODUCTION

Reference: 128

Project Status: ONGOING, No action to Date

To date there has been very little mineral activity in the settlement area resulting in consultation with the GTC.

Stony Creek west of Fort McPherson was explored for granular deposits. Consultation was adequate prior to exploration - no development.

The Gwich'in Land Management and Control Rules will outline processes for consultation prior to mineral development or production. The Gwich'in Land and Water Board will issue land use permits and water licenses and help to inform proponent of their obligations to consult with the GTC.

Project:
GWICH'IN INVOLVEMENT IN A NORTHERN ACCORD ON OIL AND GAS DEVELOPMENT

Reference: 129

Project Managers: GNWT-EMPR

Project Status: ONGOING

In the fall of 1996 progress toward an Accord with Canada was put on hold because of a lack of consistent support from

Aboriginal and claimant groups. Expenditures in support of consultations leading to a Northern Accord are on hold due to the uncertainty of devolution of provincial-like powers to the GNWT. GNWT contracted for GTC to participate in devolution discussions in the GSA.

Implementation Funding provided by Canada:

1992-3	\$4,680
1993-4	\$17,396
1994-5	\$17,625
1995-6	\$12,556
1996-7	\$0
1997-8	\$0

Project:
CONSULTATION IN RELATION TO ANY PROPOSED SUBSURFACE RESOURCES LEGISLATION WHICH ONLY AFFECTS THE NORTH

Reference: 131

Project Managers: Canada

Project Status: ONGOING

Amendments to the Canada Mining Royalty Regime are being prepared and the President of GTC was advised Feb. 22/97.

July 1997 - GTC legal counsel advised that informal communication had occurred with DIAND on a change in the royalty structure of the Canadian Mining Regulations.

Project:
ACQUISITION OF GWICH'IN MUNICIPAL LANDS FOR PUBLIC PURPOSES

Reference: 132

Project Managers: DIAND, GNWT

Project Status: ONGOING

No plans at this time to acquire any Gwich'in lands for public purposes

Project:
PAYMENT OF REAL PROPERTY TAXES ON GWICH'IN MUNICIPAL LANDS

Reference: 134

Project Managers: DIAND

Project Status: ONGOING

The Gwich'in municipal lands were identified in Appendix F, Volume II of the GCLCA.

Payments made to GNWT for real property taxes on Gwich'in municipal lands.

1994	\$4,306.10
1995	\$4,398.35
1996	\$4,571.24

Project:
AMENDMENT OF HOME OWNERS PROPERTY TAX REBATE ACT

Reference: 135

Project Managers: GNWT - MACA

Project Status: ONGOING

Cabinet decided not to proceed with proposed legislation as both Gwich'in and Sahtu have a right to property tax rebates guaranteed under an Act of Parliament. Therefore, it was felt that GNWT has no alternative but to provide a rebate to participants who own and occupy a residence located on municipal lands titled to the claimant group, and who subsequently apply for the rebate. MACA will provide annual rebates to those that apply. To date, no applications have been received.

Project:
CHANGES IN MUNICIPAL BOUNDARIES

Reference: 136

Project Managers: GNWT

Project Status: ONGOING

In conjunction with its General Plan and Zoning By-law review, the Town of Inuvik is considering a possible amendment to its boundary. If a proposal to change municipal boundaries is received by the

Minister, MACA will ensure that the Gwich'in are consulted. If the municipal boundary review is conducted as part of the Community Plan and Zoning By-law Review (every 5 years), MACA provides 50% funding via contribution agreement to the new community. There are no new local governments planned in the GSA. It has been determined by DIAND that there should be an amendment to Aklavik's municipal boundary as a result of the rural land selections by the Gwich'in. Parcel A makes a small encroachment on 3 corners of the existing municipal boundary. Have received Hamlet Council approval for sketch indicating proposed amendment. Awaiting Gwich'in comments/support for amendment.

Project:
**EXPROPRIATION OF SETTLEMENT
LANDS**

Reference: 138

Project Managers: Expropriating Authority

Project Status: ONGOING

April '97 - No pipeline activity over five year planning period. No lands expropriated.

National Energy Board suggests amending second "Planning Assumption" of activity sheet due to factual inaccuracy. New assumption could read "The costs of arbitration is the sole responsibility of minister of Natural Resources under sections 88 - 103 of the National Energy Board Act."

Project:
**COORDINATION OF THE ACTIVITIES OF
BOARDS**

Reference: 141

Project Managers: DIAND

Project Status: INCOMPLETE, In Need of Review

Mackenzie Valley Resource Management Act not passed during the first five years of Implementation of the Gwich'in Final Agreement. Has had an impact on the implementation of the Gwich'in Land Use Planning Board, the Gwich'in Land and Water Board and the Mackenzie Valley Environmental Impact Review Board and Land and Water Board.

As of December 1996, the Bill had gone before Standing Committee and was expected to reach second reading in January 1998. GTC filed a statement of Claim against Canada in April 1997 for Canada's breach of the Final Agreement. The GTC is settling out of court with Canada.

The Gwich'in Land and Water Working Group has taken a lead role in designing an integrated resource management system for the coordination of land and water management activities in the settlement area.

Project:
**MONITORING OF CUMULATIVE
IMPACTS OF LAND AND WATER USES
ON THE ENVIRONMENT, AND PERIODIC
ENVIRONMENTAL AUDITS**

Reference: 142

Project Managers: DIAND

Project Status: INCOMPLETE, In Need of Review

Cumulative Impacts Monitoring (CIM) Framework not developed as of December 1997. April '97 - Draft options paper has been received from ESSA and is currently being reviewed and revised.

The GTC and GNWT has expressed concern with communications to date on CIM. Delay in CIM framework from DIAND may impose costs to the regulatory regime in the GSA once MVRMA legislation is passed.

In 1995 The GTC contracted Gary Wagner (Wagner and Associates) to develop a framework for cumulative environmental impact monitoring and environmental audit. The contract was initiated as a result of the delays in the passage of the MVRMA with the intention of helping to facilitate the development of the CIM framework for the GSA. Cost to the GTC for this work was \$15,000.

Project:
LAND USE PLANNING BOARD

Reference: 144

Project Managers: DIAND

Project Status: INCOMPLETE

The Land Use Planning Board will be created via the proposed MVRMA legislation which has not been enacted to date. The Interim Planning Board will continue to function until that time. This Board has taken on the role of the permanent Board by developing a draft Land Use Plan. The draft Plan is expected to be complete in the spring of 1998.

Project:
**LAND USE PLANNING WITHIN LOCAL
GOVERNMENT BOUNDARIES**

Reference: 146

Project Managers: GNWT, Local Government

Project Status: ONGOING

Consultation will take place when plans are developed within local government boundaries. Review of Aklavik land use plan began in 1995. This project is being coordinated by MACA in conjunction with the local Gwich'in community. The Town of Inuvik is finalizing the review of its community plan and zoning by-laws started in 1995. During the consultation process MACA reminded the Town of its responsibility to consult with the Gwich'in. Prior to approving a Community Plan, the Minister must confirm that the consultation process did in fact take place.

The Interim Land Use Planning Board has been involved with planning issues involving community lands where the planning has an impact on lands outside the community, principally the Inuvik Town Plan and Aklavik Mountain Trail.

Project:
INTERIM LAND USE PLANNING BOARD

Reference: 147

Project Managers: DIAND

Project Status: COMPLETE

June 96 - Mackenzie Valley land use coordinator hired in May 1995 and has been involved in compiling and researching information from DIAND's previous land use planning process. Meetings were set up between DIAND officials and the Board to discuss planning strategies and establish contact with resource persons. The federal vacancy on the GILUPB was filled by the appointment of Ms. Karen LeGresley by Minister Irwin on April 6/95. Hal Mills appointed by Minister of DIAND June 96 for the GNWT seat. Charlie Snowshoe and Bob Simpson appointed by DIAND on behalf of the GTC.

The GILUPB will continue to function until the proposed MVRMA has been passed and the LUPB members have been appointed.

Project:
**ENVIRONMENTAL IMPACT REVIEW
BOARD**

Reference: 149

Project Managers: DIAND

Project Status: INCOMPLETE

Mackenzie Valley Resource Management Act not passed during the first five years of Implementation of the Gwich'in Final Agreement. Has had an impact on the implementation of the Environmental Impact Review Board (MVEIRB).

MVEIR Working Group established pursuant to NWT Societies Act to prepare for the creation of the Board. Two meetings held. Summer '96 - Interview for Executive Director done - Heidi Klein hired in October of 1996. November '96 - five MVEIR Working Group meetings held since formation in June 1996. Notional Board appointments have been made for 4 of 11 positions. To date annual budget have been prepared, staff has been engaged and procedures are being developed according to the process presented in the MVRMA.

Project:
LAND AND WATER BOARD

Reference: 152

Project Managers: DIAND

Project Status: INCOMPLETE

Mackenzie Valley Resource Management Act not passed during the first five years of Implementation of the Gwich'in Final Agreement. Has had an impact on the implementation of the Land and Water Board. Appointments have been made to the Working Group for Gwich'in regional panel consisting of 2 Gwich'in members, a federal and territorial government member, and supported by a representative from the NAP Region. Nominations to the Working Group were made by both government (Norma Kassi DIAND) David Krutko (GNWT) and the GTC (Willard Hagen, Bob Simpson)

April 1996 - Executive Director hired. A chair selected for the Working Group in September (Robert A. Alexie), budget prepared by the Working Group for preparatory activities for 1996/97 and 1997/98. The Working Group and staff are presently drafting policies to enable the Board to perform its function once MVRMA is enacted.

Project:
INTERIM LAND AND WATER USE AUTHORIZATION PROCESS

Reference: 154

Project Managers: DIAND

Project Status: ONGOING

Interim processes were developed by GTC and DIAND upon passage of the Claim. Interim measures were amended to include the Land and Water Working Group as a clearing house for Land Use Permit applications and to initiate circulation and consultation within the GSA.

Concerns received by GLWWG were compiled and forwarded to DIAND for review and permit processing.

Initial review of applications for land use permits on Crown lands is extended to the maximum 42-day mandatory issuance period to allow for review by the GTC.

The GTC has a member on the TAC (Peter Ross) which reviews water license application and advises the NWT Water Board on terms and conditions.

Project:
ACTIVITIES OF THE DEPARTMENT OF CULTURE AND COMMUNICATIONS

Reference: 155

Project Managers: GNWT-Dept. of Culture and Communications

Project Status: ONGOING

Consultation requirement acknowledged and adhered to by Department. Implementation funding was used to contract GSCI to conduct repatriation or artifacts study.

Implementation funding provided by Canada:

92-93	\$2,753
93-94	\$10,233
94-95	\$10,540
95-96	\$10,855
96-7	\$11,182
97-98	\$11,424

Title of this activity sheet will be changed to Department of Education Culture and Employment

Project:
FORMULATION OF GOVERNMENT POLICY AND LEGISLATION

Reference: 157

Project Managers: Canada, GNWT

Project Status: ONGOING, In Need of Review

No federal legislation or policy is currently proposed on Gwich'in heritage resources The GNWT is working with DIAND to amend Archaeological Sites Regulations.

DIAND has consulted with the GTC on this matter.

Since 1994, the GTC has asked the Gwich'in Social and Cultural Institute to monitor and provide comments on proposed heritage legislation which will replace currently outdated NWT heritage legislation (Historical Resources Act (1973)).

No implementation funding has been specifically allocated to the GTC/GSCI for the formulation of government policy and legislation.

Title of this activity sheet will be changed to Formulation of government policy and legislation on Gwich'in Heritage Resources.

Project:
REPRESENTATION ON BOARDS, AGENCIES OR COMMITTEES ESTABLISHED IN THE MACKENZIE VALLEY TO ADMINISTER OR PROTECT GWICH'IN HERITAGE RESOURCES

Reference: 159

Project Managers: DIAND, GNWT

Project Status: ONGOING, No action to Date

Heritage Canada is providing funds for a proposed archaeological and oral research project in April 1996. No boards to administer or protect Gwich'in heritage resources prior to issuance of land use permits.

GNWT has ensured that GTC is sent copies of applications for archaeological permits for region. Procedures have been established to consult with the GTC.

Project:
REVIEW OF LAND USE PERMIT APPLICATIONS

Reference: 160

Project Managers: GLWB

Project Status: ONGOING, In Need of Review

With the formation of the GLWWG the interim measures were amended to include the WG as a clearing house for Land Use Permit applications and to initiate circulation and

consultation within the GSA.

The GLWWG has developed a channel to communicate with the Gwich'in Social and Cultural Institute with regards to permitting and heritage resource management.

GSCI will be providing advice to the Gwich'in Land and Water Board and Gwich'in Lands Administration about the possible impacts of proposed development on heritage resources. Inventory on heritage sites and place names will contribute to this work.

Project:
GWICH'IN HISTORIC, ARCHAEOLOGICAL, AND BURIAL SITES

Reference: 161

Project Managers: Government

Project Status: ONGOING, In Need of Review

This is covered by the NWT Archaeological sites regulations, the Territorial lands Act and the Historic Resources Act. No list received to date.

The GTC is developing a central inventory of heritage sites for the Gwich'in Settlement Region (including Tetl'it Gwich'in lands in Yukon - see Yukon Transboundary Agreement) so that the GTC/GSCI can provide government with a list of sites that need protection. The GSCI is carrying out this responsibility within the context of its place name, oral history (traditional knowledge) and ethnoarchaeological research projects.

No implementation funding has been specifically allocated to the GTC/GSCI so that the Gwich'in can provide government with a list of sites of interest to the Gwich'in.

The Implementation Committee has proposed that DIAND review this issue through a funding proposal

Project:
ISSUANCE OF ARCHAEOLOGICAL SITE OR HISTORIC RESOURCE PERMITS

Reference: 162

Project Managers: GNWT- PWNHC

Project Status: ONGOING

Procedures are in place to make the required specifications on permit. All appli-

cations for archaeological permits since 1994 in the GSA have been developed in collaboration with GSCI. GSCI has carried out three archaeological projects, and an archaeological field school in the GSA from 1994 to 1996. One of these projects was a joint venture between GSCI and PWNHC (an archaeological survey along Tsiigehtchic - the Arctic Red River in 1995). PWNHC has also provided equipment and support for other archaeological projects. These projects have served as a vehicle for: employment and training of local Gwich'in in archaeological research skills; opportunities for elders and youth to work together on the land, and contributing to the development of an inventory of heritage sites in the GSA.

Project:
PREFERENTIAL HIRING OF GWICH'IN

Reference: 163

Project Managers: Canada, GNWT

Project Status: ONGOING

No federal facilities or projects are proposed in relation to Gwich'in heritage resources.

Gwich'in beneficiaries have been hired and trained as the Territorial Parks and Visitor services Officer and Seasonal Parks Officers within the region (visitors centers throughout the GSA).

The Park Management Pan has identified further employment and training opportunities that will become available to beneficiaries once the Gwich'in Territorial Park is completed. No other heritage employment opportunities in terms of projects/facilities are currently planned.

Project:
REPATRIATION OF GWICH'IN ARTIFACTS AND RECORDS

Reference: 165

Project Managers: GNWT-PWNHC

Project Status: ONGOING

A study of Gwich'in artifacts and archival materials in other institutions is presently underway at PWNHC.

In order to prepare for repatriation requests from the Gwich'in and Sahtu regions, and potential requests from other Dene groups in the Mackenzie Valley as their land claims

are settled, the GNWT developed a two phase project, tendered in two contracts in 1994 and 1995. GSCI in partnership with Gwich'in Geographics Ltd. was contracted in 1994 by PWNHC to determine the location of NWT Northern Athapaskan and Metis collections worldwide.

Costs

1994 - \$11,969.45 (GNWT)

1995-97 - \$18,459 (GNWT)

Project:
RECOGNITION OF TRADITIONAL GWICH'IN NAMES FOR GEOGRAPHIC FEATURES

Reference: 166

Project Managers: GNWT, Canada

Project Status: ONGOING

The GNWT has reported that policy and directives now in place to provide for traditional placenames review.

The GTC has stated that an inventory of place names needs to be built so that traditional names can be put forward for official recognition. The GSCI is carrying out this responsibility within the context of its place name, oral history and ethnoarchaeological research projects. Place name and oral history projects have been carried out in the GSA since 1992 by personnel now working for GSCI.

No implementation funding has been specifically allocated to the GTC/GSCI so that the Gwich'in can provide government with a list of place names for official recognition.

Project:
SURFACE RIGHTS BOARD

Reference: 167

Project Managers: DIAND

Project Status: INCOMPLETE

This provision ensures that a Surface Rights Board will be established and that Gwich'in will have at least one member on that board. The Board will serve to address matters related to surface entry and compensation as set out the GCLCA and legislation.

As of December 1997, Surface Rights legislation had not been drafted. DIAND expects to have legislation before Parliament by

Winter /98. In the interim, disputes between land owners and surface rights holder on Gwich'in lands may be referred to Arbitration Board.

Project:
INTERIM MEASURES UNTIL ESTABLISHMENT OF SURFACE RIGHTS BOARD

Reference: 169

Project Status: ONGOING

Interim measures have not been exercised to date.

Project:
Training for Gwich'in

Reference: 170

Project Managers: GTC

Project Status: COMPLETE, In Need of Review

Canada provided Gwich'in Tribal Council with a lump sum payment of \$761,000 in 1992. The total expenditure of the Gwich'in training fund between 1992 and 1997 totalled \$703,870. The Fund will most likely be expended before the end of year 6.

Implementation training funds have been spent in the areas of land management and renewable resources; heavy equipment operation; computer training; wellness; literacy; accounting and management. Additionally, scholarships and tutor support have been provided to those attending institutions of learning.

The cost for education and training of beneficiaries in other claimant areas has been measured in the millions of dollars (Nunavut and Inuvialuit Claims). The GTC expressed concern, after five years, with the inadequacy of the Fund .

Project:
LEGAL SERVICES OF THE GOVERNMENT OF THE NORTHWEST TERRITORIES

Reference: 171

Project Managers: GNWT-Dept. of Justice

Project Status: ONGOING

During the first five years of implementation legal services provided by the GNWT

focused on the following areas: Constitutional Law; Legal; Legislation; Land Titles.

Implementation funding provided by Canada:

92-93 \$33,036
93-94 \$122,791
94-95 \$126,475
95-96 \$100,187
96-97 \$22,362
97-98 \$22,848

Project:
IMPLEMENTATION SECRETARIAT OF THE GOVERNMENT OF THE NORTHWEST TERRITORIES

Reference: 173

Project Managers: GNWT

Project Status: COMPLETE

Appointed committee member - Mark Warren

Implementation Coordinator - Scott Alexander

Attendance at Implementation Committee meetings. Coordination of quarterly status reports, annual report submissions, monitoring of departmental budgets.

Established an interdepartmental committee to address land claim responsibilities and issues. Preparation for the five-year general review of Gwich'in Implementation Plan.

Implementation funding provided by Canada:

92-93 \$29,388
93-94 \$107,957
94-95 \$107,768
95-96 \$110,999
96-97 \$114,331
97-98 \$110,853

Project:
TERMS OF REFERENCE FOR THE COORDINATING GROUP

Reference: 174

Project Status: IN PROGRESS

During the first five years of implementation the Gwich'in Coordinating Group (DIAND, GNWT and GTC) worked on developing the Mackenzie Valley Resource Management Act legislation, including regulations, exemptions

and statutes lists. They will be introducing Surface Rights legislation in 1998. DIAND has been responsible for developing a framework for Cumulative Impacts Monitoring (CIM) for the Mackenzie Valley - still in development and under internal review by Department.

Twenty (20) full meetings of Group occurred between Feb. /94 and Sept. /96 . The Gwich'in Land and Water Working Group has taken a lead role in implementing IRM system in the GSA.

Project:
AMENDMENT OF APPENDIX C TO THE GWICH'IN COMPREHENSIVE LAND CLAIM AGREEMENT

Reference: 179

Project Managers: DIAND

Project Status: ONGOING

No amendment proposed to date.

Project:
REGISTRATION OF TITLE TO TETLIT GWICH'IN YUKON LAND

Reference: 180

Project Managers: GTC

Project Status: COMPLETE

Letter from Joe Iles (Legal Surveys - NRCAN-Whitehorse) April 97 confirming near completion of registration.

Project:
ADMINISTRATION OF ENCUMBERING RIGHTS ON TETLIT GWICH'IN YUKON LAND

Reference: 181

Project Managers: Government

Project Status: ONGOING

No encumbering rights exist on Tetlit Gwich'in lands in the Yukon.

Project:
PAYMENT TO THE GWICH'IN TRIBAL COUNCIL OF ANY NON-REFUNDED RENTS RECEIVED AFTER SETTLEMENT LEGISLATION BY GOVERNMENT IN RESPECT OF A EXISTING SURFACE LEASE HELD BY A MINERAL RIGHT HOLDER

Reference: 182

Project Managers: Government

Project Status: COMPLETE

Completed - no surface leases.

Project:
CONSULTATION PRIOR TO EXERCISING ANY DISCRETION REGARDING ENCUMBERING RIGHTS HOLDER

Reference: 183

Project Managers: Government

Project Status: ONGOING

No encumbering rights exist on Tetlit Gwich'in lands in the Yukon.

Project:
SEEKING CONSENT OF THE GWICH'IN TRIBAL COUNCIL PRIOR TO INCREASING THE TERM OF ANY ENCUMBERING RIGHT PURSUANT TO AN AMENDMENT TO LEGISLATION

Reference: 184

Project Managers: Government

Project Status: ONGOING

No amendment in legislation to date.

Project:
CANCELLATION OF AN ENCUMBERING RIGHT AND REPLACEMENT BY AN INTEREST BY THE GWICH'IN TRIBAL COUNCIL

Reference: 185

Project Managers: GTC

Project Status: ONGOING

No proposals received to date.

Project:
DATA AND INFORMATION RELATING TO GWICH'IN YUKON LANDS

Reference: 186

Project Managers: DIAND - NAP

Project Status: COMPLETE

No existing rights, titles or interests reported.

Project:
CHANGES TO A RIGHT OF ACCESS TO ADDRESS SPECIAL CIRCUMSTANCES IN RESPECT OF A SPECIFIC PARCEL OF TETLIT GWICH'IN LAND

Reference: 187

Project Managers: DIAND, GTC

Project Status: ONGOING, No action to date

Project:
ACCESS TO TETLIT GWICH'IN YUKON LAND TO REACH ADJACENT LAND FOR COMMERCIAL AND NON-COMMERCIAL PURPOSES

Reference: 188

Project Managers: Tetlit Gwich'in, Applicant

Project Status: ONGOING, In Need of Review

Completion of the Gwich'in Land Management and Control Rules will develop a framework in which access routes on Tetlit Gwich'in land in the Yukon could be properly administered.

Project:
CHANGE IN THE TERMS OR CONDITIONS RELATING TO ACCESS OF A LICENSE, PERMIT OR OTHER RIGHT OF ACCESS FOR COMMERCIAL OR NON-COMMERCIAL PURPOSES

Reference: 189

Project Managers: Government

Project Status: ONGOING, In Need of Review

No new rights issued. One mining claim in secondary area, notification provided.

The GTC has noted that Interim measures until YDAP is proclaimed need to be estab-

lished in the case that there is a change in the terms or conditions relating to access of a license, permit or other right of access for commercial or non-commercial purposes.

Project:
RESOLUTION OF DISPUTES CONCERNING THE GENERAL ACCESS PROVISIONS

Reference: 190

Project Managers: Tetlit Gwich'in, Any person

Project Status: ONGOING, In Need of Review

No disputes have been taken to the Surface Rights Board to date. Completion of the Gwich'in Land Management and Control Rules will develop a framework in which access routes on Tetlit Gwich'in land in the Yukon could be properly administered, including dispute resolution processes with the Yukon Surface Rights Board or any other Board established under the UFA to deal with Surface Access.

Project:
ACCESS TO TETLIT GWICH'IN LAND TO CARRY OUT SITE INVESTIGATIONS, ASSESSMENTS, SURVEYS AND STUDIES IN RELATION TO PROPOSED UTILITY SERVICES

Reference: 191

Project Managers: Utility

Project Status: ONGOING, In Need of Review

No action to date. Completion of Gwich'in land management and control Rules will outline the process for consultation by utilities regarding access on Tetlit Gwich'in Yukon Lands

Project:
ACCESS TO TETLIT GWICH'IN YUKON LAND BY GOVERNMENT OR UTILITIES

Reference: 192

Project Managers: DIAND, Utilities

Project Status: ONGOING, No action to date

Project:
**ACCESS TO TETLIT GWICH'IN YUKON
LAND FOR MILITARY MANOEUVRES**

Reference: 193

Project Managers: DND

Project Status: ONGOING

From Nov 2 - 28, 1994 access was required by one military company from Winnipeg for military exercise. The Gwich'in were notified.

Project:
**ADVANCE NOTICE OF MILITARY
EXERCISES OR OPERATIONS**

Reference: 194

Project Managers: DND

Project Status: ONGOING

Advance notice was given for a military exercise out of Winnipeg on Tetlit Gwich'in land in the Yukon, Nov. 6-28, 1994.

Project:
**ESTABLISHMENT OF TERMS AND
CONDITIONS FOR THE EXERCISE OF
CERTAIN RIGHTS OF ACCESS**

Reference: 195

Project Managers: Tetlit Gwich'in

Project Status: IN PROGRESS

No terms or conditions for the exercise of rights of access have been established to date. The GTC is in the process of completing their Land Management and Control Rules which will establish terms and conditions for exercise or access on Tetlit Gwich'in Yukon Lands.

Project:
**ACCESS TO USE A WATERFRONT
RIGHT-OF-WAY FOR COMMERCIAL
RECREATION PURPOSES**

Reference: 196

Project Status: ONGOING

No recollection of access requests (pers com, Abe Wilson, Mariah Itsi - July/97) to date. Gwich'in Land Management and Control Rules should address access for waterfront right-of-way for commercial recreation purposes on Tetlit Gwich'in Yukon land.

Project:
**ESTABLISHMENT OF A PERMANENT
CAMP OR STRUCTURE ON A WATER-
FRONT RIGHT OF WAY**

Reference: 197

Project Managers: Government, Tetlit Gwich'in

Project Status: ONGOING

No record or issuance of right for establishment of camps or structures on these lands.

Project:
**INTERIM PROVISION UNTIL ESTABLISH-
MENT OF A SURFACE RIGHTS BOARD**

Reference: 198

Project Status: COMPLETE

Interim measures obligation complete with the establishment of Surface Rights legislation on February 14, 1995.

Project:
**LAND USE PLANNING FOR ANY PART
OF THE PRIMARY USE AREA**

Reference: 199

Project Managers: Government

Project Status: ONGOING, No Action to Date

To date, no planning body, other than the Peel River Watershed Advisory Committee, has been established for any part of the primary use area. Johnny Charlie and Robert Alexie Sr. were involved in this committee on behalf of the Tetlit Gwich'in.

The Gwich'in Interim Land Use Planning Board has been involved with the establishment of planning frameworks in the Yukon and have informed the responsible agencies and groups of their obligations to involve the Gwich'in in the planning process for the primary use area.

Project:
**PEEL RIVER WATERSHED ADVISORY
COMMITTEE**

Reference: 200

Project Managers: Canada

Project Status: COMPLETE

The Peel River Watershed Advisory

Committee was established pursuant to the GCLCA in 1994 and was given two years to complete activities related to its mandate. The mandate of the PRWAC was to consider and make recommendations respecting: the establishment of a water management agreement for the Peel River Watershed; the establishment of a regional land use planning commission or similar agency within the Yukon for any area which includes the PRW; and, the need for and establishment of Special Management Areas (UFA) or Protected Areas (GCLCA) in the Peel River and Arctic Red Rivers. Since 1994, several meetings and workshops were held with the \$20,000 allocated for the project which resulted in the development of recommendations that were incorporated into the Yukon-NWT Water Agreement that is expected to be signed off by the two jurisdictions in 1998.

The GTC participated in the Peel River Watershed Advisory Committee.

Waiting to hear recommendations from PRWAC.

Project:
**CONSULTATION WITH THE GWICH'IN
TRIBAL COUNCIL DURING THE
DRAFTING OF ANY DEVELOPMENT
ASSESSMENT LEGISLATION WHICH IS
TO AFFECT THE PRIMARY USE AREA**

Reference: 201

Project Managers: DIAND - Whitehorse

Project Status: IN PROGRESS

It was agreed in principal that GTC needed to be consulted separately from CYFN and YTG on the drafting of the Yukon Development Assessment Process (YDAP).

A budget proposal was developed by GTC for 1997-98 and approved by DIAND. Bilateral consultations began in November 1997 at is expected that negotiations will continue into 1998-99 and funds have been identified for that purpose.

Project:
**ACCIDENTAL DISCOVERY OF HERITAGE
RESOURCES ON TETLIT GWICH'IN
YUKON LAND**

Reference: 202

Project Managers: Tetlit Gwich'in

Project Status: ONGOING

No heritage resource management policies have been drafted by the GTC (Social and Cultural Institute) to date which support this activity.

Yukon Government will begin to consult with GTC on the development of a protocol for burial site protection in the spring of 1998.

Project:
IDENTIFICATION OF PROPOSED DESIGNATED HERITAGE SITES

Reference: 203

Project Managers: Government

Project Status: ONGOING

A designation in the Bonnetplume Area, as identified in the Nacho Nyak Dun Agreement, has been identified.

The GSCI, Tetlit Gwich'in and the GILUPB were involved with this heritage designation on the Bonnetplume River. An advisory committee was formed which the GTC was a member. No formal designation has occurred to date.

Project:
CONSULTATION PRIOR TO ESTABLISHING THE TERMS AND CONDITIONS OF SITE MANAGEMENT PLANS FOR DESIGNATED HERITAGE SITES

Reference: 204

Project Managers: Government

Project Status: ONGOING, In Need of Review

Management Plan has been developed for Bonnetplume River designation as a heritage river site.

There was an advisory committee developed to facilitate consultation with first nations, industry and government to which the GTC were offered membership. The GTC participated on this advisory committee.

Government has not provided information as to the status of this heritage site.

Project:
MANAGEMENT AND PROTECTION OF TETLIT GWICH'IN BURIAL SITES

Reference: 205

Project Managers: Government, Tetlit Gwich'in

Project Status: IN PROGRESS, In Need of Review

The Yukon government is planning to develop management protocols for protection of Tetlit Gwich'in burial sites in 1998. GTC will be consulted.

The GTC has noted that before management and protection procedures are developed, the burial sites have to be identified. There has been no action to date on this issue by the Tetlit Gwich'in or government and funding for this activity should be identified.

Project:
DISCOVERY OF A TETLIT GWICH'IN BURIAL SITE

Reference: 206

Project Managers: Tetlit Gwich'in, Yukon First Nation

Project Status: ONGOING

No occurrences to date. The Tetlit Gwich'in have identified some burial sites up the Blackstone River.

Project:
CONSULTATION WITH RESPECT TO PROPOSED LEGISLATION AND POLICY RELATING TO TETLIT GWICH'IN HERITAGE SITES, BURIAL SITES, HERITAGE RESOURCES AND PLACE NAMES OF HISTORICAL OR CULTURAL SIGNIFICANCE TO THE TETLIT GWICH'IN

Reference: 207

Project Managers: Government

Project Status: ONGOING

In March 1995 the Tetlit Gwich'in were contacted by DIAND regarding amendments to the Yukon Historic Resources Act. The Act was being amended to incorporate land claim requirements under the UFA and the GCLCA.

GTC returned letter on behalf of the Tetlit Gwich'in outlining comments on amended legislation. Comments dealt primarily with

discrepancies in provisional application to Tetlit lands, definitions, etc.

Consultation on policy development with respect to burial sites and place names of cultural or historic significance will begin in 1998 with the Yukon Territorial Government.

Project:
PUBLIC TENDERS IN RESPECT OF CONTRACTS ASSOCIATED WITH THE MANAGEMENT OF HERITAGE SITES

Reference: 208

Project Managers: Canada

Project Status: ONGOING, In Need of Review

No public tender contracts have effected management of heritage sites on Tetlit Gwich'in Yukon lands. The GTC has raised the concern regarding work conducted on the Bonnetplume Heritage River Designation and that they were not consulted on that contract.

Project:
FIRST OPPORTUNITY TO ACCEPT ANY FIXED TERM CONTRACT OFFERED BY CANADA ASSOCIATED WITH THE MANAGEMENT OF A DESIGNATED HERITAGE SITE

Reference: 209

Project Managers: Canada

Project Status: ONGOING, No action to date.

Project:
RENEWAL OF A LICENSE PURSUANT TO THE NORTHERN INLAND WATERS ACT OR THE DOMINION WATER POWER ACT

Reference: 210

Project Managers: Water Board

Project Status: ONGOING

No licenses pursuant to the Northern Inland Waters Act or the Dominion of Canada were up for renewal between 1992 and 1997.

The Northern Inland Waters Act was replaced by the Yukon Waters Act and will be amended as such in the Gwich'in Implementation Plan.

Project:
USE OF TETLIT GWICH'IN LAND IN ORDER TO EXERCISE A RIGHT TO USE WATER

Reference: 211

Project Managers: Person requiring the use of Tetlit Gwich'in Yukon land

Project Status: ONGOING

No requests to date. The Gwich'in Tribal Council will be finalizing the Gwich'in Land Management and Control Rules in 1998 which will cover the right of access to Tetlit Gwich'in Yukon lands for the right to use water.

Project:
ISSUANCE OF WATER LICENSES

Reference: 212

Project Managers: Water Board

Project Status: ONGOING, In Need of Review

The Water Board consults with the GTC and Tetlit Gwich'in when dealing with water licenses that effect or occur within the primary use area.

The GTC has noted, however, that no consultation was done by the Yukon Water Board with the Tetlit Gwich'in with regards to the work on the Bonnetplume (Westmin Mining).

Project:
GRANTING OF WATER USE LICENSES THAT CAUSES SUBSTANTIAL ALTERATION IN THE QUALITY, QUANTITY OR RATE OF FLOW, INCLUDING SEASONAL RATE OF FLOW, OF WATER SO AS TO ADVERSELY AFFECT A TRADITIONAL USE BY A TETLIT GWICH'IN IN THE PRIMARY USE AREA

Reference: 213

Project Managers: Water Board

Project Status: ONGOING

No action to date. The signing of the Yukon-NWT Water Agreement in 1998 should strengthen communications between the two regions. Between 1992 and 1995 no water licenses were granted that had an effect on the primary use area.

Project:
SURVEY OF THE BOUNDARIES OF TETLIT GWICH'IN YUKON LAND

Reference: 214

Project Managers: Regional Surveyor General

Project Status: COMPLETE

May 1997 - Project completed

Boundaries of all Tetlit Gwich'in Yukon land are surveyed with the exception of the boundary used to adjust the area pursuant to 11.5.1, being the northerly boundary of R-7Fs as described on page 3, appendix B, appendix C of the Agreement.

Project:
CONFIRMATION OF AN OFFICIAL PLAN OR THE APPROVAL OF AN ADMINISTRATIVE OR EXPLANATORY PLAN

Reference: 215

Project Managers: Surveyor General

Project Status: COMPLETE

May 1997 - Project complete

An official plan has been prepared for all parcels except R-7Fs referred to on page 214 (Survey of the boundaries of Tetlit Gwich'in Yukon land).

Project:
EMPLOYMENT IN SURVEYING OF TETLIT GWICH'IN YUKON LAND

Reference: 217

Project Managers: Regional Surveyor General

Project Status: COMPLETE

Criteria were developed for Tetlit Gwich'in employment in all contract opportunities associated with the survey of Tetlit Gwich'in Yukon Land and were included in all contracts where employment in surveying of Tetlit Gwich'in Yukon Land was generated as a direct consequence of the agreement. Criteria included: hiring of technical and non-technical Tetlit Gwich'in people; rent of Tetlit Gwich'in owned boats, trucks, snowmobiles and aircraft; purchase of goods and services from the Tetlit Co-op; and rent of Tetlit Gwich'in owned cabins and camps. Points were awarded based on these criteria

during the evaluation of proposals for all contracts.

Project:
ECONOMIC OPPORTUNITIES AND BENEFITS ASSOCIATED WITH THE SURVEY OF TETLIT GWICH'IN YUKON LAND

Reference: 218

Project Managers: Regional Surveyor General

Project Status: COMPLETE

A list of Tetlit Gwich'in businesses and Tetlit Gwich'in interested in providing technical and support services to potential contractors for surveys of the Tetlit Gwich'in Yukon land was compiled by the Tetlit Gwich'in and attached to each Request for Proposal (RFP). This list was updated for each RFP.

Project:
CONSULTATION PRIOR TO IMPOSING A LIMITATION OF FISH AND WILDLIFE HARVESTING RIGHTS

Reference: 220

Project Managers: Government

Project Status: ONGOING, In Need of Review

The Tetlit Gwich'in have not been notified regarding a limitation on wildlife harvesting with respect to legislation for the purposes of conservation, public health or public safety.

Project:
ESTABLISHMENT OF A BASIC NEEDS LEVEL FOR KEY FRESHWATER FISH AND WILDLIFE SPECIES

Reference: 221

Project Managers: Government, Tetlit Gwich'in

Project Status: INCOMPLETE

No consultation from Yukon Fish and Wildlife Management Board to date. Tetlit Gwich'in are reporting harvest levels in the primary use area through the Gwich'in Renewable Resource Board's Harvest Study.

Project:
**ADJUSTMENT OF THE BASIC NEEDS
LEVEL BELOW THE BASIC NEEDS
LEVEL ESTABLISHED BY GOVERNMENT
AND THE TETLIT GWICH'IN**

Reference: 222

Project Managers: Government

Project Status: ONGOING, No Action To Date

The GRRB is setting the minimum needs level in the GSA. The FMWB will be doing the same in the Yukon in years 6-10.

Project:
**IDENTIFICATION OF CERTAIN WATER
BODIES WITHIN THE PRIMARY USE
AREA TO BE USED PRIMARILY FOR
FRESHWATER FISH FOOD FISHING BY
THE TETLIT GWICH'IN**

Reference: 223

Project Managers: Project Managers: Government, Tetlit Gwich'in

Project Status: INCOMPLETE, No activity to date

Project:
**YUKON INDIAN PEOPLE, OTHER THAN
OF THE FIRST NATION OF NA'CHO
N'Y'AK DUN, THE VUNTUT GWICH'IN
FIRST NATION AND THE DAWSON FIRST
NATION, REQUIRE CONSENT OF THE
TETLIT GWICH'IN TO HARVEST FOR SUB-
SISTENCE IN THE PRIMARY USE AREA.**

Reference: 224

Project Managers: Tetlit Gwich'in, designated organization

Project Status: ONGOING

No structures exist to provide for consultation regarding subsistence hunting by Yukon First Nations in the primary use area. There has been poor communication between Mayo RRC and Fort McPherson RRC/DGO.

Meetings will take place in 1998 between the two parties

Project:
**CONSULTATION WITH THE TETLIT
GWICH'IN PRIOR TO TAKING ACTION ON
FISH OR WILDLIFE MATTERS WHICH
MAY AFFECT THE HARVESTING RIGHTS
OF THE TETLIT GWICH'IN**

Reference: 225

Project Managers: Government

Project Status: ONGOING, In Need of Review

The GTC membership on the Porcupine Caribou Management Board facilitates some consultation on caribou and hunting issues along the Dempster Corridor. YTG has not, to date, consulted with the Tetlit Gwich'in directly on fish and wildlife matters affecting Gwich'in harvesting rights.

In 1998, the GTC and YTG will be pursuing a more active relationship with respect to wildlife management issues as per the overlap agreement. Implementation funding for some issues has not been adequately outlined in the Gwich'in Implementation Plan

Project:
**HARVESTING WILDLIFE FOR PURPOSES
OTHER THAN FOOD**

Reference: 226

Project Managers: Government

Project Status: ONGOING, No action to date

Project:
**APPLICATION OF PESTICIDES AND
HERBICIDES ON TETLIT GWICH'IN
YUKON LAND BY THE TETLIT GWICH'IN**

Reference: 227

Project Managers: Tetlit Gwich'in

Project Status: ONGOING, No activity to date

Project:
**APPLICATION OF PESTICIDES AND
HERBICIDES ON CROWN LAND WITHIN
THE PRIMARY USE AREA**

Reference: 228

Project Managers: DIAND - NAP

Project Status: ONGOING, No activity to date.

Project:
**CONSULTATION WITH THE TETLIT
GWICH'IN ON GENERAL PRIORITIES
FOR FIGHTING FOREST FIRES**

Reference: 229

Project Managers: NAP

Project Status: ONGOING, In Need of Review

In 1996, the Tetlit Gwich'in and GNWT proposed two options to resolve issues of jurisdiction on fire fighting in the primary use area: (1) A revision of the existing federal fire policy for the Yukon territory to protect primary use lands; (2) Development of an agreement whereby the GNWT would provide fire management services to a portion of the settlement lands. The agreement would be enacted through an amendment to the existing Cooperation Zone Agreement to allow the GNWT to be reimbursed for responding to forest fires for specific Gwich'in properties located between 20 and 40 kms of the border in accordance with the NWT Forest Fire Management Policy. In consultation with RWED, no action to date has occurred with regards to the Minister's letter which outlined the alternative approaches to fire management in the primary use area.

A recommendation of the Implementation Committee to the Yukon Government is that DRWED be consulted with any changes to forest fire practices on Tetlit Gwich'in Yukon Land.

Project:
**FOREST FIRE FIGHTING ON TETLIT
GWICH'IN YUKON LAND**

Reference: 230

Project Managers: DIAND - NAP

Project Status: ONGOING, No activity to date.

Project:
**CONTRACTS ASSOCIATED WITH SILVI-
CULTURE WITHIN THE PRIMARY USE
AREA**

Reference: 231

Project Managers: DIAND - NAP

Project Status: ONGOING, No activity to date.

Project:
**FIRST OPPORTUNITY TO ACCEPT ANY
FIXED TERM CONTRACT ASSOCIATED
WITH SILVICULTURE**

Reference: 232

Project Managers: DIAND - NAP

Project Status: ONGOING, No action to date

Project:
**PARTICIPATION IN RENEWABLE
RESOURCES MANAGEMENT**

Reference: 233

Project Managers: Government, First Nation of Na'cho N'y'ak Dun

Project Status: IN PROGRESS, In Need of Review

Three members from the Tetlit RRC will be appointed to act as replacements on the Mayo RRC for any matters effecting the primary use area.

Nomination of three members to Mayo District RRC established pursuant to the Na'cho Ny'ak Dun claim are: Peter Kay, Charlie Snowshoe, and Johnny Charlie. The Board appointments have been inactive as no meetings have taken place between the two groups.

Planning Assumption #2 should be addressed in any future work on the Implementation of the UFA in relation to consultation with the Tetlit Gwich'in, the GTC and the Gwich'in Renewable Resources Board.

Project:
**CONSULTATION IN THE IDENTIFICATION
OF QUARRIES ON TETLIT GWICH'IN
YUKON LAND**

Reference: 234

Project Managers: DIAND - Yukon

Project Status: COMPLETE

June 95 - Advised by Yukon R/O (Feb 24/94) that there were no third party interests (surface or sub-surface) on Tetlit Gwich'in Yukon Land.

May 97 - Project complete.

Project:
**RIGHT OF ACCESS TO EXERCISE AN
EXISTING MINERAL RIGHT ON TETLIT
GWICH'IN YUKON LAND**

Reference: 235

Project Status: IN PROGRESS

No land access or control rules in place in the primary use area to monitor or enforce access. This work will be completed in 1998 by the GTC.

Project:
**RIGHT OF ACCESS TO EXERCISE AN
EXISTING MINERAL RIGHT ON LAND
WHICH IS NOT TETLIT GWICH'IN LAND**

Reference: 236

Project Status: IN PROGRESS

No land access or control rules in place in the primary use area to monitor or enforce access. This work will be completed in 1998 by the GTC.

Project:
**RIGHT OF ACCESS TO EXERCISE A NEW
MINERAL RIGHT ON TETLIT GWICH'IN
YUKON LAND**

Reference: 237

Project Status: IN PROGRESS

No land access or control rules in place in the primary use area to monitor or enforce access. This work will be completed in 1998 by the GTC.

Project:
**RIGHT OF ACCESS TO EXERCISE A NEW
MINERAL RIGHT ON LAND WHICH IS
NOT TETLIT GWICH'IN LAND**

Reference: 238

Project Status: IN PROGRESS

No land access or control rules in place in the primary use area to monitor or enforce access. This work will be completed in 1998 by the GTC.

Project:
**FEDERAL PUBLIC SERVICE
EMPLOYMENT OPPORTUNITIES IN THE
PRIMARY USE AREA**

Reference: 239

Project Managers: Canada

Project Status: ONGOING, In Need of Review

Regional staff helped to prepare proposals for funding under economic development agreements. Several of these proposals were approved and implemented.

The GTC has raised some issues with Canada regarding federal contracting within the Settlement Region, that apply to the primary use area. See page Reference 33.

Project:
**FEDERAL CONTRACTING IN THE
PRIMARY USE AREA**

Reference: 240

Project Managers: Canada

Project Status: ONGOING

March 97 - Notices of bidding opportunities in Gwich'in Settlement Area are being faxed to GTC on ongoing basis. Gwich'in companies are accessing and bidding on contracting opportunities displayed on Open Bidding Service. To simplify registering on departmental source lists, PWGSC is developing a single registration point for suppliers to register with Department. Registration point accessible via the Internet. Very few companies have come forward to advise PWGSC of their wish to be put on such lists or inventories. It is felt that circumstances may change once the future supplier promotion activities, as championed by the Western Region, come into play.

The GTC has raised some issues with Canada regarding federal contracting within the Settlement Region, that apply to the primary use area. See page Reference 33.

Project:
**INFORMATION REGARDING FEDERAL
CONTRACTING**

Reference: 241

Project Managers: Canada

Project Status: ONGOING

March 97 - PWGSC's Centre for Client Supplier Promotion has recently seconded an individual with extensive Aboriginal contacts to assist Aboriginal groups and businesses by responding to their questions and providing information on how to do business with the federal government. Nov '95 - PWGSC western office has planned semi-

nars on “how to do business with the federal government”, which include information on how to access federal procurement opportunities. As of August 1996, no seminars have been held.

Project:
**ASSIGNMENT OF RESPONSIBILITIES
AND OBLIGATIONS AMONG THE TETLIT
GWICH'IN**

Reference: 242

Project Managers: Gwich'in Tribal Council

Project Status: INCOMPLETE, In Need of Review

Although the Tetlit Gwich'in are identified in the Overlap Agreement as the body responsible for implementing the Overlap obligations, the GTC is still responsible for directing the implementation of the Agreement as the land owned in the Yukon is of interest to all beneficiaries in the Settlement Region. The GTC has not formally assigned rights and obligations to the Tetlit Gwich'in as identified in the public register established pursuant to 7.1.8 of the Gwich'in Agreement. The Tetlit Gwich'in receive approximately \$15,000 of implementation monies per annum to address issues in the primary use area in the Yukon. In the next year the GTC will be putting resources towards developing land management and control rules that apply to Yukon lands and will also be participating in negotiations on the Yukon Development Assessment Process.

public. Draft of a Plain Language land claim was produced but not finished by DIAND.

The GTC has expressed concern within the review that after five years of the land claim implementation process, a majority of beneficiaries are still not being educated about what rights the Gwich'in Comprehensive Land Claim has given them. Communicating the land claim in plain language has not been attempted yet by DIAND. A plain language land claim could be communicated through text, visual media and educational materials to be used in the schools.

Project:
**COMMUNICATION AND INFORMATION
STRATEGY**

Reference: 279

Project Managers: DIAND

Project Status: ONGOING, In Need of Review

DIAND published a pamphlet on the role and obligations of the co-management boards within the settlement area. Every year the Implementation Committee publishes an annual report which outlines the implementation progress and activities occurring in that year. A communications committee has been formed to develop an information “tool kit” for the Mackenzie Valley Resource Management Act in order to clearly communicate the legislation to the