

## MEMO

**DATE:** June 21, 2011

**FROM:** Petr Cizek, Dehcho First Nations Representative, Dehcho Land Use Planning Committee

**TO:** Dehcho Process Main Table Negotiations

**RE: Update on Interim Land Use Plan Revisions**

### Progress to Date

- There was no substantive progress on negotiating revisions to the Interim Plan between June 2010 and June 2011 due to DFN Internal Review, DFN litigation, the federal election, and need to contract technical staff by Canada.
- On June 15-16, 2011 Dehcho Land Use Planning Committee held first substantive “working group” meeting in almost one year.
- Shannon Cumming, GNWT representative volunteered to take notes and provide updated revised “rolling” draft of Interim by June 24, 2011.
- Working group reviewed and accepted most “minor” technical changes suggested by DFN in December 2010.
- GNWT will review new proposed wording on hydro-electric development replacing 10MW limit with “no hydro-electric development for export”.
- Canada will review new proposal to add additional “Action” to “Cumulative Effects Management” committing regulatory authorities to consider cumulative effects analysis of landscape disturbance. Threshold numbers will remain the same and will be a “Recommendation” to regulatory authorities.
- Canada and DFN will review new proposal to use definition of “authorization” from MVRMA. DFN will add additional legal instruments to sample authorization table and will review disclaimer language stating that table is not a complete list.
- New maps incorporating expanded Nahanni National Park Reserve and updated Candidate Protected Area Zones from March 2011 were reviewed by working group. Further mapping and discussion required on zoning changes to provide additional protection at mouths of Rabbitskin and Willowlake Rivers as well as upstream of Nahanni Butte.

## Main Table Issues

Rolling list of issues likely to be forwarded to the Main Table has not changed for the past year:

1. NEB – Ability of Interim Plan to regulate location of pipelines
2. Roads – Ability of Interim Plan to regulate location of public roads
3. IMA issues, e.g.
  - a. Quarrying
  - b. Prospecting permits
  - c. Forest management
4. Plan renewal/Termination clause
5. GNWT percentage of open Crown land post-land selection
6. Definitions:
  - a. DFN (including or excluding ADK)
  - b. Plan Area (including or excluding ADK)

## Next Steps

- DFN Representatives to provide update at DFN Annual Assembly, Wrigley June 29, 2011
- DFN Negotiating Team to conduct internal review with DFN representatives and develop approach to resolving outstanding Main Table issues July 14, 2011
- Committee working group to meet during week of August 8, 2011.
- Target date of fall 2011 to submit recommended interim plan to Chief Negotiators, subject to outstanding Main Table issues.
- As per the Committee's Terms of Reference and Workplan signed by the Chief Negotiators April 27, 2007, these steps will follow after the Committee has recommended a revised draft Interim Plan:
  - 1) The Parties consult on Committee recommendations
  - 2) The Parties present the Committee with their comments
  - 3) Committee provides final recommendation for a revised Interim Dehcho Land Use Plan for approval by the Main Table
  - 4) The Chief Negotiators initial and recommend the Interim Dehcho Land Use Plan for approval by the Parties.