

Preliminary Screening of a Proposal to Establish Nááts'ihch'oh National Park Reserve of Canada

This preliminary screening is being conducted under section 124(2) of the *Mackenzie Valley Resources Management Act*. Developments being proposed by federal agencies, including “measures ...leading to the establishment of a park subject to the *Canada National Parks Act*”, are to be screened to determine whether the development might have a significant adverse impact on the environment or might be a cause of public concern.

Establishment process

The proposed Nááts'ihch'oh National Park Reserve of Canada (hereafter Nááts'ihch'oh) is situated in the south-west region of Northwest Territories and comprises most of the northern extent of the greater South Nahanni ecosystem. The proposed park is adjacent to the north boundary of Nahanni National Park Reserve of Canada, within the Sahtú region of the Northwest Territories. Parks Canada is working with the Sahtú Dene and Metis of Tulita and Norman Wells in the establishment process.

The creation of Nááts'ihch'oh would complement the expanded Nahanni National Park Reserve located within the adjacent Dehcho Region of the Northwest Territories. Together the two parks would protect most of the South Nahanni River Watershed.

Supporting Research

As part of the feasibility studies for Nahanni National Park Reserve expansion, Parks Canada sponsored research in the area proposed for Nááts'ihch'oh on topics including:

- Wildlife studies on woodland caribou, grizzly bears, Dall's sheep;
- Glacier mapping;
- Land cover mapping;
- Forest fire history; and
- Examination of third party interests such as mining or land leaseholders.

Parks Canada also sponsored substantial mineral and energy resource assessments completed under the direction of scientists from the Geological Survey of Canada. The results are available to the public as open files.

Land withdrawal

The *Territorial Lands Act* allows for land withdrawals to ensure that no new dispositions on Crown Land are registered. A renewed interim land withdrawal was approved by March 27, 2014 Order in Council, and will be in effect until March 31, 2015 for the express purpose of establishing Nááts'ihch'oh National Park Reserve of Canada. All of the land in the Nááts'ihch'oh area is withdrawn for both the surface and subsurface estates. However, existing third party interests in the area, including existing mineral claims and leases, will be respected.

Concluding steps

Public consultations, including discussions with affected Aboriginal groups, were carried out between January and April of 2010. Parks Canada and the Land Corporations and

Renewable Resources Councils of Tulita and Norman Wells and the Tulita Dene Band negotiated an Impact and Benefit Plan (IBP), pursuant to the Sahtú Dene and Metis Comprehensive Land Claim Agreement. The IBP was signed March 28, 2012.

Description of proposal

Parks Canada is proposing to establish a national park reserve of 4,895 square kilometres within the lands withdrawn for this purpose. A small area outside the withdrawn area, O'Grady Lake area, will also be included in the park reserve.

The South Nahanni River watershed is an incredibly beautiful and ecologically important area in the Northwest Territories. The proposed area for Nááts'ihch'oh includes the Moose Ponds, in the shadow of Mount Wilson or, as the mountain is referred to by the North Slavey speaking elders, Nááts'ihch'oh. The area has long been the home to the Dene and Metis, and is used by the Kaska Dena Council and Dehcho First Nations. It has more recently been the launching area for adventurous visitors to the wilderness.

Importance of the Nááts'ihch'oh National Park Reserve

- The area around the headwaters of the South Nahanni River in the Northwest Territories is considered one of the most spectacular sights in the world. The upper part of the watershed accounts for about 1/6th of the Greater Nahanni Ecosystem, which despite development pressures, has remained a large, relatively intact wilderness area.
- The western portion of the proposed NNPR includes important habitat for calving and summer and fall seasons of the Northern Mountain Woodland caribou herd which winter in the southern Nahanni NPR area. This population is listed as Special Concern under the *Species at Risk Act*.
- The northwestern population of grizzly bear, listed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) as a species of Special Concern, utilize the area.
- Dall's sheep, which may be genetically unique in North America due to their isolation during the last ice age, are known to inhabit the area.
- The most northern range of hoary marmot and mountain goats is found in Nááts'ihch'oh region.

Land cover types within the Nááts'ihch'oh National Park Reserve are more mountainous than found around the lower South Nahanni River, with alpine plateau, greater occurrence of snow and ice, closed spruce forest or shadow and montane subalpine savannah and lichen.

Potential outcomes of expansion and assessment of potential impacts

Potential outcomes of the establishment of Nááts'ihch'oh National Park Reserve of Canada include: natural and cultural resource protection, improved ecosystem monitoring, facilities, visitor access, visitor activities and Parks Canada expenditures.

1. Natural and cultural resource protection

The proposed Nááts'ihch'oh National Park Reserve of Canada would be managed under the *Canada National Parks Act (CNPA)*. The CNPA protects natural and cultural resources and has implications for hunting by non-Aboriginal people and mineral and oil and gas activity.

Hunting and traditional activities

As a result of the national park reserve establishment, non-Aboriginal hunting will not be discontinued. Parks Canada worked with outfitter-guided sport hunting businesses on a willing seller - willing buyer basis to acquire their interests in the park area.

Eliminating non-Aboriginal hunting and commercial big-game hunting will lead to positive effects on wildlife populations in the park area. The Government of the Northwest Territories manages hunting across the territory to ensure that, if hunters move their activities to other areas of the NWT, populations remain sustainable. The loss of big-game hunting in the area may reduce big-game hunting guiding employment opportunities however one operator has diversified into eco-tourism and currently operates in Nahanni National Park Reserve.

The proposed park establishment will allow for the continued traditional use of the area by First Nations and Metis people. Hunting and other traditional activities carried out by Aboriginal people will be managed cooperatively to minimize the possibility of conflicts between visitors and traditional users and to ensure the sustainability of harvesting. Any environmental interactions resulting from camps, or resource harvesting would occur irrespective of the establishment of the park.

Mineral and oil and gas exploration and development

The establishment of Nááts'ihch'oh National Park Reserve of Canada would also lead to a prohibition of mineral and oil and gas exploration and development in the park reserve itself. There is no known hydrocarbon potential in the area and therefore no impacts are expected from this outcome. Existing mining activities will be excluded from the park. Given existing holdings are excluded from the park, the potential environmental impacts of these developments will not be affected. Any other potential future exploration or development of mineral and oil and gas resources are speculative and therefore could not be considered reasonably foreseeable and will not be further considered in this assessment.

2. Facilities

In keeping with the wilderness character of the proposed park, modest facilities such as primitive campgrounds, patrol cabins, tourist facilities or environmentally appropriate fuel caches for park management purposes, etc, may need to be developed. These facilities have the potential to cause minor disruption or loss of wildlife habitat, minor disruption of movements, minor changes to drainage patterns and damage of vegetation in small areas around operational facilities, and increased risk of wildlife-human interactions.

3. Visitor access

Currently approximately 1000 visitors visit adjacent Nahanni National Park Reserve each year. Some of the current visitors to the park begin their trip inside the proposed Nááts'ihch'oh at the upstream access point, Moose Ponds.

It is estimated that the current levels of visitation in the area of Nááts'ihch'oh may number approximately 100 visitors per year. It is expected that these numbers will increase following park establishment. Modest increases in park visitation numbers should be expected as a result of new types of service offers from tourism outfitters and increased profile of the upper reaches of the South Nahanni River.

Points of access for aircraft use related to tourism will need to be identified. It is anticipated that this use will be limited to small, fixed wing aircraft access at Moose Ponds and other lakes. Park management will likely increase the helicopter flights into the area. Air access may have a negative impact on wildlife due to noise, but the impacts are expected to be infrequent or of low magnitude. In the future, access by road may be possible along the western boundary. The development of a road would require an impact assessment under the *Mackenzie Valley Resource Management Act*.

4. Visitor activities

Visitors to the national park reserve will be able to participate in a variety of activities including white-water canoeing and rafting, backcountry and alpine hiking, mountaineering, and technical rock climbing. These activities may lead to minor disruption of wildlife habitat and movements, minor changes to drainage patterns and damage of vegetation in small areas in commonly used areas and increased risk of wildlife-human interactions.

Increased opportunities for tourism may lead to an increase in employment opportunities in the tourism sector in the region.

5. Parks Canada expenditures

Parks Canada has agreed that the administration and visitor reception centre will be constructed in the Tulita District. New jobs are being created to provide support for the establishment of Nááts'ihch'oh and consistent with the Nááts'ihch'oh National Park Reserve Impact and Benefit Plan, Parks Canada will give preference to hiring qualified beneficiaries of the Tulita and Norman Wells Land Corporations. Employees of Parks Canada will have increased training and development, and the potential for stable, long term employment. Parks Canada will have budgets for managing the new park, resulting in increased expenditures, particularly in the communities of Tulita and Norman Wells. If the park reserve is established, the staff contingent and spending for park management will be increased and there will be a positive effect on the local economy.

Mitigation

Mitigation for negative effects on the natural environment from facilities, visitor activities and visitor access will be primarily mitigated through the Impact Benefit Plan, park management plan and assessments for individual developments.

The Impact and Benefit Plan, negotiated between Parks Canada and the Land Corporations representing Tulita Dene, and Fort Norman and Norman Wells Metis, encourages the use of Dene Kedeé, the dialect of the Tulita District, respects heritage resources, preserves the rights to harvest and traditional use as described by the Sahtú Dene and Metis Comprehensive Land Claim, establishes a management committee to facilitate cooperative management of the park and supports local contracting and employment.

A park management plan will be required within five years, as described in the Impact and Benefit Plan. It is expected that the management plan will mandate that the park be managed with special emphasis on the protection of the wilderness values of the region. Cultural resources will also be managed in a manner that ensures a high level of protection and will be managed in a manner consistent with the *CNPA* and the Parks Canada Cultural Resource Management Policy. To the extent possible, no new development will take place before completion of a new park management plan. In that way, the ability to make informed planning decisions will not be compromised. The park management plan can also address broader issues such as cooperation with First Nations and Metis in the management of traditional use of the park, air access and road access. The park management plan, once completed, will be assessed for adverse environmental effects as required by Parks Canada policy and the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals. The park management plan must also be approved by the Sahtú Renewable Resources Board, consistent with the Sahtú Dene and Metis Comprehensive Land Claim Agreement.

Any individual developments will be subject to a preliminary screening under the *Mackenzie Valley Resource Management Act*, conducted by Parks Canada. The required mitigation, surveillance and follow-up will be developed when the proposals progress from the conceptual phase to the design and implementation phase.

Potential negative socio-economic effects from the loss of commercial big-game hunting in the area was mitigated by compensating owners on a willing buyer – willing seller basis. Any small loss in jobs would likely be offset by the creation of jobs due to the park expansion.

Reasons for Decision

Visitation and tourism to the park will occur in moderate numbers conducting sustainable, low impact use and will result in negligible environmental impacts. No major on-site developments are proposed and what minor developments will occur are expected to have environmental impacts that are small in magnitude and/or limited in geographic extent. Any developments will be subject to further environmental screening as needed to meet MVRMA requirements and Parks Canada's environmental assessment policies. The park management plan, as a document requiring Ministerial approval, will be subject to a strategic assessment as required by Cabinet Directive.

Participants under the land claim agreement may travel on the land and engage in resource harvesting activities as provided for in the Sahtú Dene and Métis

Comprehensive Land Claim Agreement. These activities occur at a sustainable level, and would occur independent of the establishment and management of the area as a national park reserve. Aboriginal harvesting by Dehcho First Nations and the Kaska Dena Council will also continue in the park reserve as would continue to occur if the area was not designated as a park reserve.

The establishment of the national park in legislation will preclude industrial development and, as such, may result in and achieve positive environmental outcomes, compared to adjacent lands that may be developed and used for industrial or commercial resource development purposes.

The permanent protection and cooperative management of the park will help protect the Sahtú Dene and Metis cultural heritage. Any disruptions to their socio-economic activities can be addressed through a management committee.

Public comments on the proposal through other consultation initiatives have been supportive of the establishment of a national park. As part of the preliminary screening process, the proposal was distributed to 31 relevant organizations for review. Three comments were received. The comments did not contain information which affected the preliminary screening and as such no changes were made to the screening.

Preliminary Screening Decision

Based on the assessment presented above, it is Parks Canada's opinion that

- there is no likelihood that the proposed development might have a significant adverse impact on the environment; and
- there is no likelihood that the proposed development might be a cause of public concern.

Therefore, Parks Canada has decided to continue with the establishment process.

Lee Montgomery
Manager, Northern National Parks Establishment
Parks Canada Agency

Date

Proposal to Establish Nááts'ihch'oh National Park Reserve of Canada

Background

The proposed Nááts'ihch'oh National Park Reserve of Canada (hereafter Nááts'ihch'oh) is situated in the south-west corner of Northwest Territories and comprises the northern extent of the greater South Nahanni ecosystem. The proposed park is north and adjacent to Nahanni National Park Reserve of Canada, in the Sahtu region of the Northwest Territories. Parks Canada is working with the Sahtu Dene and Metis of Tulita and Norman Wells in the establishment process.

This document describes the proposal to establish Nááts'ihch'oh National Park Reserve of Canada. It describes the establishment process and the potential outcomes, impacts and mitigation.

Establishment process

The creation of Nááts'ihch'oh National Park Reserve would complement the expanded Nahanni National Park Reserve within the adjacent Dehcho Region of the Northwest Territories. Together the two parks would protect most of the South Nahanni River Watershed.

Supporting Research As part of the feasibility studies for Nahanni National Park Reserve expansion, Parks Canada sponsored research in the area proposed for Nááts'ihch'oh on topics including:

- Wildlife studies on woodland caribou, grizzly bears, Dall's sheep;
- Glacier mapping;
- Land cover mapping;
- Forest fire history; and
- Examination of third party interests such as mining or land leaseholders.

Parks Canada also sponsored substantial mineral and energy resource assessments completed under the direction of scientists from the Geological Survey of Canada. The results are available to the public as open files.

Land withdrawal

The *Territorial Lands Act* allows for land withdrawals to ensure that no new dispositions on Crown Land are registered. A land withdrawal was approved by an Order in Council, February 26, 2008 and will be in effect until March 31, 2012 for the express purpose of establishing Nááts'ihch'oh National Park Reserve of Canada. All of the area in the Nááts'ihch'oh area is withdrawn for both the surface and subsurface estates. However, existing third party interests in the area, including existing mineral claims and leases, will be respected.

Future steps

Public consultations, including discussions with affected Aboriginal groups, were carried out between January and April of 2010. Parks Canada and the Land Corporation and Renewable Resources Councils of Tulita and Norman Wells and the Tulita Dene Band have been negotiating an Impact and Benefit Agreement, pursuant to the Sahtu Dene and Metis Comprehensive Land Claim Agreement.

Description of proposal

Parks Canada is proposing to establish a national park reserve within the 7,600 square kilometres of lands withdrawn for this purpose. A small area outside the withdrawn area, O'Grady Lake area, has also been suggested for inclusion in the park reserve.

The South Nahanni River watershed is an incredibly beautiful and ecologically important area in the Northwest Territories. The proposed area for Nááts'ihch'oh includes the Moose Ponds, in the shadow of Mount Wilson or, as the mountain is referred to by the North Slavey speaking elders, Nááts'ihch'oh. The area has long been the home to the Dene and Métis, and it has more recently been the launching area for adventurous visitors to the wilderness.

Importance of the Nááts'ihch'oh National Park Reserve

- The area around the headwaters of the South Nahanni River in the Northwest Territories is considered one of the most spectacular sights in the world. The upper part of the watershed accounts for about 1/6th of the Greater Nahanni Ecosystem, which despite development pressures, has remained a large, relatively intact wilderness area.
- The western portion of the proposed NNPR includes important habitat for calving and summer and fall seasons of the Woodland Caribou which winter in the southern Nahanni NPR area. This population is listed as “special concern”.
- The northwestern population of grizzly bear, considered a species of “special concern”, utilize the area.
- Dall's sheep, which may be genetically unique in North America due to their isolation during the last ice age, are known to inhabit the area.
- The most northern range of hoary marmot and mountain goats is found in Nááts'ihch'oh region.
- Land cover types within the Nááts'ihch'oh National Park Reserve are more mountainous than found around the lower South Nahanni River, with alpine plateau, greater occurrence of snow and ice, closed spruce forest or shadow and montane subalpine savannah and lichen.

Potential outcomes of expansion and assessment of potential impacts

Potential outcomes of the establishment of Nááts'ihch'oh National Park Reserve of Canada include: natural and cultural resource protection, facilities, visitor access, visitor activities and Parks Canada expenditures.

1. Natural and cultural resource protection

The proposed Nááts'ihch'oh National Park Reserve of Canada would be managed under the *Canada National Parks Act (CNPA)*. The CNPA protects natural and cultural resources and has implications for hunting by non-Aboriginal people and mineral and oil and gas activity.

Hunting and traditional activities

As a result of the national park reserve establishment, non-Aboriginal hunting will not be allowed and Parks Canada will work with outfitter-guided sport hunting businesses on a willing seller - willing buyer basis with the intent being to acquire their interests in the park area.

Eliminating non-Aboriginal hunting and eventually commercial big-game hunting will lead to positive effects on wildlife populations in the park area. The Government of the Northwest Territories manages hunting across the territory to ensure that, if hunters move their activities to other areas of the NWT, populations remain sustainable. The loss of big-game hunting in the area may reduce big-game hunting guiding employment opportunities.

The proposed park establishment will allow for the continued traditional use of the area by First Nations and Metis people. Hunting and other traditional activities carried out by Aboriginal people will be managed cooperatively to minimize the possibility of conflicts between visitors and traditional users and to ensure the sustainability of harvesting. Any environmental interactions resulting from camps, or resource harvesting would occur irrespective of the establishment of the park.

Mineral and oil and gas exploration and development

The establishment of Nááts'ihch'oh National Park Reserve of Canada would also lead to a prohibition of mineral and oil and gas exploration and development in the area. There is no known hydrocarbon potential in the area and therefore no impacts are expected from this outcome. Existing mining activities will be excluded from the park or acquired on a willing buyer – willing seller basis. If existing holdings are excluded from the park, the potential environmental impacts of these developments will not be affected. If existing holdings are acquired on a willing buyer – willing seller basis, any environmental effects from the work required in the prospecting permit, mineral claim or mineral lease will not occur. Any other potential future exploration or development of mineral and oil and gas resources are speculative and therefore could not be considered reasonably foreseeable and will not be further considered in this assessment.

2. Facilities

In keeping with the wilderness character of the proposed park, modest facilities such as primitive campgrounds, patrol cabins, tourist facilities or environmentally appropriate fuel caches for park management purposes, etc, may need to be developed. These facilities have the potential to cause minor disruption or loss of wildlife habitat, minor disruption of movements, minor changes to drainage patterns and damage of vegetation in small areas around operational facilities, and increased risk of wildlife-human interactions.

3. Visitor access

Currently approximately 1000 visitors visit adjacent Nahanni National Park Reserve each year. Some of the current visitors to the park begin their trip inside the proposed Nááts'ihch'oh at the upstream access point, Moose Ponds.

It is estimated that the current levels of visitation in the area of Nááts'ihch'oh may number approximately 100 visitors per year. It is expected that these numbers may increase following park establishment. Modest increases in park visitation numbers should be expected as a result of new types of service offers from tourism outfitters and increased profile of the headwaters of the South Nahanni River.

Points of access for aircraft will need to be identified but, for tourism, will likely be limited to small fixed wing aircraft to the Moose Ponds and other lakes. Park management will likely increase the helicopter flights into the area. Air access may have a negative impact on wildlife due to noise, but the impacts are expected to be infrequent or of low magnitude.

4. Visitor activities

Visitors to the national park reserve will be able to participate in a variety of activities including white-water canoeing and rafting, backcountry and alpine hiking, mountaineering, and technical rock climbing. These activities may lead to minor disruption of wildlife habitat and movements, minor changes to drainage patterns and damage of vegetation in small areas in commonly used areas and increased risk of wildlife-human interactions.

Increased opportunities for tourism may lead to a small increase in employment opportunities in the tourism sector in the region.

5. Parks Canada expenditures

Parks Canada has agreed that the administration and visitor reception centre will be constructed in the Tulita District. New jobs would be created to provide support for the establishment of Nááts'ihch'oh and consistent with the Sahtu Dene and Metis Comprehensive Land Claim, participants from Tulita and Norman Wells will hold a majority of those jobs. Employees of Parks Canada will have increased training and development, and the potential for stable, long term employment. Parks Canada would have increased budgets for managing the new park, resulting in increased expenditures, particularly in the communities of Tulita and Norman Wells.

If the park reserve is established, the staff contingent and spending for park management will be increased and there will be a positive effect on the local economy.

Mitigation

Mitigation for negative effects on the natural environment from facilities, visitor activities and visitor access will be primarily identified through the Impact Benefit Plan, park management plan and assessments for individual developments.

The Impact and Benefit Plan, under negotiation between Parks Canada and the Land Corporations representing Tulita and Norman Wells, proposes to encourage the use of North Slavey, respect heritage resources, preserve the rights to harvest and traditional use as described by the Sahtu Dene and Metis Comprehensive Land Claim, establish a management committee to facilitate cooperative management of the park and support local contracting and employment.

A park management plan will be required within five years. It is expected that the management plan will mandate that the park be managed with special emphasis on the protection of the wilderness values of the region. Cultural resources will also be managed in a manner that ensures a high level of protection and will be managed in a manner consistent with the *CNPA* and the Parks Canada Cultural Resource Management Policy. To the extent possible, no new development will take place before completion of a new park management plan. In that way, the ability to make informed planning decisions will not be compromised. The park management plan can also address broader issues such as cooperation with First Nations and Metis in management of traditional use of the park and air access. The park management plan, once completed, will be assessed for adverse environmental effects as required by Parks Canada policy and the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals.

Any individual developments will be subject to a preliminary screening under the *Mackenzie Valley Resource Management Act*. The required mitigation, surveillance and follow-up will be developed when the proposals progress from the conceptual phase to the design and implementation phase.

The only potentially negative socio-economic effect is the loss of commercial big-game hunting in the area. Compensation will be provided to the business owners to mitigate this negative effect and any loss in jobs would likely be offset by the creation of jobs due to the park expansion.