

Attachment 1: First submission from
proponent and response from screener

22 July 2020

MR. JULIAN KANIGAN
DIRECTOR, CONSERVATION ASSESSMENT AND MONITORING
ENVIRONMENT AND NATURAL RESOURCES

Preliminary Screening Notification – Establishment of Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

The Wildlife and Fish Division, Department of Environment and Natural Resources (ENR) would like to inform you that it requires the undertaking of a preliminary screening for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA). This establishment will require changes to the *Conservation Area Regulations* under the Northwest Territories (NWT) *Wildlife Act*.

The enclosed package outlines the Government of the Northwest Territories (GNWT) collaboration with the Łutsel K'e Dene First Nation (LKDFN), Northwest Territory Métis Nation (NWTMN) and Deninu K'ue First Nation (DKFN) to sign formal establishment agreements with each group for the creation of the Thaidene Nënë Territorial Protected Area using the *Protected Areas Act*. This collaboration included a commitment for creation of a Thaidene Nënë Wildlife Conservation Area (TDNWCA) under the *Wildlife Act*.

Please review the enclosed information. I assure you that all recreational and wildlife harvesting benefits of value to the residents of the NWT will continue in this area. Based on interests in and/or use of the area, we hope we will be advised as to whether the proposed TDNWCA might be a cause for public concern or whether there are significant adverse environmental impacts to the environment.

Should you have any questions about this proposal please contact Mr. Rob Gau, Manager Biodiversity Conservation at rob_gau@gov.nt.ca or (867) 767-9237, extension 53213. Additionally, I request you contact Mr. Gau to ensure the distribution list for your notification letter includes the appropriate stakeholders involved in *Wildlife Act* regulatory amendments.

Sincerely,



Karin Clark
A/Director, Wildlife and Fish
Environment and Natural Resources

Attachment 1 – Proposed Wildlife Conservation Area

c. Erin Kelly, PhD
Deputy Minister
Environment and Natural Resources

Brett Elkin
A/Assistant Deputy Minister, Operations
Environment and Natural Resources

Mr. Troy Ellsworth
Superintendent South Slave Region
Environment and Natural Resources

Mr. Bruno Croft
Superintendent, North Slave Region
Environment and Natural Resources

Mr. Rob Gau
Manager, Biodiversity Conservation
Environment and Natural Resources



Establishment of Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

Contact: Karin Clark, A/Director, Wildlife and Fish Division, Department of Environment and Natural Resources, Government of the Northwest Territories, karin_clark@gov.nt.ca.

Purpose of the Preliminary Screening

The *Mackenzie Valley Resource Management Act* (MVRMA) establishes an integrated system of land and water management that includes land use planning, environmental impact assessment (EIA) and review, and the regulation of land and water use through associated institutions of public government.

Section 124(2) of the MVRMA requires the Government of the Northwest Territories (GNWT) to conduct a preliminary screening of any development that it proposes to undertake, that is not otherwise subject to permitting or licensing by the land and water boards. “Development” is defined in Section 111(1) of the MVRMA and includes “the establishment of a park under territorial law”. This means the GNWT is responsible for carrying out a preliminary screening for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA) under the *Wildlife Act*.

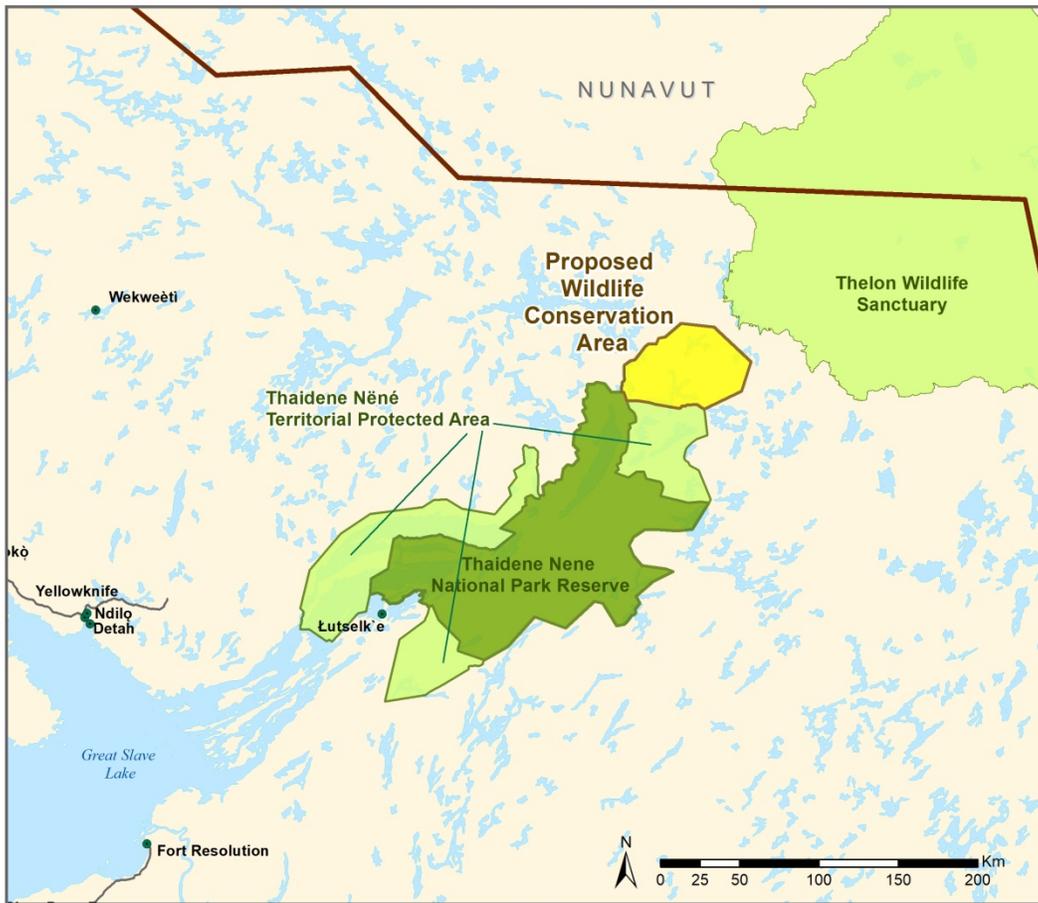
The purpose of the preliminary screening is to determine whether there might be any significant impacts on the environment or significant public concerns with the establishment of the TDNWCA. If the GNWT determines that significant adverse impacts are likely or that significant public concerns exist, it is required to refer the matter to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment. In determining significant adverse impacts, the GNWT will consider the significance of a development’s potential adverse effects (e.g. their magnitude, duration, geographic extent and likelihood). Throughout the preliminary screening, the development is examined as a whole, not solely from a regulatory perspective. The GNWT will consider evidence concerning any likely adverse cultural, socio-economic and cumulative impacts over time.

Description of Proposal

Structure of Thaidene Nënë Wildlife Conservation Area and Enabling Legislation

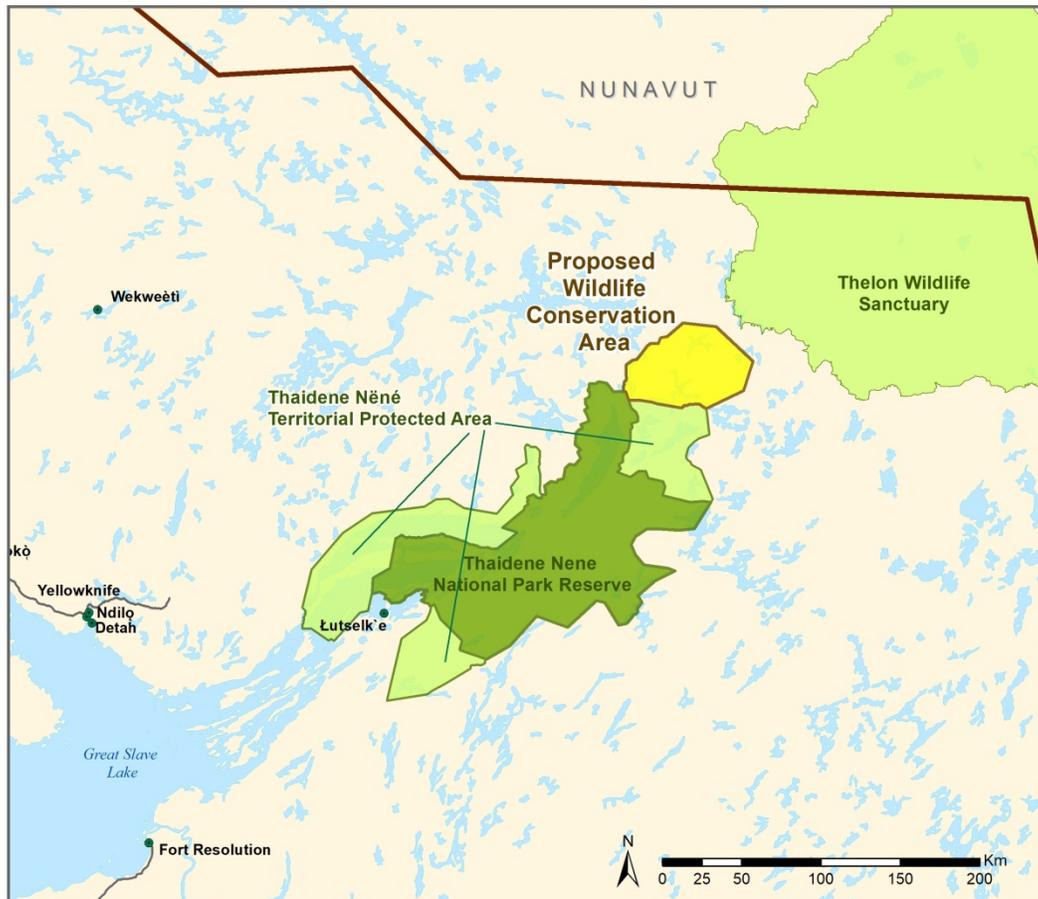
While discussions with the Yellowknives Dene First Nation are ongoing, the GNWT has also collaborated with the Łutsel K’è Dene First Nation (LKDFN), Northwest Territory Métis Nation (NWTMN) and Deninu K’ue First Nation (DKFN) and signed formal establishment agreements with each group for the creation of the Thaidene Nënë Territorial Protected Area, the NWT’s first territorial protected area created through regulations under the *Protected Areas Act*. This collaboration also included a GNWT commitment in the LKDFN establishment agreement for creation of the TDNWCA under the *Wildlife Act*. The Act provides for the creation of wildlife conservation areas in regulation for the purpose of conservation and management of wildlife and wildlife habitat in the NWT.

Attachment 1. Proposed Wildlife Conservation Area



Location and Map

The Thaidene Nënë area is a celebrated cultural landscape with rich wildlife populations and unique geography located at the eastern end of Great Slave Lake in the NWT. The map below shows the proposed TDNWCA within the yellow polygon, which is the area described in this Preliminary Screening. This area totals about 3,120 km². Efforts to establish the TDNWCA are being done with the full recognition and support through the completed establishment agreements with LKDFN, NWTMN, and DKFN.



Cultural, Ecological and Socio-economic Values

Thaidene Nënë Territorial Protected Area (approximately 9,105 km²), and Thaidene Nene National Park Reserve (approximately 14,070 km²) were established in August 2019. Both areas protect biodiversity within the Taiga Shield and Tundra Shield ecoregions and contribute to the cultural continuity of the area. As the area spans the transition zone from boreal forest to tundra, it is important habitat for large and small mammals, fish, as well as providing key waterfowl staging areas and critical nesting areas for birds of prey.

The recreational benefits and ecological goods and services of value to the residents of the NWT and others will continue in this area. Many local residents and visitors already use the proposed TDNWCA for

a variety of activities, including hunting game, fishing and sightseeing. Local residents and visitors will continue to enjoy these activities in the TDNWCA once established under the *Wildlife Act*.

The proposed TDNWCA has a pre-existing and continued surface and sub-surface land withdrawal through the *Land Withdrawal Order (Thaidene Nënë (East Arm of Great Slave Lake) Proposed Conservation Area* under the *Northwest Territories Land Act*, which has no expiry.

Governance Structure

There is no proposed or established management structure for the TDNWCA. Any decision or wildlife/habitat management actions with respect to the TDNWCA will be made using the best available information, including Indigenous traditional knowledge and values, local and community knowledge, and scientific knowledge after full consultation and collaboration with all Indigenous Governments with rights in the area.

Following the same approach used for the Thelon Game Sanctuary, the land withdrawal will be held until mechanisms can be put in place to prohibit prospecting and staking under the new *Mineral Resources Act*, or there is an approved land use plan for the area.

However, there will be cooperative management of the adjacent Thaidene Nene National Park Reserve and Thaidene Nënë Territorial Protected Area to ensure all people have the opportunity to respect and enjoy these unique areas for generations. Parks Canada, the GNWT and Indigenous governments and organizations are actively pursuing this conservation opportunity through the creation of an Operational Management Board and Regional Management Body to provide recommendations to the appropriate Minister(s).

Visitor Access

Visitation to remote northern protected areas is generally low compared to southern protected areas and parks with road access.

Prohibited and Allowable Activities

With the land withdrawal order in place, mining and oil and gas developments, including exploration, are prohibited, as are non-renewable and/or large scale energy developments.

No new wildlife harvesting restrictions will be put in place and all existing restrictions in-place for conservation, public health, and public safety under the *Wildlife Act* and its regulations will continue in the TDNWCA. A person who has an Aboriginal or treaty right to harvest game within the TDNWCA will continue to exercise that right without a licence, provided they can show identification evidencing that right as per sections 17, 18, and 19 of the *Wildlife Act*. Similarly, there will be no changes for licenced harvesters within the TDNWCA.

In addition to hunting, activities currently enjoyed as part of the northern lifestyle will continue within the TDNWCA, including:

- sport fishing
- berry picking and gathering other non-timber forest products

- cutting of firewood for personal use and for use by residents of Łutsël K'e
- artisanal uses of biotic and abiotic resources
- motorized boating
- overnight boat mooring
- cultural learning activities
- wildlife viewing
- hiking
- camping
- snowmobiling
- dogsledding
- snowshoeing
- shore-lunches
- building campfires
- geocaching
- cross-country skiing
- canoeing
- kayaking
- paddle-boarding
- sailing
- diving
- kite skiing and kite surfing
- transport and use of firearms for authorized purposes
- aircraft operations

Corridors

As per the land withdrawal order, until there is an approved land use plan for the area the opportunity for the development of transportation or transmission corridors through the TDNWCA cannot be met.

Infrastructure

There are no infrastructure needs for the creation of the TDNWCA.

Timeline

As per the GNWT commitment to create the TDNWCA included in the Thaidene Nënë Establishment Agreement with the Łutsel K'e Dene First Nation (LKDFN), the area must be created within 18 months of the establishment. The Thaidene Nënë Territorial Protected Area was established August 23, 2019. The TDNWCA will need to be created by February 23, 2021.

Public Engagement

Between 2015 and 2019, discussions and consultation between the GNWT and Indigenous Governments and Indigenous Organizations refined the boundaries of the Thaidene Nënë Territorial Protected Area

and Thaidene Nene National Park Reserve and identified adjacent lands to create the TDNWCA. This was done to address all related conservation and cultural interests in the area.

Through 2015 to 2017, stakeholder negotiations were primarily focused on the negotiations of establishment agreements and a land transfer agreement for the creation of the National Park Reserve and its associated areas under the pending territorial *Protected Areas Act*.

In subsequent meetings between 2015 and 2019, with LKDFN and Parks Canada, as well as other meetings with NWTMN, North Slave Métis Alliance (NSMA), Tlicho Government (TG), Yellowknives Dene First Nation (YKDFN), and the Deninu Kue First Nation (DKFN) the creation of the TDNWCA was discussed with no concerns.

Formal GNWT consultation was held from July to early August 2019 with the TG, LKDFN, DKFN, NWTMN, YKDFN, NSMA, Dehcho First Nation, West Point First Nation, and Kát'odeeche First Nation on the establishment of the National Park Reserve and the Territorial Protected Area. The TDNWCA was identified in all of the consultation letters.

As of November 6, 2019, the LKDFN formally requested the GNWT to accomplish all the processes required for the TDNWCA designation. All groups are being invited to participate in review processes for the establishment of the TDNWCA through the preliminary screening.



July 31, 2020

MS. KARIN CLARK
DIRECTOR, WILDLIFE AND FISH
ENVIRONMENT AND NATURAL RESOURCES

Preliminary Screening of Thaidene Nënë Wildlife Conservation Area

Thank you for your notification to initiate establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA). In accordance with the approved Environment and Natural Resources (ENR) preliminary screening process, the Environmental Assessment & Monitoring (EAM) unit is the appointed reviewer and will lead screening activities.

EAM conducted a completeness check and found that the proposal document does not contain all pertinent or required information to conduct a screening. In order to comprehensively and efficiently review the potential impacts arising from the proposed development, the following items are requested as an update before EAM can proceed with a preliminary screening.

Geographic Location: The text does not describe the location with precise detail. Additionally, the map provided does not include grid reference lines to help the reader accurately locate or identify the precise position of the proposed development. The map is also set at a large scale. Please provide a second detailed map at a smaller scale and include a grid for Latitude/Longitude or UTM's. It is recommended that a shapefile is available at reviewer request.

Activities Description: A clear list of activities is provided, although some activities seem unlikely for the area (ex. sail boating). Please confirm that the activities listed pertain to the TDNWCA and revise if needed.

Statement about Project Effects: It is requested that a clear statement regarding impacts to the valued components is included (groundwater, surface water, noise, land, non-renewable resources, air, climate, vegetation, wildlife & fish, habitat and communities, social and economic, cultural and heritage) and if applicable, proposed mitigations. Furthermore, in order to screen this project to determine if there will be economic impacts, the screener and reviewers need to understand if the prohibition on oil and gas development and non-renewable and/or large scale energy development projects are a result of the establishment of TDNWCA or if these restrictions are *solely* related to the land withdrawal. It is hard to assess potential economic impacts without knowing the following: Is the land withdrawal going to remain in place regardless of whether the TDNWCA proceeds? What is the

mineral potential of the area? Are there any third party rights in the area? Please update the proposal to discuss potential impacts and widen the information that reviewers may consider for commenting on public concern. Alternatively, indicate that no concerns are anticipated.

Timelines: The target completion date was provided, but the proposal does not indicate how long the TDNWCA will be in place and whether or not it is a permanent feature. Please provide details related to the permanence of the TDNWCA.

Development Components (Corridors): The submission implies that there could be a corridor in the future if a land use plan is approved. The document says that development of a corridor cannot be met, inferring that there may be a known corridor or milestone. Please include detail to further identify potential activity for a corridor (if any).

National Park/Territorial Park References: Overall, references to the TDN National Park and Territorial Park should be upfront and not dispersed throughout the document. Having references to the National and Territorial Park could confuse readers on what is being screened.

In accordance with ENR's preliminary screening process, it is requested that the additional information is submitted within 30 days or the application will cease to be processed. Following receipt of the updated document, EAM will confirm the requirement for a preliminary screening and issue a public review notification. If you have any concerns or questions, please contact Lee Ann Malley, Acting Manager, Environmental Assessment and Monitoring at LeeAnn_Malley@gov.nt.ca.

Sincerely,



Julian Kanigan
Director, Environmental Stewardship and Climate Change
Environment and Natural Resources

- c. Mr. Rob Gau
Manager, Biodiversity Conservation
Environment and Natural Resources

Attachment 2: Final submission sent to screener, accepted.



August 13, 2020

MR. JULIAN KANIGAN
DIRECTOR, CONSERVATION ASSESSMENT AND MONITORING
ENVIRONMENT AND NATURAL RESOURCES

**Preliminary Screening of Thaidene Nënë Wildlife Conservation Area:
Additional Information**

The Wildlife and Fish Division, Department of Environment and Natural Resources (ENR) thanks you for your July 31, 2020 letter requesting additional information. I hope that the attached resubmission will address the feedback provided by the Environmental Assessment and Monitoring (EAM) unit for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA).

- **Geographic Location:** An additional map along with the precise legal metes and bounds descriptors for the proposed TDNWCA have been provided.
- **Activities Description:** While all activities are possible certainly some are more unlikely than others. The list was adjusted to the most likely activities.
- **Statement about Project Effects:** The creation of the TDNWCA will have absolutely no impact to any of the currently valued ecosystem components in the area. A new section has been added to the attached summary report.
- **Timelines:** A statement has been added regarding how long the TDNWCA could be in place.
- **Development Components (Corridors):** The submission is now clear there are no known developments regarding the potential for transportation or transmission corridors within the TDNWCA.
- **National Park/Territorial Park References:** The text was adjusted to focus the reader that the screening pertains to the TDNWCA.

Should you have any questions about the above information please contact Mr. Rob Gau, Manager Biodiversity Conservation at rob_gau@gov.nt.ca or (867) 767-9237, extension 53213.

Sincerely,



Karin Clark
A/Director, Wildlife and Fish Division
Environment and Natural Resources

Attachment – Establishment of Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

c. Dr. Erin Kelly
Deputy Minister
Environment and Natural Resources

Dr. Brett Elkin
A/Assistant Deputy Minister, Operations
Environment and Natural Resources

Mr. Troy Ellsworth
Superintendent South Slave Region
Environment and Natural Resources

Mr. Bruno Croft
Superintendent, North Slave Region
Environment and Natural Resources

Mr. Rob Gau
Manager, Biodiversity Conservation
Environment and Natural Resources

Ms. Lee Ann Malley
A/Manager, Environmental Assessment and Monitoring
Environment and Natural Resources



Establishment of Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

Contact: Karin Clark, A/Director, Wildlife and Fish Division, Department of Environment and Natural Resources, Government of the Northwest Territories, karin_clark@gov.nt.ca.

Purpose of the Preliminary Screening

The *Mackenzie Valley Resource Management Act* (MVRMA) establishes an integrated system of land and water management that includes land use planning, environmental impact assessment (EIA) and review, and the regulation of land and water use through associated institutions of public government.

Section 124(2) of the MVRMA requires the Government of the Northwest Territories (GNWT) to conduct a preliminary screening of any development that it proposes to undertake, that is not otherwise subject to permitting or licensing by the land and water boards. “Development” is defined in Section 111(1) of the MVRMA and includes “the establishment of a park under territorial law”. This means the GNWT is responsible for carrying out a preliminary screening for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA) under the *Wildlife Act*.

The purpose of the preliminary screening is to determine whether there might be any significant impacts on the environment or significant public concerns with the establishment of the TDNWCA. If the GNWT determines that significant adverse impacts are likely or that significant public concerns exist, it is required to refer the matter to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment. In determining significant adverse impacts, the GNWT will consider the significance of a development’s potential adverse effects (e.g. their magnitude, duration, geographic extent and likelihood). Throughout the preliminary screening, the development is examined as a whole, not solely from a regulatory perspective. The GNWT will consider evidence concerning any likely adverse cultural, socio-economic and cumulative impacts over time.

Description of Proposal

Structure of Thaidene Nënë Wildlife Conservation Area and Enabling Legislation

While discussions with the Yellowknives Dene First Nation are ongoing, the GNWT has also collaborated with the Łutsel K’e Dene First Nation (LKDFN), Northwest Territory Métis Nation (NWTMN) and Deninu K’ue First Nation (DKFN) and signed formal establishment agreements with each group for the creation of the Thaidene Nënë Territorial Protected Area, the NWT’s first territorial protected area created through regulations under the *Protected Areas Act*. This collaboration also included a GNWT commitment in the LKDFN establishment agreement for creation of the TDNWCA under the *Wildlife Act*.

Efforts to establish the TDNWCA are being done with the full recognition and support of the signatories to the completed establishment agreements (LKDFN, NWTMN, and DKFN).

The *Wildlife Act* provides for the creation of wildlife conservation areas in regulation for the purpose of conservation and management of wildlife and wildlife habitat in the NWT.

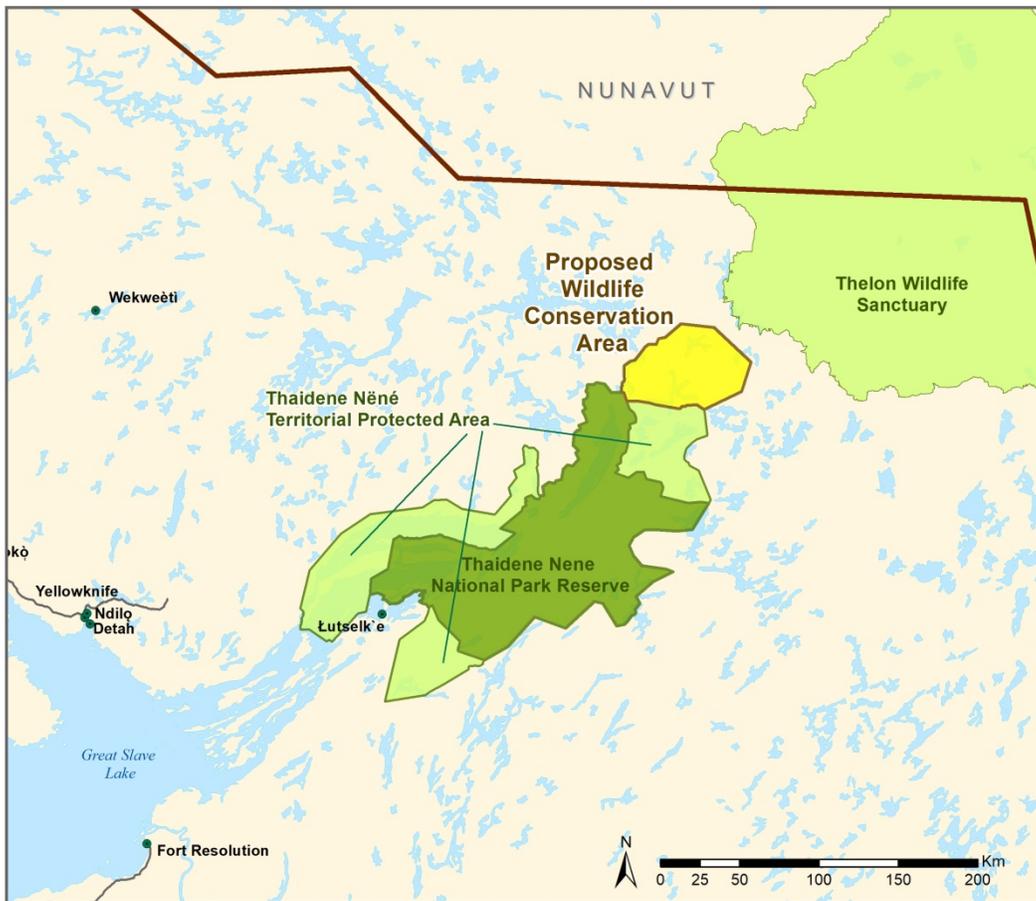


Location and Map

The greater Thaidene Nënë area is a celebrated cultural landscape with rich wildlife populations and unique geography located between the east end of Great Slave Lake and the Thelon Wildlife Sanctuary in the NWT. Map 1, below, shows the proposed TDNWCA within the yellow polygon, while Map 2 (next page) shows grid reference lines at a smaller scale to help the reader better understand the precise location of TDNWCA. Geographic Information System (GIS) spatial shapefiles are available upon request. Appendix 1 provides the precise spatial metes and bounds descriptors for the proposed TDNWCA.

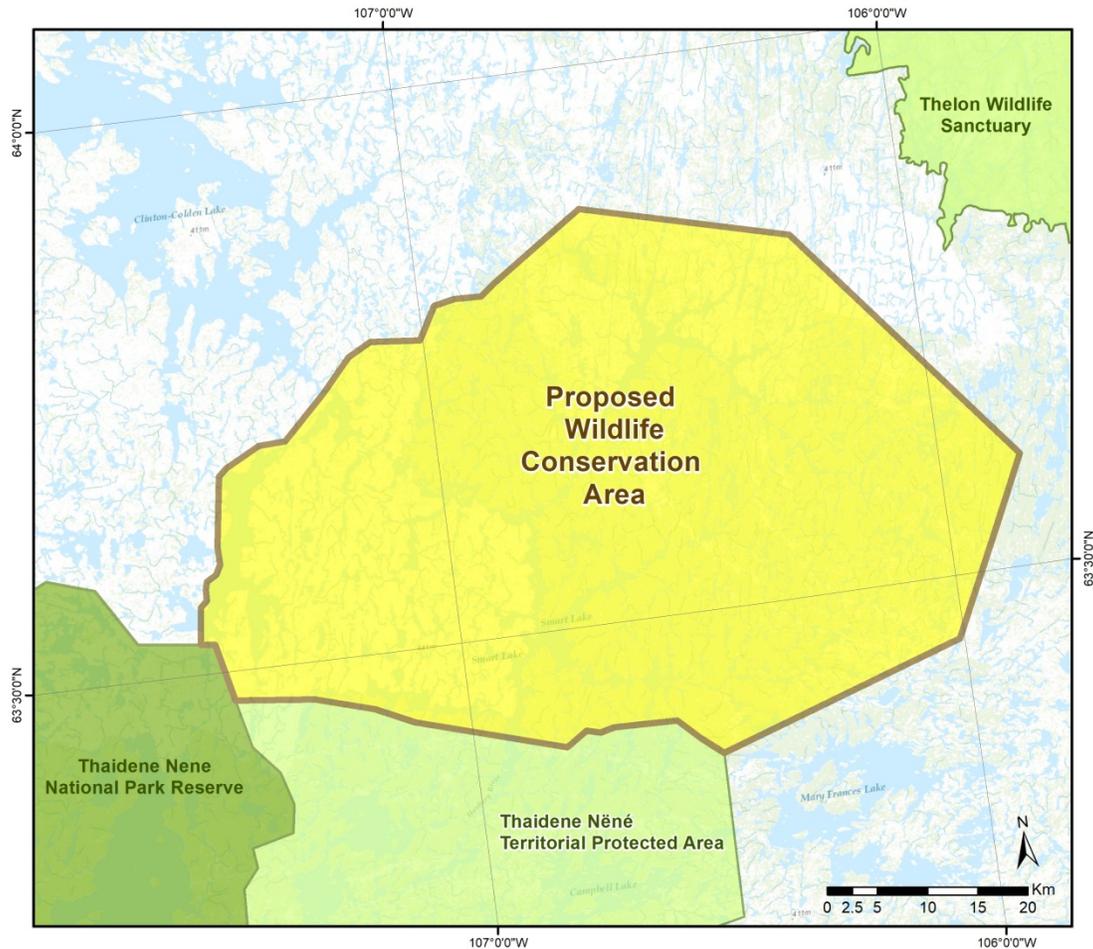
The TDNWCA area totals about 3,120 km².

Map 1





Map 2



Cultural, Ecological and Socio-economic Values

The TDNWCA area spans a transition zone from boreal forest to tundra. It is important habitat for large and small mammals, fish, as well as providing key waterfowl staging areas and critical nesting areas for birds of prey.

The recreational benefits and ecological goods and services of value to the residents of the NWT and others will continue in this area. Many local residents and visitors already use the proposed TDNWCA for a variety of activities, including hunting game, fishing and sightseeing. Local residents and visitors will continue to be able to enjoy these activities once the TDNWCA established under the *Wildlife Act*.

The proposed TDNWCA has a pre-existing surface and sub-surface land withdrawal through the *Land Withdrawal Order (Thaidene Nene (East Arm of Great Slave Lake) Proposed Conservation Area)* under the *Northwest Territories Land Act*, which has no expiry.

Governance Structure

There is no proposed or established management structure for the TDNWCA. Any decision or wildlife/habitat management actions with respect to the TDNWCA will be made using the best available



information, including Indigenous knowledge and values, local and community knowledge, and scientific knowledge after full consultation and collaboration with all Indigenous governments with rights in the area.

Visitor Access

Visitation to remote northern areas such as the TDNWCA is generally low compared to southern areas closer to communities or areas with road access.

Prohibited and Allowable Activities

With the land withdrawal order in place, mining and oil and gas developments, including exploration, are prohibited, as are non-renewable and/or large scale energy developments. Specific details are provided in the Order itself here: www.justice.gov.nt.ca/en/files/legislation/northwest-territories-lands/northwest-territories-lands.r34.pdf. Additionally, there are no known historical mineral claims, mining leases, or significant petroleum discoveries.

No new wildlife harvesting restrictions will be put in place and all existing restrictions in-place for conservation, public health, and public safety under the *Wildlife Act* and its regulations will continue in the TDNWCA. A person who has an Aboriginal or treaty right to harvest game within the TDNWCA will continue to be able to exercise that right without a licence, provided they can show identification evidencing that right as per sections 17, 18, and 19 of the *Wildlife Act*. Similarly, there will be no changes for licenced harvesters within the TDNWCA.

In addition to hunting, activities currently enjoyed as part of the northern lifestyle will be able to continue within the TDNWCA, including:

- sport fishing
- berry picking and gathering other non-timber forest products
- artisanal uses of biotic and abiotic resources
- cultural learning activities
- wildlife viewing
- hiking
- camping
- snowmobiling
- dogsledding
- snowshoeing
- building campfires
- geocaching
- canoeing
- kayaking
- transport and use of firearms for authorized purposes
- aircraft operations



Project Effects

The creation of the TDNWCA will have no adverse impact to any of valued ecosystem components in the area. This includes no changes to the current state of groundwater, surface water, land, non-renewable resources, air, climate, vegetation, wildlife, fish, or wildlife/fish habitat. Nor will there be any changes to the social and economic, cultural and heritage values within the TDNWCA. Furthermore, the current prohibition on development and/or large scale energy projects is not a result of the establishment of the TDNWCA. These restrictions are related to the land withdrawal which has no set expiry.

The approach of using a land withdrawal is the same as is used for the Thelon Wildlife Sanctuary. The withdrawal will be held until protection mechanisms can be put in place under the new *Mineral Resources Act*, or there is an approved land use plan for the area. No concerns with this approach are anticipated.

Corridors

There are no planned infrastructure developments related to transportation or transmission corridors through the TDNWCA.

Infrastructure

There are no infrastructure needs for the creation of the TDNWCA.

Timeline

As per the GNWT commitment to create the TDNWCA, as per the Thaidene Nënë Establishment Agreement with LKDFN, the area must be created within 18 months of the establishment of the protected area. The Thaidene Nënë Territorial Protected Area was established August 23, 2019. The TDNWCA will need to be created by February 23, 2021.

The TDNWCA will be held in regulations under the *Wildlife Act* until there is an approved land use plan for the area, or other legislation can provide protection.

Public Engagement

Between 2015 and 2019, discussions and consultation between the GNWT and Indigenous governments and organizations refined the boundaries of the Thaidene Nënë Territorial Protected Area and Thaidene Nene National Park Reserve. This time period also identified adjacent lands for the creation of the TDNWCA. This was done to address all related conservation and cultural interests in the area at the same time.

Through 2015 to 2017, stakeholder engagements were primarily focused on the negotiations of establishment agreements and a land transfer agreement for the creation of the National Park Reserve and its associated areas under the, at the time pending, territorial *Protected Areas Act*.

In concurrent meetings between 2015 and 2019, with LKDFN and Parks Canada, as well as other meetings with NWTMN, North Slave Métis Alliance (NSMA), Tłı̨chǫ Government (TG), Yellowknives Dene



First Nation (YKDFN), and the Deninu Kue First Nation (DKFN) the creation of the TDNWCA was discussed and no concerns were raised.

Formal GNWT section 35 consultation was held from July to early August 2019. The TG, LKDFN, DKFN, NWTMN, YKDFN, NSMA, Dehcho First Nation, West Point First Nation, and Kát'odeeche First Nation were consulted on the establishment of the National Park Reserve and the Territorial Protected Area, and the TDNWCA was also identified in all of the consultation letters.

As of November 6, 2019, the LKDFN formally requested that the GNWT accomplish all the processes required for the TDNWCA designation as expeditiously as possible. All groups are being invited to participate in review processes for the establishment of the TDNWCA through this preliminary screening.

Appendix 1 – Precise geographic location description

The conservation area under the *Wildlife Act* mirrors the description of legal metes and bounds descriptors in the *Land Withdrawal Order (Thaidene Nënë (East Arm of Great Slave Lake) Proposed Conservation Area)*:

In the Northwest Territories;

In the vicinity of the East Arm of Great Slave Lake;

All that parcel of land and land covered by water, being more particularly described as follows, all geographic coordinates being 1983 North American Datum, Canadian Spatial Reference System, and any references to straight lines meaning points joined directly on a 1983 North American Datum, Canadian Spatial Reference System, Universal Transverse Mercator projection plane surface:

Commencing at a point at latitude 63°28'28" North and longitude 107°27'50" West;

Thence northwesterly in a straight line to a point at latitude 63°31'34" North and longitude 107°29'28" West;

Thence westerly in a straight line to a point at latitude 63°31'40" North and longitude 107°31'12" West;

Thence northerly in a straight line to a point at latitude 63°33'38" North and longitude 107°30'39" West;

Thence northeasterly in a straight line to a point at latitude 63°33'58" North and longitude 107°29'51" West;

Thence northerly in a straight line to a point at latitude 63°34'34" North and longitude 107°29'50" West;

Thence northeasterly in a straight line to a point at latitude 63°34'58" North and longitude 107°29'33" West;

Thence northeasterly in a straight line to a point at latitude 63°35'18" North and longitude 107°28'20" West;

Thence northeasterly in a straight line to a point at latitude 63°35'49" North and longitude 107°27'44" West;



Thence northerly in a straight line to a point at latitude 63°36'45" North and longitude 107°27'47" West;

Thence northerly in a straight line to a point at latitude 63°40'30" North and longitude 107°26'36" West;

Thence northeasterly in a straight line to a point at latitude 63°40'54" North and longitude 107°25'38" West;

Thence northeasterly in a straight line to a point at latitude 63°41'53" North and longitude 107°21'22" West;

Thence easterly in a straight line to a point at latitude 63°41'57" North and longitude 107°18'06" West;

Thence northeasterly in a straight line to a point at latitude 63°44'17" North and longitude 107°12'47" West;

Thence northeasterly in a straight line to a point at latitude 63°46'01" North and longitude 107°09'13" West;

Thence northeasterly in a straight line to a point at latitude 63°46'42" North and longitude 107°06'22" West;

Thence easterly in a straight line to a point at latitude 63°46'26" North and longitude 107°00'22" West;

Thence northeasterly in a straight line to a point at latitude 63°48'11" North and longitude 106°58'06" West;

Thence easterly in a straight line to a point at latitude 63°48'24" North and longitude 106°55'35" West;

Thence easterly in a straight line to a point at latitude 63°48'22" North and longitude 106°52'16" West;

Thence northeasterly in a straight line to a point at latitude 63°48'55" North and longitude 106°50'41" West;

Thence northeasterly in a straight line to a point at latitude 63°52'20" North and longitude 106°39'07" West;

Thence easterly in a straight line to a point at latitude 63°49'25" North and longitude 106°14'06" West;

Thence southeasterly in a straight line to a point at latitude 63°36'02" North and longitude 105°50'12" West;

Thence southwesterly in a straight line to a point at latitude 63°26'39" North and longitude 106°00'36" West;

Thence southwesterly in a straight line to a point at latitude 63°22'19" North and longitude 106°30'29" West;

Thence northwesterly in a straight line to a point at latitude 63°23'16" North and longitude 106°33'00" West;

Thence northwesterly in a straight line to a point at latitude 63°24'23" North and longitude 106°35'31" West;

Thence westerly in a straight line to a point at latitude 63°24'28" North and longitude 106°43'08" West;



Thence southwesterly in a straight line to a point at latitude 63°24'18" North and longitude 106°44'51" West;

Thence westerly in a straight line to a point at latitude 63°24'30" North and longitude 106°46'29" West;

Thence southwesterly in a straight line to a point at latitude 63°23'45" North and longitude 106°49'02" West;

Thence northwesterly in a straight line to a point at latitude 63°26'07" North and longitude 107°06'43" West;

Thence northwesterly in a straight line to a point at latitude 63°27'05" North and longitude 107°11'21" West;

Thence northwesterly in a straight line to a point at latitude 63°28'01" North and longitude 107°18'21" West;

Thence westerly in a straight line to the point of commencement.

Attachment 3: Preliminary screening notification. Attachment 2 was provided to distribution list for review with notification letter.



SEP 03 2020

DISTRIBUTION LIST

Preliminary Screening Notification – Establishment of the Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

Please be advised that the Department of Environment and Natural Resources (ENR) is undertaking a preliminary screening for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA). The Wildlife and Fish Division (project proponent) of ENR is a designated authority for establishment and management of conservation areas for the purpose of managing wildlife and wildlife habitat in the Northwest Territories.

In the enclosed package you will find the proponent's notice to undertake development of the TDNWCA, and a report describing the proposed conservation area. The report includes: A summary of the purpose of the screening; structure of the TDNWCA; explanation of enabling legislation; geographic information; cultural, ecological and socioeconomic values; governance structure; visitor access; prohibited and allowable activities; proposed activities; project effects; corridors and infrastructure; timelines; and public engagement. To find the review package online, please visit www.enr.gov.nt.ca.

ENR is requesting reviewers consider the enclosed information and provide feedback by **October 1, 2020**. Based on your local knowledge, interests in, and/or use of the area, please advise as to whether the proposed conservation area might be cause for public concern or significant adverse impacts on the environment.

The Environmental Assessment and Monitoring (EAM) unit of ENR will oversee the preliminary screening process. EAM requests that comment input is provided by using the Excel template provided. All comment submissions or questions about the review process may be sent to Ms. Lee Ann Malley, A/Manager of Environmental Assessment and Monitoring at LeeAnn_Malley@gov.nt.ca or 867-767-9237, extension 53095.

Should reviewers have technical questions about this proposal, you are encouraged to contact the proponent by speaking to Mr. Rob Gau, Manager Biodiversity Conservation at rob_gau@gov.nt.ca or (867) 767-9237, extension 53213.

.../2

Sincerely,



Lee Ann Malley
A/Manager
Environment and Natural Resources

Attachment

c. Dr. Erin Kelly
Deputy Minister
Environment and Natural Resources

Mr. Nathen Richea
A/ Assistant Deputy Minister
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Attachment 4: Consolidated comments are provided in the Preliminary Screening Form. The following two attachments (Nature United, and Department of Lands, Project Assessment Division) are included for the record.

September 30, 2020

Lee Ann Malley
A/Manager, Environmental Assessment & Monitoring Unit
Environment and Natural Resources (ENR)
Government of the Northwest Territories (GNWT)
5th floor, Scotia Centre
5102 50th Avenue
Yellowknife, NT X1A 2L9
LeeAnn_Malley@gov.nt.ca

RE: Nature United Support of the Thaidene Nënë Wildlife Conservation Area,
Preliminary Screening Notification – Establishment of the Thaidene Nënë Wildlife
Conservation Area under the Wildlife Act

Dear Ms. Malley:

This is a letter to confirm Nature United's support for the establishment of Thaidene Nënë Wildlife Conservation Area under the Wildlife Act. Nature United supports your conclusion that there are no "adverse impacts" over time by the creation of the Thaidene Nënë Wildlife Conservation Area (TDNWCA).

In the Thaidene Nënë establishment agreement signed last August, the Łutsël K'é Dene First Nation and the GNWT committed to establishing the Northwest Territory's first Protected Area, Thaidene Nënë, and also committed to creation of the Thaidene Nënë Wildlife Conservation Area by February 21, 2021. The Thaidene Nënë NWT Protected Area was created last year and your proposed Wildlife Area designation will complete the vision of protection agreed to in the establishment agreement.

We anticipate that the Wildlife Act regulations designating the TDNWCA will specify the protections that the preliminary Screening Project Description Document described, including prohibitions on development, mining, oil and gas exploration, and large scale energy projects. In addition, we understand that the protections for TDNWCA under the Wildlife Act regulations will meet the commitments made in the Łutsël K'é Dene First Nation establishment agreement for protection of the proposed conservation area. These protections are currently reflected in the Thaidene Nënë NWT Protected Areas.

We understand that additional legislation and land use plans may supplement the protections under the Wildlife Act conservation area regulations and that the Land Withdrawal will remain in place until these supplemental protections are in place.

Thaidene Nënë is a community driven, and indigenous-led initiative. Over the past 10 years, Nature United has supported the Łutsël K'é Dene First Nation in the work they undertook to build their conservation vision, including long term financial Thaidene Nënë management solutions. Their vision protects biodiversity and diversifies options for future generations' sustainable economic development pathways, while continuing and flourishing their Dene Way of Life.

Nature United looks forward to the GNWT's next steps in the establishment of Thaidene Nënë Wildlife Conservation Area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hadley Archer', with a stylized flourish at the end.

Hadley Archer
Executive Director, Nature United



Wording comments from Securities and Project Assessment division

Establishment of Thaidene Nënë Wildlife Conservation Area under the *Wildlife Act*

Contact: Karin Clark, A/Director, Wildlife and Fish Division, Department of Environment and Natural Resources, Government of the Northwest Territories, karin_clark@gov.nt.ca.

Purpose of the Preliminary Screening

The *Mackenzie Valley Resource Management Act* (MVRMA) establishes an integrated system of land and water management that includes land use planning, environmental impact assessment (EIA) and review, and the regulation of land and water use through associated institutions of public government.

Section 124(2) of the MVRMA requires the Government of the Northwest Territories (GNWT) to conduct a preliminary screening of any development that it proposes to undertake, that is not otherwise subject to permitting or licensing by the land and water boards or other regulatory authorities. “Development” is defined in Section 111(1) of the MVRMA and includes “the establishment of a park under territorial law”. This means the GNWT is responsible for carrying out a preliminary screening for the proposed establishment of the Thaidene Nënë Wildlife Conservation Area (TDNWCA) under the *Wildlife Act*.

The purpose of the preliminary screening is to determine whether the establishment of the TDNWCA might have a significant adverse impact on the environment or might be a cause of public concern, and whether further review under the MVRMA is warranted. If the GNWT determines that the establishment of the TDNWCA might have a significant adverse impact on the environment or might be a cause of public concern, it is required to refer the matter to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment. In determining whether the establishment of the TDNWCA might have a significant adverse impact on the environment, the GNWT will consider factors such as likelihood, magnitude, duration, and geographic extent. Throughout the preliminary screening, the GNWT will examine the development as a whole, rather than strictly from a land and water regulation perspective, and will consider evidence concerning possible adverse cultural, socio-economic and cumulative impacts over time.



Attachment 5:
Firewall email to
ENR staff

From: [LeeAnn Malley](#)
To: [Erin Kelly](#); [Brett Elkin](#); [Nathen Richea](#); [Karin Clark](#); [Rob Gau](#); [Julian Kanigan](#); [Joanna Wilson](#); [Michele Grabke](#); [Patricia Lacroix](#); [Bonnie Fournier](#); [Cyprian Ngolah](#); [Robin Abernethy](#)
Cc: [Michelle Swallow](#); [DST ENR Conservation Planning](#); [James Hodson](#); [Laurie McGregor](#); [Heather Sayvine-Crawford](#); [Patrick Clancy](#); [Fritz Griffith](#)
Subject: Preliminary Screening Firewall – Thaidene Nënë Wildlife Conservation Area
Date: October 6, 2020 11:35:00 AM
Attachments: [PS Flowchart WCA TDN - final.docx](#)

Dear Colleagues,

The review period for the Preliminary Screening for Thaidene Nënë Wildlife Conservation Area (TDNWAC) closed on October 1, 2020. Following receipt of comments, staff in Environmental Assessment & Monitoring (EAM) unit will undertake drafting reasons for decision, as per the approved process (attached). EAM will prepare the screening decision and brief PASMCC as an agenda item.

During decision phase for the TDNWCA, a firewall between EAM and the proponent, Wildlife and Fish Division, will be in effect. Preliminary screening staff will be firewalled, but able to request departmental expertise when necessary. If conversations about the project (not about the decision) need to happen between the proponent and EAM (or senior managers with a role in the decision process), a record of conversation is posted to the registry. Records of these conversations will be high level for the registry, but more detailed notes can be kept internally. The firewall is in place until the decision letter has been provided to MVEIRB.

Following previous firewall practices at GNWT, please use the below disclaimer on your emails if you are writing emails regarding the TDNWCA:

Disclaimer: Please do not share or distribute the information contained in this email beyond this distribution list and your senior management. ENR is both a decision-maker and the proponent for the Thaidene Nënë Wildlife Conservation Area project. The Environmental Assessment & Monitoring (EAM) unit is leading the decision phase. It is important that any information which could compromise the decision-making process and put the ENR at risk of bias, is prevented.

Please forward this email as needed to additional staff if necessary. I've cc'd other key staff who may have overlap with this project file for their general awareness. If you have any questions about the practice of a firewall during a preliminary screening decision, please contact me at any time.

Thank you,

Lee Ann Malley
A/Manager, Environmental Assessment & Monitoring unit
Environmental Stewardship and Climate Change

Environment and Natural Resources
Government of the Northwest Territories

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