



Western Arctic Field Unit
Parks Canada Agency
P.O. Box 1840, Inuvik, NT X0E 0T0

August 26, 2022

Re: Notification of Commencement of Preliminary Screening for the Sahtu Addition of Tuktut Nogait National Park of Canada, Comments due September 16, 2022

To Distribution List:

In accordance with the *Mackenzie Valley Resource Management Act*, Parks Canada will be conducting a preliminary screening for the Sahtu Addition to Tuktut Nogait National Park of Canada. **A preliminary screening is required because section 124(2) of the *Mackenzie Valley Resource Management Act* requires developments being proposed by federal agencies to be reviewed through a preliminary screening.** The term development includes measures taken for the establishment of a Park subject to the *Canada National Parks Act*. The attached document describes the proposal for the expansion of Tuktut Nogait into the Sahtu Settlement Area. If you have any comments on this proposal, please submit them by e-mail to ia-ei@pc.gc.ca, by **September 16, 2022**.

Sincerely,

Parks Canada Impact Assessment Team, on behalf of the Western Arctic Field Unit
Email: ia-ei@pc.gc.ca

Development Description for Preliminary Screening

Development Title:

Completion of the Sahtú Addition to Tuktut Nogait National Park of Canada in the Sahtú Dene and Metis Settlement Area

Proponent:

Parks Canada Agency / Government of Canada

Email: ia-ei@pc.gc.ca

Purpose of this document

Additional steps are required to bring the Addition under the *Canada National Parks Act* and thereby to complete the formal establishment of the Sahtú Addition to Tuktut Nogait National Park of Canada, in the Sahtú Dene and Metis Settlement Area.

A preliminary screening is required by the *Mackenzie Valley Resource Management Act* (MVRMA). The establishment or expansion of a national park in the Northwest Territories is defined as a development and as such requires a preliminary screening under Sections 124(2) and 125(1) of the MVRMA, to determine whether the development might have a significant adverse impact on the environment, or might be a cause of public concern.

This document has been prepared to comply with the requirements of the preliminary screening (development description) under the MVRMA. This document describes the establishment process, outcomes, impacts and mitigations for the completion of the Sahtú Addition to Tuktut Nogait National of Canada. The expansion of Tuktut Nogait into the Sahtú Dene and Metis Settlement Area increased the size of the park by 1,841 km², thereby protecting the headwaters of the Hornaday River and significant habitat for the Bluenose Caribou herd (Figure 1).

Background – Establishment of Tuktut Nogait National Park

Tuktut Nogait National Park of Canada (hereafter Tuktut Nogait) is located in the north east corner of the Northwest Territories and represents the Tundra Hills Natural Region, one of thirty-nine natural regions identified in Parks Canada's National Parks System Plan.

A major impetus for the establishment of Tuktut Nogait and subsequent expansion into the Sahtú was the conservation plan developed by the Inuvialuit of the community of Paulatuk in 1990. The community concluded that the best means of protecting the calving and post calving stages and habitat of the Bluenose caribou herd was the creation of a national park in the calving grounds east of the community. As the concept was further defined, it became clear that the vision of such a national park would touch on three land claim settlement areas - Inuvialuit Settlement Region, Sahtú Settlement Area, and Nunavut Settlement Area. Consequently, three separate agreements would be required to achieve the broader conservation vision for Tuktut Nogait. Although Parks Canada continues to recognize the broader vision for representing the

Tundra Hills natural region, there is no plan to further this initiative into the Nunavut region at this time.

The Paulatuk Bluenose national park proposal dovetailed with Parks Canada's objective for representation of the Tundra Hills Natural Region and was a catalyst for the negotiation of the 1996 Tuktut Nogait Agreement with the Inuvialuit and subsequent establishment of Tuktut Nogait. The national park, within the Inuvialuit Settlement Region, was proclaimed under the *Canada National Parks Act* in 1998, adding 16,340 km² to the national park system.

Establishment Process for the Sahtú Addition

Signed by the Sahtú Dene and Metis, the Government of Canada and the Government of the Northwest Territories, provisions in the Sahtú Dene and Metis Comprehensive Land Claim Agreement supported protection of the Bluenose caribou and identified the possibility of establishing a National Park in the Hornaday River watershed. In 2000, the Sahtú Secretariat Incorporated, on behalf of the Déljñę Land Corporation, requested that the federal government begin negotiations for the establishment of the Sahtú portion of Tuktut Nogait as identified in the Sahtú Dene and Metis Comprehensive Land Claim Agreement. The negotiations resulted in the signing of the Impact and Benefit Plan (IBP) between the federal Minister of the Environment and the Déljñę Land Corporation (now the Déljñę Got'jñę Government) in 2005, adding the Sahtú component to the management of Tuktut Nogait National Park. The Sahtú Addition is within the Déljñę district of the Sahtú Settlement Area.

Land withdrawal

As part of the establishment or expansion process for a national park, in order to conserve the land's pristine nature, the federal government withdraws the proposed lands through an Order in Council (OIC) under the *Territorial Lands Act* which prevents the disposition of the lands for resource extraction of any other purposes. Land for the Sahtú expansion of Tuktut Nogait was first withdrawn in 1995. The Sahtú Addition OIC withdrawal identified 1,841 km² including surface and subsurface rights. The withdrawals were renewed until 2015. With the approval of the Sahtú Land Use Plan in August 2013, the Sahtú Addition to Tuktut Nogait National Park was recognized as a "Proposed Conservation Initiative" (PCI). This designation is protected through the *Territorial Lands Act* as if the lands were withdrawn by OIC. Thus, when the renewal expired in 2015, no further OIC land withdrawals were required to protect the Addition from disposition. Under both the OIC land withdrawal and PCI designations, the Sahtú Dene and Metis continue to exercise their harvesting rights.

Future steps

In 2005, the signing of the Impact Benefit Plan (IBP) by the Government of Canada and the Déljñę Land Corporation added the Sahtú component to Tuktut Nogait National Park. The next step is to add the Sahtú Addition to Tuktut Nogait National Park to Schedule 1 of the *Canada National Parks Act*, either through an OIC process or through an Act of Parliament.

Consultation

Consultation Sahtú Dene and Metis beneficiaries began during the negotiation of the Inuvialuit Final Agreement. During negotiations for the expansion of Tukturn Nogait, consultation was carried out with the Sahtú Dene and Metis beginning in 2001, which included consultation with the Déljñę Land Corporation on behalf of the Sahtú Dene and Metis, meeting with elders and door to door interviews with community members from Paulatuk, Déljñę, Colville Lake, and direct communications with the Déljñę Dene Band, Colville Lake Land Corporation, Sahtú Secretariat Inc. and the Ayonl Keh Land Corporation. A regular newsletter was used to update community members on negotiations and door to door surveys were conducted, as well as Elders meetings. Consultation with community members demonstrated a high level of support for the Park expansion in the Sahtú region. Other interested parties such as regional environmental groups, the mining industry and media were also provided information. General audiences were kept informed through newsletters distributed in hard copy and on the internet. In 2005, a public announcement of the IBP was made and a public signing ceremony was held in Déljñę where all signatories, including the Honourable Stéphane Dion, Minister of the Environment and Minister Responsible for the Parks Canada Agency^a, were in attendance.

In 2022, the process of adding the park to Schedule 1 of the *Canada National Parks Act* was resumed. As part of the Preliminary Screening process, this Development Description will be distributed to stakeholders, and posted to the preliminary screening section of the Mackenzie Valley Review Board's public registry for a public review period.

Supporting research

Prior to the establishment of the national park as part of the Inuvialuit Final Agreement, the Government of Canada completed a Mineral and Energy Resource Assessment (MERA). The MERA for Tukturn Nogait to assess mineral and energy resource potential for the Brock Inlier – Bluenose Lake area of the Northwest Territories was completed in April 1992 (Jones et al 1992, Open File 2434) and revised in 1994 (Jefferson et al 1994, Open File 2789). The Senior MERA Committee, comprised of assistant deputy ministers from federal government departments and the government of the Northwest Territories concluded that there was no significant potential for economic mineral or hydrocarbon resources within the proposed national park including the area for expansion. The MERA included consultation with the public, industry and other interested parties. An examination of third party interests such as mining or land leaseholders was also completed, which concluded that there are no prospecting or mineral claims, permits or leases in the Sahtú Addition.

^a Other signatories and their titles at the time include: Raymond Taniton, President of the Déljñę Land Corporation and witnesses, the Honourable Ethel Blondin-Andrew, Minister of State, Northern Development and Walter Bayha Chief, Déljñę First Nation.

Description of proposal

This proposal will lead to the development and tabling of legislation recommending to Parliament, the Sahtú Addition of Tuktut Nogait be brought under the *Canada National Parks Act*, completing the process for the expansion of the park into the Sahtú Dene and Metis Settlement Area.

The Impact and Benefit Plan outlines the purposes of the Sahtú Addition as follows:

- (a) *To preserve and protect for future generations part of a representative natural area of national significance, including the wildlife resources of such areas, known as the Tundra Hills natural region, and to encourage public understanding, appreciation and enjoyment of this area, while providing for the rights of the Participants under the Sahtú Final Agreement to use such areas for the harvesting of wildlife and plants;*
- (b) *To protect the Bluenose caribou herd and its calving and post-calving habitat;*
- (c) *To enhance co-operation between the Participants and the Government of Canada in planning, operating and managing the Addition;*
- (d) *To enhance and support local employment and businesses, and to strengthen the local and regional economies, while making provision for harvesting by Participants within the Addition;*
- (e) *To encourage greater understanding of and respect for Sahtú Heritage Resources, and the natural environment in which they have evolved;*
- (f) *To provide a setting in which long-term ecological and Sahtú Heritage Resources research may be undertaken; and*
- (g) *To maintain the ecological integrity of the Addition, and thereby contribute to the maintenance of the ecological integrity of the Park.*

Description of the Natural Area

The Sahtú component of Tuktut Nogait is an important ecological area which includes the headwaters of the Hornaday River, and Bluenose calving and post calving habitat. The area also provides habitat for breeding and nesting birds such as peregrine falcon, rough legged hawks, gyrfalcons and golden eagles as well as migratory waterfowl such as snow geese, and tundra swans. Wildlife species include grizzly bear, wolves, and foxes. Fish such as arctic char and lake trout occur in tundra lakes and rivers.

The climate is described as low Arctic eco-climate typified by long cold winters and short cool summers with little precipitation. Water systems drain north into the Amundsen Gulf. The landscape is described as vast expanses of tundra, broadly rolling uplands and lowlands with deep and narrow canyons. The park is located within the permanent permafrost zone. Glacial remnants such as eskers and ground moraines, and bedrock outcrops are found in this area. The short growing season and cold climate favours vegetation which is short and hardy such as dwarf birch, blueberry plants, Labrador tea, lichen and wildflowers.

Description of Cultural Resources

Cultural resources on the landscape include tent rings, caches, marker rocks, drive lanes, rock platforms and other unidentified rock features (Dueck 2009). Human habitation is thought to have persisted since 1000 AD. The oldest known sites in the park have been associated with Thule or Copper Inuit. The Sahtú Land Use Planning Board has mapped an extensive network of travel routes used by the Sahtú Dene and Metis to travel to hunting areas and cultural sites in the Sahtú Addition.

Potential outcomes of expansion and effects assessment

The Addition to Tuktut Nogait National Park of Canada is managed as if it were under the *Canada National Parks Act* (CNPA), and in accordance with the Impact Benefit Plan (IBP). Outcomes of the Addition to Tuktut Nogait National Park of Canada include:

- 1) Natural and cultural resource protection;
- 2) Facilities;
- 3) Visitor access;
- 4) Visitor activities; and
- 5) Parks Canada expenditures.

The Addition also provides for an active role in management of the national park for the Sahtú Dene and Metis in cooperation with the neighbouring Inuvialuit. The Government of the Northwest Territories also appoints a member to the Tuktut Nogait Management Board in addition to appointees from Parks Canada and the Inuvialuit community. The Management Board advises on all aspects of park planning, operations and management. The co-operative framework of the board supports an inclusive, consensus-based approach to decision making. Tuktut Nogait is one of Canada's first co-operatively managed national parks.

1. Natural and cultural resource protection

The CNPA protects natural and cultural resources and provides tools to support ecological and cultural resource management while providing visitor experiences. Parks Canada commits to the co-development of approaches to enable Indigenous peoples to fulfill their roles as traditional stewards of lands and waters within heritage places, maintaining the reciprocal relationships that have existed for millennia.^b

The expansion of Tuktut Nogait increases the protected portion of the Tundra Hills Natural Area, reduces the potential for landscape fragmentation, maintains important wildlife travel corridors and allows large scale natural processes to occur. The protection of the Hornaday River headwaters will maintain water quality, contributing to overall ecosystem health. The Sahtú component of Tuktut Nogait is important habitat for breeding and nesting birds such as peregrine falcon (Species at Risk), rough legged hawks, gyrfalcons and golden eagles which nest in the cliffs as well as migratory waterfowl such as snow geese, and tundra swans. Bluenose caribou

^b *Mapping Change: Fostering a Culture of Reconciliation within Parks Canada*

utilize the north of the park for calving and the entire park for post-calving and rearing of their young. The Sahtú component of Tuktut Nogait has been found to have higher percentage of high quality forage for caribou compared to other areas of the park. The maintenance of ecological integrity is a core objective for Parks Canada. To achieve this goal, Parks Canada monitors ecosystem parameters such as water quality, wildlife populations and vegetation.

Cultural resources will be managed in a manner consistent with the CNPA and the Parks Canada Cultural Resource Management Policy, which ensures a high level of protection.

Traditional use

Within Tuktut Nogait National Park the beneficiaries of the Sahtú Dene and Metis Comprehensive Land Claim Agreement continue to exercise their rights. The IBP recognizes the continued subsistence harvesting of wildlife and the gathering of plants for food, medicine and cultural purposes by beneficiaries. Traditional activities carried out by beneficiaries will be managed cooperatively to minimize the possibility of conflict between visitors and traditional users.

Hunting

Non-beneficiary hunting is prohibited under the CNPA, and Sahtú Dene and Metis beneficiaries retain the right to subsistence hunt within the boundaries of the park including the Sahtú expansion. Impacts to wildlife populations outside of Tuktut Nogait National Park will continue to be monitored and managed by the Government of the Northwest Territories. Economic losses related to non-beneficiary hunting are minimal as sport hunting is rare in this area. The protection of important calving and post-calving habitat within Tuktut Nogait National park for Bluenose caribou will contribute to the long-term maintenance of the population.

Mineral, oil and gas exploration and development

The CNPA prohibits future mineral or hydrocarbon exploration and development within Tuktut Nogait National Park. There are no prospecting or mineral claims, permits or leases in the Sahtú Addition. The MERA identified no significant potential for economic mineral or hydrocarbon resources within the Tuktut Nogait area, including within the Sahtú Addition boundaries. Therefore, no foreseeable impacts on mineral, oil and gas exploration and development result from completion of the Sahtú Addition.

2. Facilities

The Parks Canada Office and Visitor Centre for Tuktut Nogait are located outside the park in the Hamlet of Paulatuk, NWT, and a Parks Canada office and visitor displays for Saoyú-?ehdacho National Historic Site are located in the community of Déline, NWT.

At this time, there are no plans to develop infrastructure such as campgrounds, visitor accommodation, or cabins in the Sahtú Addition. A building and fuel cache have been installed in the northern portion of Tuktut Nogait at Uyarsivik Lake. Fuel caching is in accordance with *the Fuel Caching Protocols (Draft) for Parks Canada's Western Arctic Field Unit* (2017), which

identifies mitigations to minimize the potential for environmental impacts from leaks or spills of fuel.

3. Visitor access

Current visitation to Tuktut Nogait is low due to the remote location of the park and the high cost of access by aircraft or hiking in from Paulatuk. Recent annual visitation to Tuktut Nogait generally ranges from zero to ten people per year, but in 2022, 19 visitors travelled to the park. Canoe Lake, a landing site for floatplanes, is located inside the Sahtu Addition. This is a common point of origin for people paddling the Hornaday or hiking along its shores. It is forecasted that increased activity in the Canoe Lake area may occur, however the number of anticipated visitors is relatively low. The low volume and short duration of visitation to this area is unlikely to result in any negative environmental effects.

Aircraft access is currently limited to float planes and helicopters. Increased use of aircraft in the park, associated with visitation or park management activities could result in negative impacts to wildlife disrupted by noise. Vegetation at repeatedly used landing spots may become damaged. However, air access is likely to be infrequent and of short duration resulting in very minor impacts to wildlife and vegetation. Impacts will be minimized by implementing mitigations outlined in the *Parks Canada Draft Best Management Practice (BMP) for Aircraft Landings in the Western Arctic Field Unit (2016)*.

4. Visitor activities

Visitor activities in the Sahtú area of Tuktut Nogait include backpacking, canoeing, camping, hiking and fishing. These activities could result in short term disturbances to wildlife which may include altering grazing, breeding, rearing or movement. Increased visitation could result in more frequent human-wildlife conflicts. Localized vegetation damage could occur in frequently used areas. Cultural resources may be disturbed or dislocated.

Impacts to ecological and cultural resources associated with visitor activities are expected to be insignificant due to the very low numbers of visitors. To mitigate any potential visitor impact, Parks Canada provides messaging to visitors including wildlife viewing tips to reduce disturbances, safety messaging to prevent human-wildlife conflicts, and information in the *Western Arctic Cultural Resource Guide* which describes cultural resources and how to protect them from damage. In addition, activities lead by licensed commercial guides are to follow mitigations in the *Best Management Practice (BMP) for Guided Activities in Parks Canada's Western Arctic Field Unit (2019)*.

Benefits associated with visitor activities include expenditures of money in local communities by tourists, and employment opportunities with Parks Canada and the tourism industry.

5. Parks Canada expenditures

Economic benefits associated with national parks include direct expenditures by Parks Canada in local communities and the region. These direct expenditures support existing businesses and the

development of new businesses which service the park and tourism related activities. National parks provide stable long term employment in communities and in addition Sahtú beneficiaries are employed to participate in research and monitoring. As a result, Parks Canada employees the opportunity to learn from local knowledge holders and the beneficiaries have increased opportunities to access their traditional lands, apply their Indigenous knowledge and develop monitoring skills. The Sahtú Dene and Metis Impact and Benefit Plan (IBP) provides for direct benefits such as promotion of local guides and the right of first refusal in tourism and sports fishing guide/outfitting, employment opportunities with enhanced recruitment provisions, assistance to beneficiary businesses to qualify for contracts, preferred purchasing agreements to exercise their Aboriginal rights to gather plants for food, medicine and cultural use and carry out subsistence hunting and commercial trapping of fur bearers. Within Tuktut Nogait, projects and programs provide Indigenous partners with active roles in the stewardship of heritage places and opportunities to maximize economic benefits.

Mitigation

Potential negative effects on the natural environment from facilities, visitor activities and visitor access will be primarily mitigated through Best Management Practices as described above for specific activities, as well as through: the IBP, the park management plan, and environmental assessments as required for individual developments.

The IBP, negotiated between the Federal Government and the Délı̄nę Land Corporation^c, respects the intellectual property and the provenance of heritage resources and the continuation of Aboriginal rights. The IBP also committed that the Délı̄nę Land Corporation, now its successor, the Délı̄nę Got'ı̄nę Government, appoints one member of the Tuktut Nogait Management Board and approves the study or removal of heritage resources within the Addition.

The current *Tuktut Nogait National Parks of Canada Management Plan* was developed in 2007. In 2012, Parks Canada and the Tuktut Nogait Management Board reviewed the management plan and recommended that the plan stand for an additional five years. A new park management plan is currently being developed. It is anticipated that the Park Management Plan will continue to emphasize the protection of wilderness values. Cultural resources will also be managed in a manner that ensures a high level of protection consistent with the *CNPA* and Parks Canada's cultural resource management policy. Once completed, the park management plan 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*.

Specific developments within Tuktut Nogait may be subject to a preliminary screening under the *Mackenzie Valley Resource Management Act*. The required mitigation, surveillance and follow-up will be developed when a proposal progresses from the conceptual phase to the design and implementation phase.

^c With the completion of the final Self-Government Agreement, the Délı̄nę Land Corporation was overtaken by the Délı̄nę Got'ı̄nę Government September 1, 2016.



Figure 1: The Sahtu Addition to Tuktut Nogait National Park in the Sahtu Settlement Area is illustrated.

References

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