



Agency Report to the Mackenzie River Basin Board

Meeting #62 of the Mackenzie River Basin Board

Date: December 4-5, 2019

Location: Edmonton, Alberta



Table of Contents

1 Bilateral Water Management Agreements	3
2 Water-Related Legislation / Policy / Regulations / Planning.....	3
3 Science, Monitoring and Information	6
4 Major Projects	6
5. Events, Conferences and Seminars	8
6. Other	8



1 Bilateral Water Management Agreements

- Not applicable.

2 Water-Related Legislation / Policy / Regulations / Planning

Amendments to the Mackenzie River Resource Management Act (MVRMA):

On **June 19, 2019**, Bill C-88, *An Act to amend the Mackenzie Valley Resource Management Act and the Canada Petroleum Resources Act and to make consequential amendments to other Acts*, was passed by Parliament.

In 2014, as part of a wider initiative to modernize and streamline northern regulatory regimes, changes were made to the Mackenzie Valley Resource Management Act (MVRMA). At the time, a number of Indigenous governments and organizations in the Northwest Territories raised concerns about the planned restructuring of the Mackenzie Valley Land and Water Board. The Tłı̨ch̨ Government and Sahtu Secretariat Incorporated filed for an injunction with the Supreme Court of the Northwest Territories to suspend the related provisions, which was granted in February 2015. A consultation process was officially launched on September 23, 2016 with all relevant parties, including Indigenous governments and organizations in the Northwest Territories, the territorial government, and other stakeholders to discuss a way forward regarding the MVRMA.

Following consultations with territorial Indigenous governments and organizations and the Government of the Northwest Territories, the Government of Canada introduced a bill in the House of Commons in November 2018 to amend the MVRMA to address concerns with the 2014 amendments.

The new Act repeals provisions of the Northwest Territories Devolution Act that would have restructured the four land and water boards in the Mackenzie Valley, instead retaining the current board structure consisting of:

- Mackenzie Valley Land and Water Board;
- Gwich'in Land and Water Board;
- Sahtu Land and Water Board; and
- Wek'èezhii (Tłı̨ch̨) Land and Water Board.

The Sahtu, Gwich'in and Wek'èezhii boards will remain as panels of the Mackenzie Valley Land and Water Board. Jurisdiction for regulation of land and water in unsettled land claim areas of the Mackenzie Valley and for transboundary projects, including the issuance of land use permits and water licences, will also remain with the Mackenzie Valley Land and Water Board.



The Act also re-introduces provisions unrelated to restructuring that were included in the Northwest Territories Devolution Act but did not come into force following the court injunction. These include provisions related to cost recovery, administrative monetary penalties, and enforcement regimes for environmental impact assessment, consultation regulation-making authorities, and regional studies.

The Government of Canada is committed to work in partnership with Indigenous peoples, provincial and territorial governments, and Canadians to ensure that legislation is clear, fair and appropriate to Northerners and all Canadians.

<https://www.canada.ca/en/crown-indigenous-relations-northern-affairs/news/2019/06/bill-c-88--amendments-to-themackenzie-valley-resource-management-act-mvrma.html>

Arctic and Northern Policy Framework (ANPF):

On **September 10, 2019**, the Honourable Carolyn Bennett, Minister of Crown-Indigenous Relations launched Canada's Arctic and Northern Policy Framework.

The Framework sets out a long-term, strategic vision that will guide the Government of Canada's activities and investments in the Arctic to 2030 and beyond and will better align Canada's national and international policy objectives with the priorities of Indigenous peoples and Arctic and Northern residents.

As the first policy framework of this scope to be co-developed with Indigenous, territorial, and provincial partners, the Arctic and Northern Policy Framework demonstrates Canada's commitment to working collaboratively. Co-development encompassed a broad spectrum of engagement and collaboration and enabled partners to contribute in varying ways, reflecting their own priorities and capacities. This inclusive approach will extend to implementation.

Through the Framework, Canada is also supporting international cooperation that strengthens the rules-based international order in the Arctic and addresses the key challenges and opportunities impacting the people, economy and environment of Canada's Arctic and North.

The Framework takes an inclusive approach to the northern region and reflects the unique interests, priorities and circumstances of its people. As part of this approach, provincial, territorial and Indigenous partners were invited to develop chapters to the Framework that lay out their respective visions, aspirations and priorities.

In order to respect and support Inuit self-determination, an Inuit Nunangat chapter was developed as an Inuit-Crown Partnership Committee deliverable. This chapter will guide how Arctic and Northern Policy Framework goals and objectives are implemented in Inuit Nunangat. In addition, Territorial governments have authored chapters setting out their priorities for new investments and approaches in areas such as economic development, infrastructure, and post-secondary education. Yukon, Northwest



Territories, and Nunavut are also contributing a pan-territorial chapter that articulates their common challenges and opportunities.

The Framework and partner chapters will form the foundation for future discussions as work on the Framework enters its next phase, which focuses on co-development of implementation and governance moving towards more integrated federal-territorial-provincial and Indigenous approaches to challenges and opportunities in Canada's Arctic and North. Partner chapters will be integral to this next step towards improving the quality of life for our Arctic and Northern residents, especially for Indigenous people.

The Government of Canada will continue to build on these partnerships and investments to protect the land, support healthy communities, respect the rights and interests of Indigenous peoples, and nurture a strong, diversified, sustainable and dynamic economy in the Arctic and North.

- In December 2016, Prime Minister Trudeau committed to co-developing an Arctic Policy Framework, with Northerners, Territorial and Provincial governments, and Indigenous Peoples.
- The Framework replaces Canada's Northern Strategy (2009) and the Statement on Canada's Arctic Foreign Policy (2010).
- For the first time, the federal government worked collaboratively with Indigenous representatives, and six territorial and provincial governments to define and co-develop this long-term vision. The Framework was built with consideration of the priorities and perspectives of Arctic and Northern people.
- This collaborative work supports the Government's commitment to renewing Inuit-to-Crown, nation-to-nation and government-to-government relationships and ensuring that Northerners' needs are recognized, respected, and reflected.
- Budget 2019 proposed a number of new measures totaling more than \$700 million to support the Framework and complement existing efforts to strengthen Arctic and northern communities.
- This includes new funding to diversify post-secondary educational options in the territories, enhance infrastructure resources to connect Northern and remote communities and support clean energy production, increase economic development programming, enable critical Arctic research, and enhance Canada's global Arctic leadership.

<https://www.canada.ca/en/crown-indigenous-relations-northern-affairs/news/2019/09/the-government-of-canada-launches-co-developed-arctic-and-northern-policy-framework.html>

The Arctic & Northern Policy Framework can be found at:

<https://www.rcaanc-cirnac.gc.ca/eng/1560523306861/1560523330587>



3 Science, Monitoring and Information

See **CIRNAC's Northern Contaminated Sites Program:**

<https://www.rcaanc-cirnac.gc.ca/eng/1100100035301/1537371472183>

See **CIRNAC's Northern Contaminants Program (NCP):**

http://www.science.gc.ca/eic/site/063.nsf/eng/h_7A463DBA.html

See **CIRNAC's Climate Change in Indigenous & Northern Communities Programs** (including community-based climate monitoring):

https://www.aadnc-aandc.gc.ca/eng/1100100034249/1100100034253?utm_source=climate&utm_medium=url

- To be developed.

4 Major Projects

CIRNAC's Northern Abandoned Mine Reclamation Program:

On **August 19, 2019**, Minister Bennett announced a new Budget 2019 investment of \$49.9 million over 15 years (\$2.2 billion on a cash basis), starting in 2020–21 to create the Northern Abandoned Mine Reclamation Program. The program will exclusively address the largest and highest-risk abandoned mines in the Yukon and the Northwest Territories.

At the end of the 15-year program, active remediation is expected to be complete at seven of the eight mine sites. However, all sites will likely require ongoing care and monitoring to ensure the remediation measures continue working as planned.

The remediation of the other smaller mines or contaminated sites in the North under the responsibility of Crown-Indigenous Relations and Northern Affairs Canada will continue to be funded through Environment and Climate Change Canada's Federal Contaminated Sites Action Plan.

This program manages the remediation of 8 abandoned mines in the Yukon and Northwest Territories.

Abandoned mines present risks to the environment and human health and safety but these are currently being managed through ongoing care and maintenance activities at the sites.

Budget 2019 allocated \$2.2 billion over 15 years to create the program, starting in 2020–21. The program will remediate the largest, most complex contaminated sites in the North:



Yukon

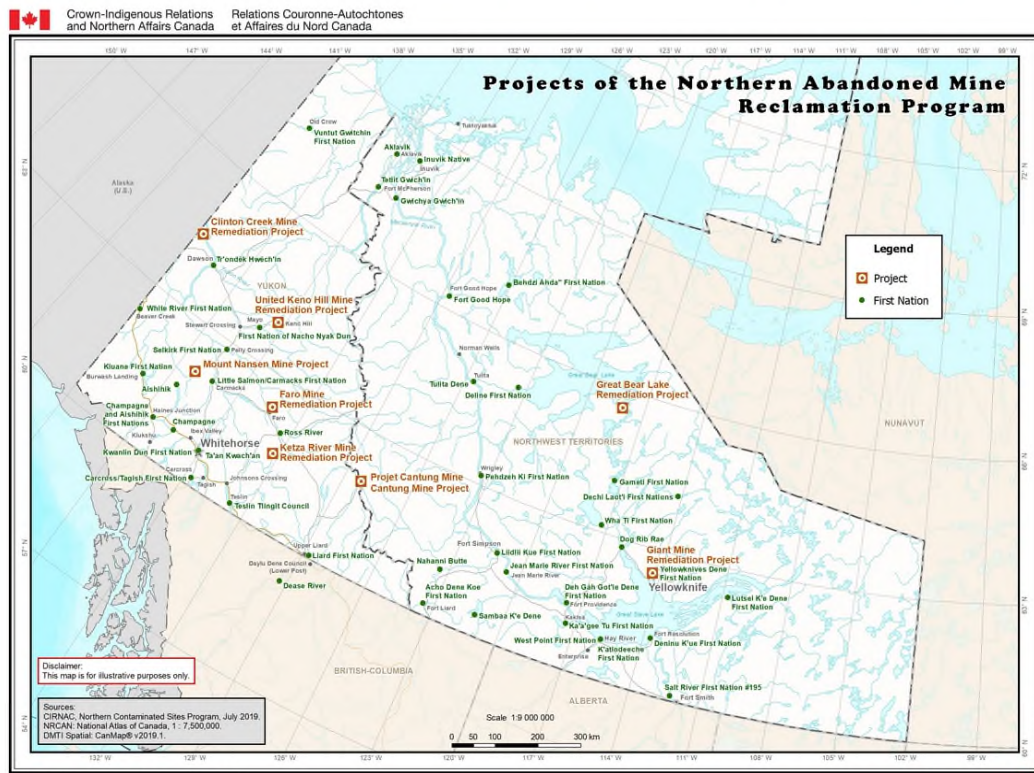
- [Faro Mine Remediation Project](#)
- United Keno Hill Mine Remediation Project
- Mount Nansen Mine Project
- Ketzar River Mine Remediation Project
- Clinton Creek Mine Remediation Project

Northwest Territories

- [Giant Mine Remediation Project](#)
- Cantung Mine Project
- Great Bear Lake Remediation Project

The Great Bear Lake project consists of multiple smaller-scale sites in close proximity to each other.

Map of Northern Abandoned Mine Reclamation Program



CIRNAC - ISC, Geomatics Services, August 2019.



Responsibility for the sites

Most of these northern contaminated sites originate from private-sector mining exploration and development activities that were abandoned by their former operators when they became insolvent.

Crown-Indigenous Relations and Northern Affairs Canada inherited these sites as manager of public lands and "owner of last resort" in the territories.

Under the Yukon and Northwest Territories Devolution Agreements, which transferred administration and control of most public lands to the territorial governments, the Government of Canada has accepted responsibility for the historical contamination and continues to be legally obligated to manage the sites.

Remediation and site management

Remediation projects are conducted in collaboration with territorial and Indigenous governments and other partners.

The Government of Canada supports the access of Indigenous and Northern communities impacted by each site to the employment and business opportunities associated with its clean up.

<https://www.rcaanc-cirnac.gc.ca/eng/1565968579558/1565968604553>

5. Events, Conferences and Seminars

- To be Developed

6. Other

CIRNAC's MRBB Contact:

Nicholas Mitchell, Alternate Member
Senior Advisor to the Regional Director General
Northwest Territories Regional Office, Yellowknife NWT
Telephone: 867-669-2504
Email: nicholas.mitchell@canada.ca

