



Establishment of the Territorial Protected Area of Thaidene Nënë under the proposed Protected Areas Act

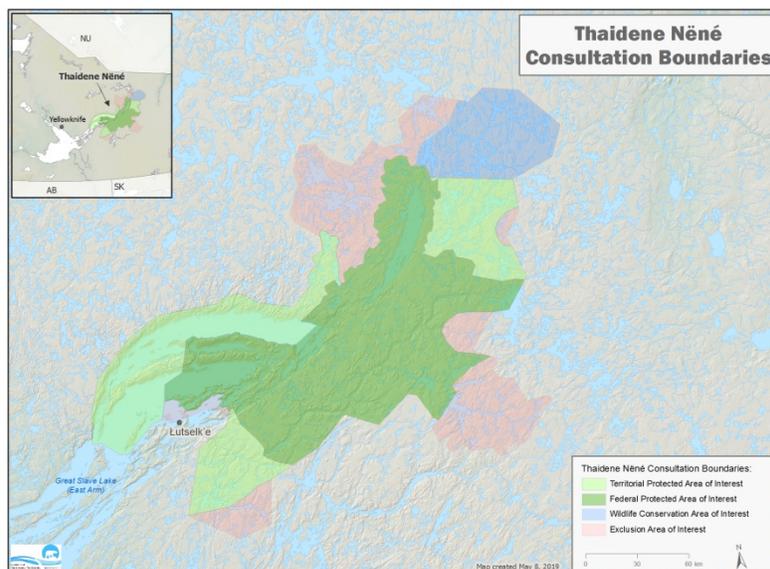
Description of Proposal

Structure of Thaidene Nënë and Enabling Legislation

The entire Thaidene Nënë protected area, totalling 26,300 km², will be made up of three different protected areas. Only one of those, the territorial protected area, is the subject of this Preliminary Screening. Establishment of the territorial protected area of Thaidene Nënë (9,105 km²) is intended to be accomplished using the proposed Protected Areas Act. The Act received second reading in the Northwest Territories (NWT) Legislative Assembly on February 26, 2019 and is currently under review by the Standing Committee on Economic Development and Environment. The Act, if enacted, will provide for the creation of permanent protected areas in order to support and promote the protection, conservation and maintenance of biodiversity, ecological integrity and cultural continuity of the NWT.

Location and Map

The map below shows the federal area of Thaidene Nënë (14,075 km²) in dark green, to be established as a National Park Reserve under the *Canada National Parks Act*. That area will be addressed by a separate Preliminary Screening conducted by the Parks Canada Agency. The territorial Wildlife Conservation Area of Thaidene Nënë (3,120 km²) in blue, will be established under the NWT *Wildlife Act* at a future date. Areas in pink are to be excluded from the final boundary. The territorial protected area of Thaidene Nënë (9,105 km²) in light green are the areas described in this Preliminary Screening.





Cultural, Ecological and Socio-economic Values

Thaidene Nënë means 'Land of the Ancestors' in the Dënesųłné language. The territorial protected area of Thaidene Nënë is a culturally rich area that includes the traditional and present-day hunting, fishing, gathering and spiritual areas used by Indigenous peoples. The rights of Indigenous peoples are protected under the Canadian Constitution. The establishment of the territorial protected area of Thaidene Nënë will not affect any asserted or established Aboriginal and/or treaty rights within Thaidene Nënë.

Many local residents and visitors also use the proposed territorial protected area of Thaidene Nënë for a variety of activities, including fishing, boating (motorized and non-motorized) and sightseeing. Local residents and visitors will be able to continue enjoying the territorial protected area of Thaidene Nënë, once established.

The territorial protected area of Thaidene Nënë includes boreal forest and tundra, and provides important habitat for large and small mammals and fish, as well as key waterfowl staging areas and critical nesting for birds of prey. The territorial protected area of Thaidene Nënë contains a number of key ecological features, including spectacular cliffs and islands, numerous lakes, rivers and waterfalls, peninsulas, diverse landscape formations shaped by ancient ice sheets, and migratory barren-ground caribou herds.

Surrounding areas with high mineral potential, and most areas with average to high potential, have been excluded from the territorial protected area of Thaidene Nënë. The final establishment of Thaidene Nënë will release 7,450 km² of land for development that is currently under interim protection.

The land and waters in question are unencumbered by third-party interests, save a few private land leases (all between 0-2 hectares in size). All existing leases in the territorial protected area of Thaidene Nënë will continue under their current terms.

The Government of the Northwest Territories (GNWT) intends to partner with Indigenous governments and organizations to develop and support economic and social benefits from the establishment of the territorial protected area. Tourism is anticipated, and the revenue, taxes and employment generated from this industry will be a long-term, sustainable socioeconomic opportunity from which local residents can benefit.

Governance Structure

The territorial protected area of Thaidene Nënë created under the proposed Protected Areas Act will be established and managed collaboratively between Indigenous Governments and organizations and the GNWT. Thaidene Nënë Establishment Agreements between the GNWT and Indigenous governments and organizations will set out the process for managing the territorial protected area of Thaidene Nënë. This includes creating the draft management plan.



Visitor Access

Before entering the territorial protected area of Thaidene Nënë, visitors will be required to:

1. Register, either in person at a visitor reception and orientation centre, online, by phone, or by any other appropriate means
2. Acquire any requisite licenses or permits (e.g. fishing licences)
3. Complete the Thaidene Nënë Orientation program
4. Complete a safety briefing

The Orientation program and safety briefing will be tailored to the level of experience the visitor or group of visitors has in Thaidene Nënë. Visitors with previous self-guided experience in Thaidene Nënë will only be required to complete the Orientation and safety briefing once per year.

Visitation to remote northern protected areas is generally low, compared to southern parks with road access. It is anticipated the territorial protected area of Thaidene Nënë that is accessible by boat will receive more visitors than the backcountry areas.

Prohibited and Allowable Activities

The proposed Protected Areas Act sets out certain activities that will be prohibited in NWT Protected Areas, including Thaidene Nënë. Mining and oil and gas developments, including exploration, are strictly prohibited, as are non-renewable and/or large scale energy developments.

The proposed Protected Areas Act also sets out activities that are only allowed in certain circumstances. These activities include damaging or destroying vegetation, removing stone, soil or aggregates, gardening, dumping substances that would degrade or alter the quality of the environment, small-scale renewable energy development.

An activity that is prohibited or restricted under the proposed Protected Areas Act does not affect the exercise of an Aboriginal or treaty right in respect of that activity. A person who has an Aboriginal or treaty right within the territorial protected area of Thaidene Nënë does not require a permit under the proposed Protected Areas Act to exercise that right in the protected area, and is not required to pay a fee to do so.

If an activity is allowed, it must not substantially alter or diminish the biodiversity, ecological integrity and cultural continuity within the area. Any activity that is allowed may be managed through permits, zoning or conditions in regulations and/or the management plan. All existing leases in the territorial protected area of Thaidene Nënë will continue to exist under their current terms.

Most activities currently enjoyed by non-Indigenous northerners as part of the northern lifestyle will be able to continue within the territorial protected area of Thaidene Nënë, including:

- hunting
- 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, commercial lodges and tourism operators within Thaidene Nënë



- 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
- waterskiing
- transport and use of firearms for authorized purposes
- aircraft operations
- commercial transportation for visitors to, from and within Thaidene Nënë

Corridors

The proposed protected areas overlap and abut the Slave Geological Province, an area of high mineral potential. The Slave Geological Province hosts existing mines and exploration sites, and is a region under consideration for significant infrastructure corridors and new mineral developments.

The proposed Protected Areas Act allows for the development of transportation or transmission corridors through NWT Protected Areas when certain conditions are met. The Establishment Agreements for the territorial protected area of Thaidene Nënë allow for the development of future access corridors for power transmission and/or shipment of goods and services under specific conditions, without prescribing where these corridors would be located, as no corridors are planned at this time and no routes have been examined. Any future corridor would be subject to preliminary screening, potential environmental assessment and regulatory review.

Infrastructure

Infrastructure necessary to support the operation of the territorial protected area of Thaidene Nënë will include, but not be limited to:

- Visitor reception, interpretation and orientation centre
- Administration offices
- Operational storage of historical and cultural information and objects for ongoing interpretation, research and monitoring
- Patrol and monitoring cabins

Timeline

Prior to formal establishment of the territorial protected area of Thaidene Nënë by regulations under the Protected Areas Act, the Act must first be enacted. Additionally, Establishment Agreements with participating Indigenous governments and organizations must be finalized and signed.

The establishment and regulation process is expected to be completed by August 2019.



Once formally established, a management plan for the territorial protected area of Thaidene Nënë must be created within five years, in accordance with the proposed Protected Areas Act. Interim management guidelines may be prepared to guide protected area management prior to the management plan being completed.

Public Engagement

Stakeholder and public engagement meetings, along with opportunities for written comments, on the boundaries for the proposed territorial protected area of Thaidene Nënë took place in 2015. From 2015 to 2018, the GNWT engaged regularly with stakeholders, such as the East Arm Property Owners' Association and the NWT & Nunavut Chamber of Mines, to provide updates on Thaidene Nënë. Other stakeholders have been engaged in one-on-one meetings as requested.

In July 2015, the GNWT held a number of public engagement sessions in Yellowknife, Hay River, Fort Smith and Fort Resolution, along with stakeholder engagement sessions in Yellowknife. These sessions focused on a variety of topics, including the Thaidene Nënë negotiation process, conservation economy, federal footprint and involvement, mining development, and proposed area-specific boundary changes. The feedback was consistently positive, but there were some concerns, particularly related to the loss of mineral development opportunities from the creation of Thaidene Nënë. The Minister of Environment and Natural Resources (ENR) at the time attended all meetings, explaining that multiple interests needed to be considered during negotiations and that much of the land with the highest potential for future mineral development was part of the 7,500+ km² proposed to be excluded from the final Thaidene Nënë protected area.

Public engagement on the proposed Protected Areas Act took place in 2018. Members of the public had questions about whether hunting, trapping and harvesting would be permitted in protected areas established using the proposed Protected Areas Act, and commented on the need to include opportunities for public engagement throughout the establishment and management of individual protected areas. Comments from members of the public also expressed support for protecting land and water in the NWT. Industry and non-government organizations also provided comments through this engagement. The feedback received was used to inform the establishment agreements for Thaidene Nënë.