



**TERMS OF REFERENCE
SAMBAA K'E NWT PROTECTED AREAS STRATEGY
WORKING GROUP**

1. Background

The Protected Areas Strategy Steering Committee (PAS SC) is responsible for monitoring the implementation of the NWT Protected Areas Strategy (PAS). Working Groups have been established for specific Candidate Protected Areas, such as Smbaa K'e. The purpose in having a Terms of Reference for Working Groups is to provide consistent guidance on Working Group roles and responsibilities for evaluating candidate protected areas, and to clearly define relationships between the Working Group and the PAS SC, the PAS Secretariat, and the Sponsoring Agency.

2. Mandate of the Smbaa K'e PAS Working Group

The mandate of the Smbaa K'e Working Group is:

1. To bring the community of Trout Lake, the Dehcho First Nations, the Sponsoring Agency (Canadian Wildlife Service), PAS representatives and other stakeholders together within a collaborative Working Group;
2. To guide and direct detailed evaluation studies of the Candidate Protected Area as required under the PAS planning process, working within established guidelines;
3. To oversee public participation and consultation programs;
4. To review and assess levels of support for establishing a protected area;
5. To make recommendations on boundaries for the candidate protected area to Environment Canada (recognizing its original conditions of sponsorship), the community and regional organizations, the Department of Indian Affairs and Northern Development (DIAND), and the Government of the NWT.
6. To make recommendations on management objectives.

3. Composition of the Smbaa K'e PAS Working Group

The composition of this Working Group is intended to reflect the ecological, economic, and cultural circumstances of the Smbaa K'e Candidate Protected Area, as well as the Partner organizations in the PAS process (Appendix A). The size of this Working Group will be kept as small as is reasonably possible. The minimum suggested composition is:

1. Representatives from the community of Smbaa K'e, NT;
2. One representative from the Dehcho First Nations (TBA);
3. One representative from the Sponsoring Agency, Canadian Wildlife Service (CWS);
4. One representative from each organization providing funding;
5. Other directly affected stakeholders as necessary;

Industry and environmental non-government organizations may also be represented if they are not captured in the above list.

4. Selection of Working Group Members and Alternates

Selection of all Working Group members and alternates will be made directly by the organization to be represented:

1. Notification of selected individuals should be made in writing and be addressed to the Sponsoring Agency and the PAS Secretariat; and
2. The letter of selection should include both a primary representative for the organization as well as an alternate who will attend on behalf of the representative when they are not available.

Organizations selecting Working Group representatives are encouraged to maintain consistent representation on the Working Group, but may replace their member and/or alternate at any time by notifying the Sponsoring Agency and the PAS Secretariat in writing.

As required, resource people, traditional land users and/or elders, may be invited to participate in the meetings to provide information or expertise on a topic.

5. Responsibilities of Working Group Members

1. Familiarize themselves with the *Northwest Territories Protected Areas Strategy*, including the goals and principles, the eight implementation steps, and the resource assessment guidelines;
2. Familiarize themselves with the *Mackenzie Valley Five-Year Action Plan*;
3. Review the specific Proposal (and all work to date) for their Candidate Protected Area;
4. Represent the interests and viewpoints of their respective organizations;
5. Prepare for Working Group meetings and conference calls; this includes:
 - i. Reviewing the agenda and any materials provided ahead of the meeting;

- ii. Reviewing minutes from the previous meeting and ensuring that any Action Items they are responsible for are completed; and
 - iii. Reviewing the meeting agenda with their leadership or supervisor to identify any concerns or issues that should be addressed at the meeting.
- 6. Attend all Working Group meetings and conference calls. If the member will be unavailable, ensure that the alternate will participate on their behalf and that this alternate is properly briefed ahead of the meeting;
- 7. Report to their organization's leadership following every Working Group meeting or conference call.

6. Responsibilities of the Working Group

- 1. To develop, guide, and oversee the implementation of the overall work plan and budget for the evaluation studies required under Step 5 of the PAS for this Candidate Protected Area;
- 2. Develop and oversee implementation of the annual Work Plan or timeline, including a budget, for the detailed evaluation of the candidate area's ecological, cultural and economic values as required under Step 5 of the PAS;
- 3. To review the Smbaa K'e proposal, and other known information, in order to determine knowledge "gaps" that need to be addressed as within the context of the Protected Areas Strategy policies;
- 4. Identify and request financial resources for the evaluation work in the annual Work Plan or timeline;
- 5. Develop a communications and consultation plan for review of assessments and on-going updates to Working Group member organizations (Annual Reports and Work Plans may assist with this duty), as well as distributing information amongst partners. As Smbaa K'e is the only community represented on the working group, additional efforts will be made to communicate regularly with surrounding communities on the progress of the working group and candidate protected area status.
- 6. To prepare an Annual Report for presentation at the annual Dehcho Assembly. The report will contain:
 - i. Details of the Step 5 evaluation work conducted;
 - ii. Recommendations for the next Annual Work Plan and future work;
- 7. Support the Sponsoring Agency in coordinating the public review and contribute to its planning and implementation.

8. To make recommendations on the boundaries and establishment of the protected area to the Deh Cho First Nations, Canadian Wildlife Service, DIAND and the GNWT
9. Identify a Working Group spokesperson

7. Responsibilities of the Working Group Chair/Spokesperson

A member of the Working Group is selected by the Working Group to take on the responsibilities of the Chair/Spokesperson for a one-year term. The Working Group Chair/Spokesperson:

1. Chairs Working Group meetings with support from the PAS Secretariat.
2. Ensures that all Working Group members are given the opportunity to participate in discussions.
3. Works with the PAS Secretariat to develop agendas for the meetings.
4. Provides statements to the media on behalf of the Working Group on an as-needed basis. Consult with the Working Group whenever possible prior to dealing with the media.
5. Signs Working Group correspondence.
6. May represent the Working Group at related meetings, conferences or other public events.

8. Functioning of Working Groups

Workings Groups should function according to the following guidelines:

1. Working Groups will make every effort to function within approved budgets. Activities requiring additional budgetary resources will only be undertaken if new funding sources are identified, and approved, in advance;
2. Working Group meetings will be held as required to review study results, related activities, work plans, and to plan future consultation activities. Meetings may be 'face-to-face' or by conference call.
3. Meeting locations will be selected by Working Group members from amongst the Working Group Communities and Yellowknife. Access and cost logistics will also be considered in meeting location decisions;
4. All meetings are open to the public. Meeting invitations are normally issued to Working Group members/alternates and special guests as required. Working Groups may invite the public to meetings or open houses as required;
5. Working Groups shall function and make decisions by consensus.
6. A quorum for Working Group meetings is defined by the Sambaa K'e Working Group to be 50% of Working Group members of which two must be from Sambaa K'e;
7. The Chair/Spokesperson is selected by the Working Group from its membership for a one-year term;

8. A Facilitator may be retained for a Working Group, if requested by the Working Group and approved by the PAS SC. The facilitator, if retained, will be responsible for minute-taking;
9. Alternates attend meetings when the regular member is unable to do so. Alternates may attend along with regular members if additional PAS financial resources are not required;
10. Participation of Resource Persons in the Working Group will be by invitation;
11. Minutes of meetings will be recorded, approved and maintained by Working Groups; and
12. Wage replacement costs and meeting expenses for Working Group members shall be paid in accordance with PAS guidelines.

9. Role of the PAS Secretariat

The PAS Secretariat will support each Working Group by:

1. Arranging briefings for Working Group members on evaluation studies;
2. Assist in coordinating public communication, consultation and review;
3. Assisting in the preparation of work plans and budgets;
4. Monitor Working Group functioning to ensure that it operates within PAS guidelines;
5. Report on the activities of the Working Group to the Steering Committee; and
6. Compiling information and materials for the Working Group.

10. Role of the PAS Steering Committee

The PAS SC will:

1. As the senior body in the PAS process, approve the establishment of Working Groups;
2. Provide standard Terms of Reference to new Working Groups, and invite Working Group suggestions for adapting them to reflect the unique ecological and cultural circumstances of the candidate protected area. After due consideration of these suggestions the PAS SC will approve final Terms of Reference;
3. Approve Working Group budgets and workplans;
4. May provide advice and guidance to Working Groups to assist them in dealing with issues and in meeting their responsibilities;
5. Ensure that Working Groups function within the PAS structure in accordance with PAS policies; and
6. May invite Chairs of Working Groups to make presentations at PAS SC meetings.

11. Role of the Sponsoring Agency

The Sponsoring Agency will:

1. Where necessary, the Sponsoring Agency will request that DIAND withdraw the land for the candidate protected area (following established PAS Guidelines for Interim Land Withdrawal).
2. Select a representative to the Working Group who will participate in and provide feedback for the economic, cultural and ecological research;
3. Work to identify funds, or raise funding for, the approved workplan for the candidate protected area (this does not preclude funding contributions from other organizations);
4. Assist the Working Group in meeting community information and consultation needs;
5. With the assistance of the Working Group member organizations, coordinate and conduct a public review of the candidate area, including discussions of levels of development permitted and related funding;
6. Provide guidance to the Working Group on information needs and legislative requirements for interim and final land withdrawal;
7. Ensure their legislation is available for permanent protection of the Candidate Protected Area.
8. Initiate negotiations of protected areas agreements with the appropriate land claim organizations; and
9. In partnership, review and accept the Community's final proposal for an official protected area.
10. In partnership, set up the protected area and manage it over the long term.

Review of Terms of Reference:

The Sambaa K'e Working Group terms of reference will be reviewed once a year or as required.

Appendix A:

Members of the Smbaa K'e PAS Working Group (December, 2006):

1. Smbaa K'e;
 - Victor Jumbo (Chair)
 - Margaret Jumbo
 - Marilyn Lomen
 - Dennis Deneron (Alternate)
2. Dehcho First Nations (TBA);
3. Sponsoring Agency, Canadian Wildlife Service (CWS);
 - Paul Latour
4. Each organization providing funding;
 - Greg Yeoman (Department of Indian Affairs and Northern Development)
 - Nic Larter (Government of the Northwest Territories)
 - Jason Charlwood (Ducks Unlimited Canada)
5. Other directly affected stakeholders as necessary;
 - Andrew McLellan – British Petroleum Canada