

Final Recommendations Report

Prepared by the

**Edézhíe Candidate Protected Area
Working Group**

For submission to the

**Dehcho First Nations
Tłichô Government
Environment Canada**

November, 2009

Executive Summary

The Edézhíe candidate protected area (25,230 km²) is located in the Dehcho region of the Northwest Territories. Its northeast boundary lies along the Dehcho – Tłı̄chô boundary. It is of great ecological and cultural importance to the communities of Fort Providence, Fort Simpson, Behchokö, Jean Marie River, Whatı̄, and Wrigley. The Horn Plateau, a prominent landform in Edézhíe, contains the ‘source waters’ of the Willowlake, Horn, and Rabbitskin Rivers. Traditional knowledge identifies the Horn Plateau as a place that could be relied upon during times of food scarcity in the Mackenzie Valley. Mills Lake and the lower Horn River areas are important harvesting areas for the communities.

In March 2002, the Dehcho and Tłı̄chô First Nation communities combined their efforts and advanced Edézhíe into the NWT Protected Areas Strategy (PAS) leading to legislated protection. In June 2002, a five-year land withdrawal of the Edézhíe area was secured through a federal Order-in-Council to allow for its further assessment without any further land dispositions beyond those already existing in the area. The interim land withdrawal was extended in June 2007 and again in October 2008 to allow for the completion of the PAS process for the Edézhíe candidate protected area. The current interim land withdrawal is set to expire in October 2010.

In 2002, the Canadian Wildlife Service (CWS) reviewed the proposal for sponsorship and determined that Edézhíe contained nationally significant ecological values that fell within its legislative mandate. CWS agreed to be the sponsoring agency, and to work toward creating the Edézhíe National Wildlife Area through the *Canada Wildlife Act*. At the same time, the Edézhíe Working Group (EWG) was established to assess the ecological, cultural and economic values of Edézhíe (Step 5 of the PAS). This report summarizes these assessments and makes recommendations to the Dehcho First Nations, the Tłı̄chô Government, and Environment Canada on the following matters concerning Edézhíe:

- boundary
- legal designation
- land administration
- transfer of private land
- management

Summary of Edézhíe PAS Site Assessments

Five assessments were completed as part of Step 5 of the PAS (NWT PAS Advisory Committee, 1999). The assessments looked at the cultural, ecological and economic values within Edézhíe. The EWG coordinated the assessments and key findings are summarized in Table 1.

Table 1: Summary of Edézhíe PAS Site Assessments

Assessment	Key Findings
Oral History	<ul style="list-style-type: none"> • Extensive traditional use is due primarily to the abundance of wildlife including fish, game, and furbearing animals. • Strong cultural and spiritual connection to Edézhíe, including many birth and burial sites, unusual animal sightings, spiritual power, personal experiences, and cultural stories. • Use by all surrounding communities gives Edézhíe an intrinsic and shared value among these communities. • Passing the stories on to the young people is very important and the Elders of the past clearly directed the current generation of Elders to protect Edézhíe for future generations.
Ecological	<ul style="list-style-type: none"> • 18 plant communities identified. • 192 species and 45 families of vascular plants; six plant families accounted for over 50% of the species total. • One species of amphibian, 24 species of fish, 126 species of bird and 15 species of mammal were recorded. • Three ‘species at risk’ were observed: boreal woodland caribou, wood bison, and wolverine. • Three proposed International Biological Program (IBP) sites in Edézhíe: Mills Lake, Horn Plateau, and Horn River. • Mills Lake is a CWS “key migratory bird terrestrial habitat site”; supports over 1% of the national populations of a number of migratory bird populations. • Source of three main drainages in the Dehcho Region.
Non-Renewable Resources	<ul style="list-style-type: none"> • Kimberlite indicator minerals have been found throughout Edézhíe and some likely originate from diamondiferous kimberlite either within Edézhíe or in the nearby region. • Three areas of moderate lead-zinc potential occur in Edézhíe. • Middle Devonian Horn Plateau reef and the Lonely Bay platform plays are considered to have the greatest hydrocarbon potential. • Western part of Edézhíe is ranked high to moderate for natural gas potential. • The estimated natural gas potential is .23 trillion cf., and oil potential is 550,000 barrels (assessed as low).
Renewable Resources	<ul style="list-style-type: none"> • Subsistence harvesting and trapping have the highest present and future economic potential. • Trees have high economic value and future potential, mainly for their use in fuel wood harvesting. • Commercial logging has very limited potential. • Tourism, both current and potential, is the highest in the Mills Lake area and moderate in some other parts. • Renewable energy generation (wind and hydro) – some potential but logistics and economic obstacles make

	development unlikely.
Socio-economic	<ul style="list-style-type: none"> • Current economic output of Edézhíe is estimated at \$1.8 – 2.8 million annually. • Mineral development would likely occur ahead of hydrocarbon development owing to the current lack of infrastructure for getting hydrocarbons to market; however, a Mackenzie Valley pipeline could change this prediction. • Hydrocarbons, minerals and diamonds would all provide low levels of employment during exploration and high levels during construction. • Minerals and diamonds would provide continuing high employment during production, whereas employment generated from hydrocarbon development would decline to be almost negligible during operations. • The socio-economic assessment report concluded it is not likely that any non-renewable resource development in the Edézhíe area would occur for at least 10-20 years.

Recommendations

The Edézhíe Working Group directs the following recommendations (Table 2) to the Dehcho First Nations, the Tłı̄ch̄o Government and Environment Canada, to the extent that the recommendations fall within their respective mandates. The Working Group also directs its recommendations to Indian and Northern Affairs Canada (INAC) and the Government of the Northwest Territories (GNWT), to the extent that the recommendations fall within their mandates. These recommendations mark the transition from Step 5 to Step 6 of the PAS planning process, which advances Edézhíe towards establishment as a National Wildlife Area (NWA) under the *Canada Wildlife Act*.

Table 2: Summary of EWG Recommendations and Positions

Issue	Recommendations of the EWG
Boundary	<ul style="list-style-type: none"> • The Edézhíe NWA should comprise 14,249 km² which is 57% of the original 25,230 km² Edézhíe candidate protected area.
Legal designation	<ul style="list-style-type: none"> • The Edézhíe NWA should be established through scheduling in the <i>Canada Wildlife Act (Wildlife Area Regulations)</i>.
Land administration	<ul style="list-style-type: none"> • The Dehcho First Nations and Tłı̄ch̄o Government recommend that the surface rights in Edézhíe be transferred to Environment Canada under the <i>Canada Wildlife Act & Wildlife Area Regulations</i>, and the subsurface rights be permanently withdrawn through an Order-in-Council permanent land withdrawal under the <i>Territorial Lands Act</i>.

Issue	Recommendations of the EWG
	<ul style="list-style-type: none"> • Environment Canada recommends that subsurface land withdrawal for future protected areas be considered on a case-by-case basis. Final decisions will be based on overall federal interests taking into account all information and any required additional analysis. • Indian and Northern Affairs Canada is currently considering the subsurface disposition options, and recommends that subsurface disposition options form part of the future discussions and negotiations on the establishment of the Edézhíe NWA. • On the matter of subsurface rights withdrawals, the GNWT does anticipate that subsurface rights would be withdrawn for areas designated as conservation zones within the context of a regional land use plan. • The World Wildlife Fund is of the position that the best solution to protect the Edézhíe NWA is a permanent subsurface withdrawal as this provides certainty to industry and accords with all resolutions and positions of all the Dehcho and Tłı̄chô communities. • Ducks Unlimited Canada recommends that the Edézhíe NWA be free from any future subsurface dispositions by means of a subsurface withdrawal. This would provide clarity with respect to what lands will be protected and what lands may be developed. Achieving surface and sub-surface protection of the area within this boundary also reflects the vision of the Dehcho and Tłı̄chô communities. • NWT and Nunavut Chamber of Mines supports the EWG's recommended Edézhíe NWA. However, it believes there could be undiscovered mineral potential (esp. diamonds) there. It recommends a flexible approach to land management for the Edézhíe NWA such as temporary subsurface withdrawal of all or some of the area, or no withdrawal and the regulation of development through existing mechanisms.
Transfer of private land	<ul style="list-style-type: none"> • The parcel of private land known locally as the Sapp farm and now owned by Ducks Unlimited Canada be transferred to the Minister of Environment as per the Memorandum of Agreement between Ducks Unlimited Canada and CWS.
Management	<ul style="list-style-type: none"> • An Edézhíe NWA co-management agreement be established between Environment Canada, the Dehcho First Nations, the Tłı̄chô Government, the Government of the Northwest Territories, and non-governmental organisations. • Management goals and objectives based on the partner communities' and Canadian Wildlife Service's shared vision for the Edézhíe NWA.

Issue	Recommendations of the EWG
	<ul style="list-style-type: none"> • An Edézhíe Management Committee consisting of the Dehcho and Tłichô First Nations, Environment Canada and other interested parties should be established to co-manage Edézhíe through the <i>Wildlife Area Regulations</i>, a co-management agreement, and the Edézhíe NWA Management Plan. • The interests of the two Tłichô communities in relation to the ongoing management of Edézhíe will be represented through the Wek'èezhii Renewable Resources Board; the four Dehcho communities will be represented by an applicable board created under the Dehcho Final Agreement. In the interim, the Dehcho First Nations should identify a regional organization that will represent their interests. • All traditional use activities of Dehcho and Tłichô communities will be allowed without permit. • The Edézhíe NWA designation does not restrict access to or require permits for any traditional use activities by Dehcho and Tłichô communities. • Communicate and foster public awareness and appreciation of the Edézhíe NWA.

Acknowledgements

This report represents the valuable contributions and dedication of the Dehcho and Tlicho communities, and their representatives on the EWG, as well as both the government and non-government organizations in bringing the Edézhíe candidate protected area to completion of Step 5 of the NWT Protected Areas Strategy process.

Mahsi cho!

Table of Contents

Table of Contents	viii
List of Tables	x
List of Figures	x
List of Appendices	x
Vision Statement	1
1.0 Introduction	1
1.1 THE SCOPE AND PURPOSE OF THIS REPORT.....	1
1.2 REGIONAL LAND MANAGEMENT	3
1.3 HISTORY OF EDÉHZHÍE	3
1.4 THE EDÉHZHÍE WORKING GROUP (EWG).....	5
2.0 EWG Outcomes	5
2.1 EWG CONSULTATIONS AND WORKSHOPS	5
2.2 PAS SITE ASSESSMENTS	6
2.2.1 <i>Oral History Report</i>	6
2.2.2 <i>Ecological Assessment</i>	6
2.2.3 <i>Non-Renewable Resource Assessment</i>	8
2.2.4 <i>Renewable Resource Assessment</i>	10
2.2.5 <i>Strategic Environmental Assessment (SEA)</i>	11
2.2.6 <i>Socio-Economic Assessment</i>	12
3.0 Conservation and Economic Values of Edézhíe	13
3.1 METHODOLOGY	13
3.2 CONSERVATION AND ECONOMIC VALUES	15
4.0 Recommendations	16
4.1 BOUNDARY.....	16
4.1.1 <i>Conservation Rationale:</i>	17
4.1.2 <i>Economic Rationale:</i>	17
4.2 LEGAL DESIGNATION.....	19
4.3 LAND ADMINISTRATION	19
4.3.1 <i>Dehcho and Tłı̄chô First Nations</i>	20
4.3.2 <i>Government of Canada</i>	21
4.3.3 <i>Government of the Northwest Territories</i>	22

4.3.4	<i>World Wildlife Fund Canada</i>	22
4.3.5	<i>Ducks Unlimited Canada</i>	23
4.3.6	<i>NWT and Nunavut Chamber of Mines</i>	23
4.4	TRANSFER OF PRIVATE LAND.....	24
4.5	MANAGEMENT	24
	Appendices	26
	Literature Cited	34

List of Tables

Table 1: Summary of Edézhíe PAS Site Assessments.....	iii
Table 2: Summary of EWG Recommendations	iv
Table 3: Estimated resource development potential in the Edézhíe candidate protected area (from AMEC 2008).....	13
Table 4: The remaining estimated mineral and hydrocarbon potential as determined by subtracting the potential within the recommended boundary from that in the original candidate protected area as identified in Table 3 (from AMEC, 2008).	18

List of Figures

Figure 1: The location of the Edézhíe candidate protected area in the NWT.	2
Figure 2: Edézhíe candidate protected area interim land withdrawal boundary	4
Figure 3: Mineral and hydrocarbon potential of Edézhíe.	9
Figure 4: Recovery of kimberlite indicator minerals from stream sediment samples in Edézhíe.....	10
Figure 5: The areas of conservation value within the Edézhíe candidate protected area when MARXAN avoided economic values as much as possible.	15
Figure 6: The Edézhíe Working Group's recommended boundary in relation to the original candidate protected area.	16
Figure 7: The Edézhíe Working Group's recommended boundary in relation to topographic features.	17

List of Appendices

Appendix 1: Steps in the NWT Protected Areas Strategy.....	27
Appendix 2. Terms of Reference for the Edézhíe Working Group.....	28
Appendix 3: Edézhíe candidate protected area chronology.	31
Appendix 4: Management Principles, Goals and Objectives	33

Vision Statement

“Edézhíe is a spiritual place that is ecologically and physically unique. It is where the ancestors of the Dehcho and Tłichô Dene went to sustain themselves when food was scarce. The waters are pure and the animals abundant. The Edézhíe National Wildlife Area will be managed using the best available knowledge to protect the watersheds, vegetation and wildlife that are necessary for sustaining the culture of present and future generations of Dehcho and Tłichô Dene, as well as for the enrichment of all Canadians.”

Edézhíe Working Group, October 2007

1.0 Introduction

1.1 The scope and purpose of this report

The Edézhíe candidate protected area (25,230 km²) is located in the Dehcho region of the Northwest Territories (NWT). It is located north of the Mackenzie River between the communities of Wrigley, Fort Simpson, Jean Marie River, Fort Providence, Whatì and Behchokö (Figure 1). Edézhíe includes the Horn Plateau, Mills Lake and the Horn, Willowlake and Rabbitskin Rivers (Figure 2). Part of the northeastern boundary of the Edézhíe candidate protected area coincides with the Wek'èezhìi boundary that separates the Dehcho and Tłichô regions.

Edézhíe is an important cultural and spiritual gathering place for the Dehcho and Tłichô peoples. Its many large lakes, wetlands and plentiful wildlife make it a very rich and diverse land which has, and continues today, to support hunting, fishing, trapping, and other traditional activities. Edézhíe's many cultural sites, harvesting areas and traditional trails show the link the surrounding communities have with Edézhíe.

Edézhíe is a candidate protected area that has been advanced through the NWT Protected Areas Strategy (PAS). The PAS is a partnership among communities, governments (Aboriginal, territorial and federal), environmental non-government organizations and industry (NWT PAS Advisory Committee, 1999). There are eight steps in the PAS (NWT PAS Advisory Committee, 1999). Edézhíe is now at the end of Step 5 of the PAS process. This report summarizes the assessments done in completing Step 5. It makes recommendations to the Dehcho First Nations, the Tłichô Government, and Environment Canada on the following, with respect to a future Edézhíe protected area:

- boundary
- legal designation
- land administration
- transfer of private land
- management

All recommendations are without prejudice to future negotiations regarding the establishment of Edézhíe as a permanently protected area and the development of a management plan. All Aboriginal treaty rights and land claim agreements take precedence over the PAS. If there is any inconsistency between these treaties and agreements and this report, the treaties and agreements will take precedence (NWT PAS Advisory Committee, 1999).



Figure 1: The location of the Edézhíe candidate protected area in the NWT.

1.2 Regional land management

Currently, the Dehcho First Nations, the Government of Canada, and the Government of the Northwest Territories are conducting treaty based negotiations, known as the Dehcho Process, leading to a final agreement on land, self-government and financial compensation. Under the Dehcho Process, the parties agreed to an Interim Measures Agreement in 2001, which set out a process for the development of a regional land use plan and withdrew lands from disposition for cultural and ecological reasons. Canada, GNWT and DFN have made progress towards an interim regional Dehcho Land Use Plan, but several issues have yet to be resolved. In addition, neither a timeline nor a process has been established for the approval of the Plan or its implementation.

Approximately 50% (~106,000 km²) of the Dehcho region is currently removed from surface and subsurface disposition through the Dehcho Process Interim Measures Agreement, the Nahanni National Park Reserve expansion, and the Edézhíe candidate protected area. These withdrawals expire October 31, 2010.

It is anticipated that when the Edézhíe protected area has been designated, land use plan zoning revisions have been completed, and the Nahanni National Park Reserve has been expanded, just under 50% of the Dehcho region would be protected under Conservation designations. The Land Use Plan will incorporate the final Edézhíe boundary, as decided through the Protected Areas Strategy process. Areas excluded from the original Edézhíe study area boundary will become Special Development Zones under the Land Use Plan, which would be open to industrial activities subject to conditions. This zoning is subject to review by the Land Use Planning Committee.

Land Use activities in the Dehcho region are subject to the *Mackenzie Valley Resource Management Act*. Under the *Act*, proposed land use activities are subject to a preliminary screening, environmental assessment and permitting process. A proponent is required to submit an application to the Mackenzie Valley Land and Water Board, which is then distributed to the federal and territorial responsible authorities for review. The lead responsible agency for an Edézhíe protected area would be the agency under whose legislation the area is established.

1.3 History of Edézhíe

The first mention of protecting the Horn Plateau dates back to the 1950s, when Elder Leo Norwegian remembers his father talking about the need to protect the Horn Plateau from industrial development (Cizek, 2001). In 1992, the Denendeh Resource Committee first identified the Horn Plateau for protection within the Líídlí Kúé First Nation (Fort Simpson) traditional territory. Fort Simpson had long wished to see the Horn Plateau (Figure 2) legally protected in order to preserve the important 'source waters' (Willowlake, Horn, and Rabbitskin Rivers and secondary watersheds) originating from this prominent landform (Figure 2). Traditional knowledge in Fort Simpson recognizes the Horn Plateau as an area that could be relied upon during times of food scarcity in the Mackenzie Valley. After the creation of the NWT Protected Areas Strategy in 1999, the Líídlí Kúé First Nation formally advanced the Horn Plateau into Step 1 of the PAS process.

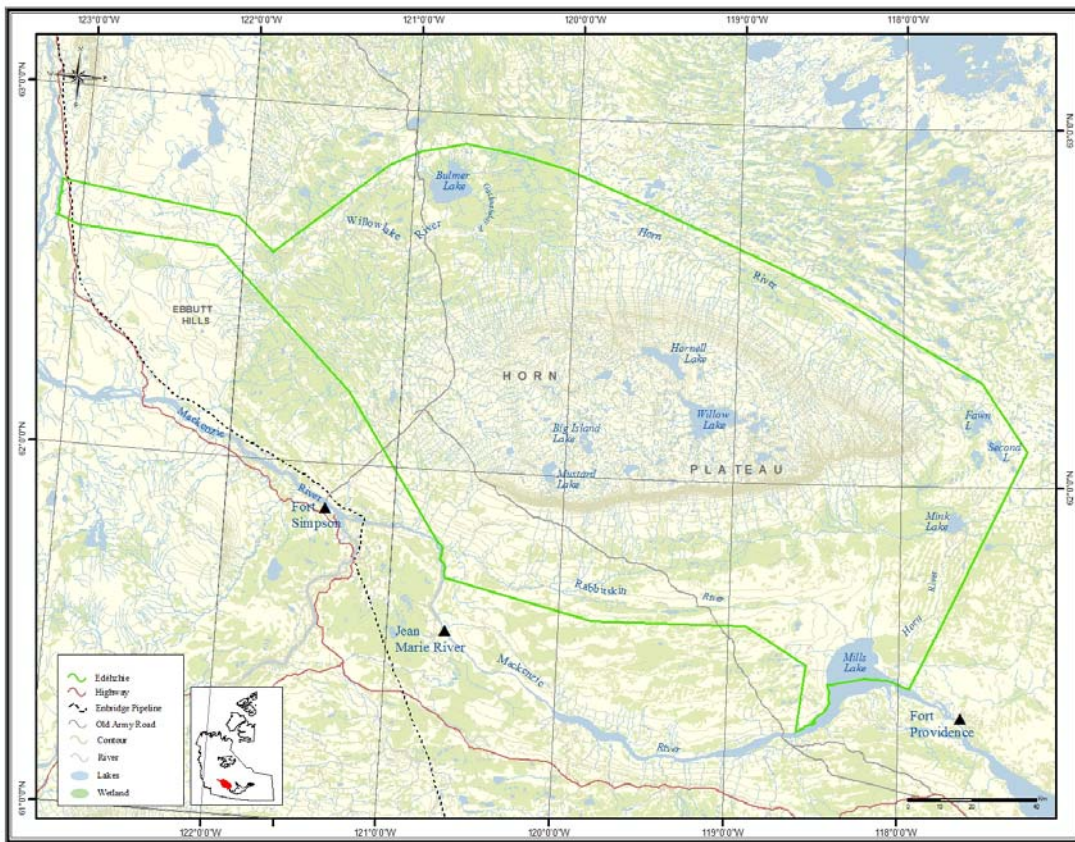


Figure 2: Edézhíe candidate protected area interim land withdrawal boundary.

At the same time, the Deh Gah Got'ie Dene First Nation (Fort Providence) was advancing Mills Lake as an NWT PAS candidate protected area. Fort Providence had long wished to see Mills Lake and the lower Horn River areas (Figure 2) receive permanent protection. These areas represent two of the most important harvesting areas for that community. Similarly, the communities of Behchokö and Whatì in the Tłìchô region, for whom the Horn Plateau is a traditional use area, also voiced strong interest in seeing the Horn Plateau and adjacent areas protected. In March 2002, the four Dehcho and two Tłìchô First Nations communities formally agreed to combine efforts toward legally protecting this overall area known as Edézhíe (meaning 'source waters' in the Slavey language) as an area of great ecological and cultural importance to those communities. At this time, Ducks Unlimited Canada acquired a 43.3 ha parcel of private land known locally as the Sapp farm. Title of this land would be transferred to the Minister of Environment upon establishment of an Edézhíe NWA.

In June 2002, an interim (five year) land withdrawal of the entire Edézhíe candidate protected area was secured through a federal Order-in-Council. During this time, no new

mineral claims and permits or petroleum exploration licences could be issued, which allowed the various assessments under Step 5 of the PAS process to be conducted under stable lands dispositions. However, existing rights and licences were not affected. It was understood that a future protected area would not necessarily consist of this entire area. The interim land withdrawal was extended in June 2007 and again in October 2008 to allow for the completion of the PAS planning process. The current interim land withdrawal is set to expire in October 2010.

1.4 The Edézhíe Working Group (EWG)

The EWG was established to guide and oversee the ecological, cultural and economic assessments of Edézhíe, as part of Step 5 of the PAS (Terms of Reference – Appendix 2). The EWG is made up of the following Aboriginal, territorial and federal governments, communities, environmental non-government organizations, and industry representatives:

- Dehcho First Nations
- Tłichô Government
- Líídlí Kúé First Nation (Fort Simpson)
- Deh Gah Got'ie First Nation (Fort Providence)
- Jean Marie River First Nation
- Pehdzeh Ki First Nation (Wrigley)
- Whati
- Behchokö
- Indian and Northern Affairs (INAC)
- Canadian Wildlife Service (CWS)
- Government of the Northwest Territories (GNWT), Environment and Natural Resources (ENR)
- Ducks Unlimited Canada
- World Wildlife Fund – Canada
- NWT Chamber of Mines

2.0 EWG Outcomes

2.1 EWG Consultations and Workshops

Consultation with stakeholder communities and the general public is essential in the PAS process. A key function of the EWG was to involve the member organizations and the four Dehcho and two Tłichô communities throughout the process. The EWG held 21 meetings in Fort Providence, Fort Simpson, Wrigley, Whati, Behchokö, and Yellowknife. Community open houses, feasts, and presentations were held to update the general public on progress being made on the Edézhíe process (Appendix 3).

2.2 PAS Site Assessments

As part of the PAS process, several assessments of the study area are conducted to identify the ecological, cultural, and economic values found within the area.

2.2.1 Oral History Report

The Edézhíe Oral History Report (Crosscurrent Associates Ltd., 2005) involved Wrigley, Fort Simpson, Jean Marie River, and Fort Providence. Fifteen interviews were conducted with Elders and harvesters to gather oral history including place names, traditional use and cultural stories. Sites associated with important cultural stories were mapped. In addition, the Tlichô communities of Whatì and Behchokö provided oral history evidence for their long-standing use of the Horn Plateau.

Summary:

Traditional patterns of land use within Edézhíe reflect the abundance and distribution of wildlife, fish, game, and furbearing animals. Traditional use is evident by the numerous trails, seasonal and semi-permanent camps. This active and ongoing land use resulted in a cultural and spiritual connection to Edézhíe, including many birth and burial sites, unusual animal sightings, spiritual power, personal experiences, and cultural stories. Many of these are shared by all the communities and combine to give Edézhíe an intrinsic and shared value among the surrounding communities.

No water bodies drain into it, so water only flows out of Edézhíe. Protecting the watershed and water quality was a main priority for wanting to establish Edézhíe as a protected area.

“Edézhíe is very good water...pure water. This is our survival in the future. This is very important to our community, that water up there.”

Edwin Sabourin
Fort Providence

2.2.2 Ecological Assessment

The *Ecological Assessment of the Edézhíe Candidate Protected Area* (EBA and CWS, 2006) describes the diversity and distribution of species in Edézhíe. This information ensures the candidate area includes a wide range of successional stages, habitat types, self-sustaining land and water systems, and sensitive/rare species.

Summary:

Plant Communities: The Horn Plateau is a mixture of mature spruce forest and a number of burns which have occurred over the last 35 years. The lowlands around the Horn Plateau are covered by a mosaic of conifer dominated forest of varying age, old burns, and wetlands. A total of 19 distinct plant community types were identified within Edézhíe.

Plant Species: A total of 192 species and 45 families of vascular plants are known to occur in Edézhíe. Six plant families accounted for over 50% of the species total: Cyperaceae, Salicaceae, Ericaceae, Rosaceae, Betulaceae and Gramineae.

Wildlife Species: Fish studies were not conducted as part of the ecological assessment, but information was available from the Department of Fisheries and Oceans (Stewart et al., 2003). During fish studies in the 1980s and 1990s, 24 different fish species were identified in Edézhíe.

The ecological assessment documented two species of amphibian, 126 species of bird and 18 species of mammal. For birds, a wide range of waterfowl, waterbirds, raptors (including two 'species at risk') and forest birds (primarily songbirds) were observed. Eighty-one (81) bird species were recorded during an ornithological reconnaissance at Mills Lake, an important wetland in Edézhíe. Latour (2004) described the importance of Mills Lake as a staging wetland for a range of migratory waterfowl.

Species at Risk: Edézhíe supports several 'species at risk', as listed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). These species are both resident in the area on a year round basis or occur there as migrants. Boreal woodland caribou and wood bison, both listed by COSEWIC as 'threatened', occur in Edézhíe at all times of the year, and evidence of calving in the area was observed for both species. Wolverines, listed as a species of 'special concern,' are also year-round residents. The Peregrine Falcon and the Short-eared Owl, listed as 'special concern', occur in Edézhíe as migrants, and the latter species may breed there.

Aerial surveys documented late winter distribution of woodland caribou and wood bison (Larter et al., 2006), indicating Edézhíe's importance as winter habitat for these species.

Key ecological features of Edézhíe include:

- Key Migratory Bird Terrestrial Habitat: Mills Lake is a wetland the Canadian Wildlife Service considers as a "key migratory bird terrestrial habitat site" in the NWT (Latour et al., 2008). Mills Lake commonly supports over 1% of the national populations of a number of migratory bird populations including the Lesser Snow Goose (Western Arctic population), Greater White-fronted Goose, and Tundra Swan. In addition, there are other large boreal wetlands in Edézhíe such as Bulmer Lake, Mink Lake, and the Fawn Lake complex. The Willowlake River (Xhahndaa Deh – Slavey for 'goose place river') is known to attract large numbers of nesting and staging geese.
- International Biological Program Sites: There are three International Biological Program (IBP) proposed sites in Edézhíe: Mills Lake, Horn Plateau, and Horn River. These sites were chosen because of their characteristic geomorphology, rare or 'at risk' flora and fauna, and important wildlife habitat.
- Water Drainages: Edézhíe is the source of the three drainages in the Dehcho Region: the Willowlake, Horn and Rabbitskin Rivers. These drainage basins are of great

importance to the subsistence economies and culture of a number of Dene communities around Edézhíe.

- **Ecoregion Representation:** The Edézhíe candidate protected area encompasses almost the entire Horn Plateau ecoregion (77%) and a portion of the Hay River Lowlands (5.6%) and the Great Slave Lake Plain (4.8%) ecoregions. The high elevation of the Horn Plateau makes it similar to the sub-arctic forest transition zone hundreds of kilometres to the north, which has flora and fauna more typical of higher latitudes.

2.2.3 Non-Renewable Resource Assessment

Phase I Assessment:

The *Edézhíe Candidate Protected Area Non-Renewable Resource Assessment (Phase I)* (Gal and Lariviere, 2004) provided an initial assessment of the mineral and petroleum potential of Edézhíe. Gal and Lariviere (2004) used satellite imagery, aerial maps, reports written by government and exploration companies, geological knowledge, expert opinion and modeling for their evaluation.

Summary – Minerals: Scant geological and exploration information exists for Edézhíe (Gal and Lariviere, 2004). Diamond exploration occurred in and around Edézhíe in the 1980s and 1990s. Kimberlite has not been discovered in Edézhíe, but kimberlite indicator minerals (KIMs) have been found in the region (Gal and Lariviere, 2004).

Gal and Lariviere (2004) stated that Mississippi Valley-type (MVT) lead-zinc is another potential mineral deposit-type. There are significant known deposits of MVT elsewhere in the southern NWT (e.g., Pine Point) in geological formations known to underlie Edézhíe. However, they concluded there was limited information on which to base an assessment and that further fieldwork would be required (Phase II assessment).

Summary – Oil & Gas: The Middle Devonian Horn Plateau reef and the Lonely Bay platform plays are considered to have the greatest potential. The western part of Edézhíe was ranked high for petroleum potential, and the central and southwestern portions have moderate potential (Gal and Lariviere, 2004). More recently, Gal (pers. comm.) stated that the only area within Edézhíe that could be considered to have moderate to high potential for natural gas is the extreme western portion (Figure 3).

Morrow (2007), in a further analysis of the hydrocarbon potential of Edézhíe, concluded that the entire area had low petroleum potential owing mainly to its location between geological formations known to contain natural gas reserves. Morrow suggested that, based on the available evidence, Edézhíe contained a potential of only 233 billion cubic feet of natural gas. The largest amounts were predicted to occur in the northeast portion of Edézhíe (Figure 3). Similarly, oil potential was rated as low at .5 million barrels confined to the basal Cretaceous sandstones of the Horn Plateau. Thirty-eight wells were drilled in

Edézhíe between 1960 and 1973 (Gal and Lariviere, 2004), and all were dry holes. No oil and gas rights exist in Edézhíe at this time.

Phase II Assessment:

The *Phase II Non-Renewable Resource Assessment (NWT Open File 2008-03)* (Mills, 2008) described the results of water, stream sediment and till sampling within Edézhíe to assess heavy mineral potential, and presence and characteristics of diamond indicator minerals.

Summary – Minerals: One belt of moderate lead-zinc and uranium potential occurs along the south flank of the Horn Plateau (Figure 3). These minerals were most clearly evident in the water chemistry there which suggested a deep source somewhere under the Horn Plateau. The second belt of moderate lead-zinc potential identified through primarily stream waters in the area occurs west of the Horn Plateau (Figure 3).

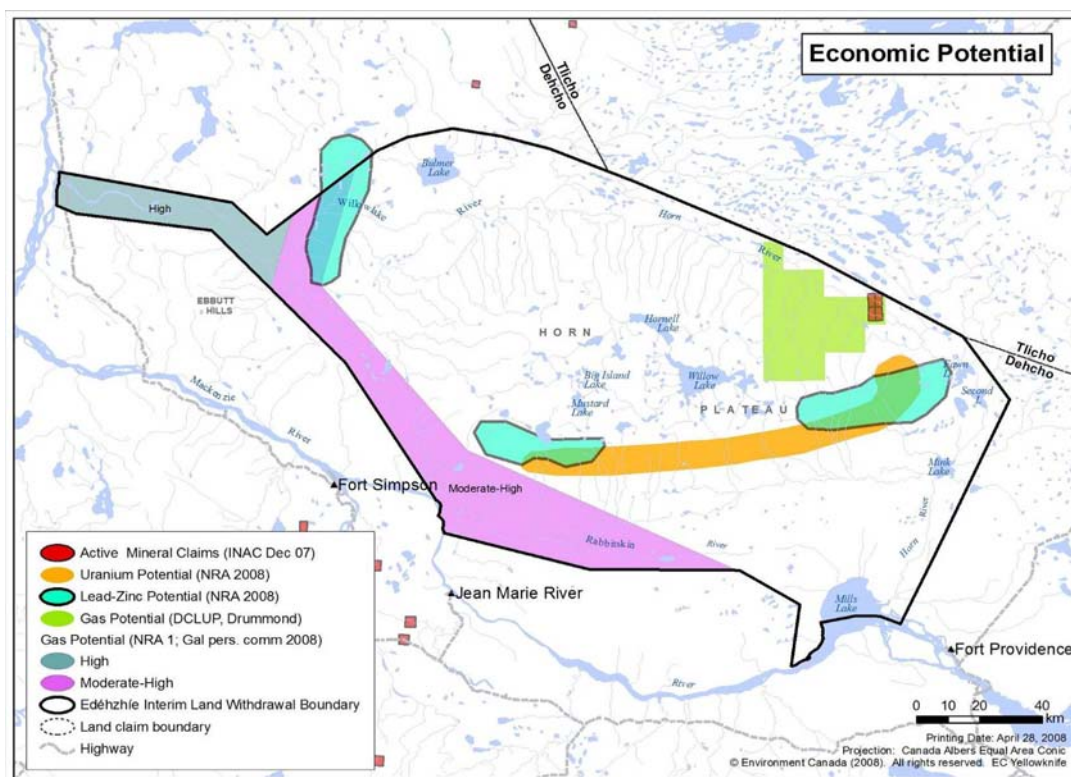


Figure 3: Mineral and hydrocarbon potential of Edézhíe.

Summary – Diamonds: All of the 325 stream sediment samples from Edézhíe contained kimberlite indicator minerals (i.e., garnet, chromite, chrome diopside, ilmenite, and olivine). These were most prevalent in streams flowing north and southwest off the Horn Plateau

(Figure 4). The chemistry of these minerals suggested a kimberlitic source for many of them. It also indicated that they originated from a diamondiferous kimberlitic source but that this source was not the known diamondiferous kimberlites approximately 400 km northeast of Edézhíe. The surface texture of kimberlite indicator mineral grains recovered from 25 till samples on the Horn Plateau were ambiguous as to whether these grains originated in the Edézhíe area or were transported from the northeast during the last glacial period. Mills (2008) concluded that a diamondiferous kimberlite source was likely within or near Edézhíe.

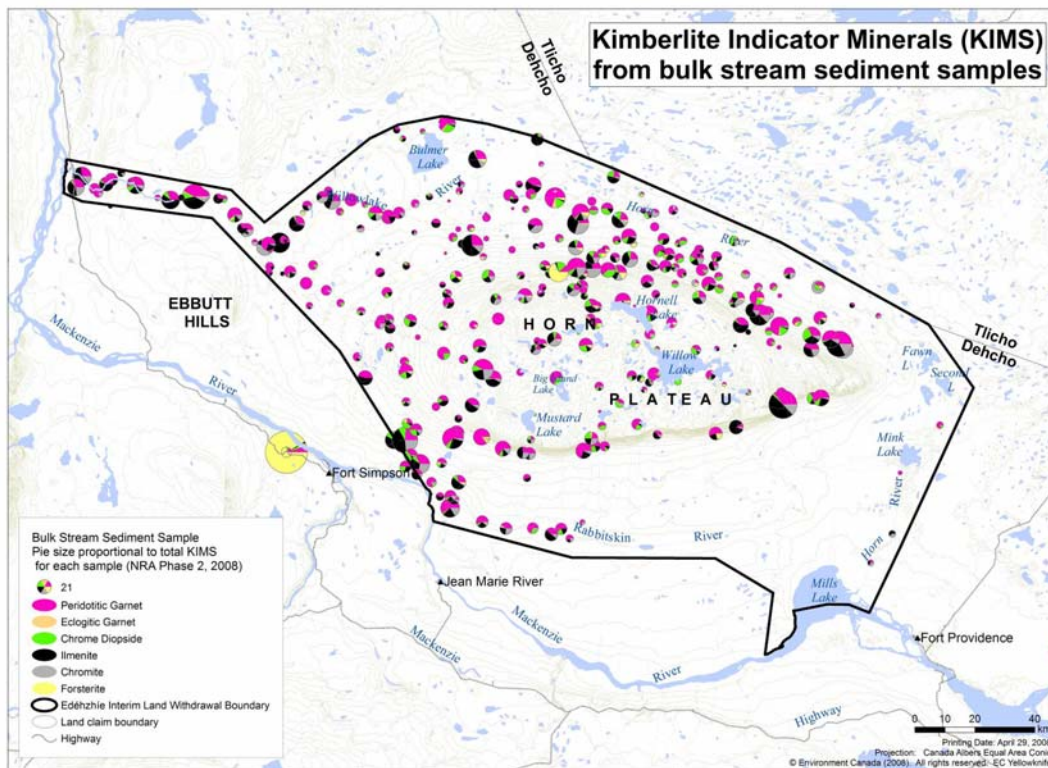


Figure 4: Recovery of kimberlite indicator minerals from stream sediment samples in Edézhíe.

2.2.4 Renewable Resource Assessment

The *Renewable Resources Assessment of the Edézhíe Candidate Protected Area* (IMG-Golder, 2006) examined where renewable resources are found in Edézhíe, how they are currently being used, how they could be used in the future, and how important they are economically.

Existing information was summarized and key people and agencies were interviewed, as well as the six partner communities. The study area included Edézhíe and a 25 km buffer

around it. Information specific to Edézhíe is limited so conclusions were based, in part, on information from the region (IMG-Golder, 2006).

Summary:

Wildlife, fish and trees are the most important renewable resources within Edézhíe for their economic and traditional values. Subsistence harvesting and trapping have the highest future potential and subsistence harvesting has the highest economic value (IMG-Golder, 2006). Recreational hunting occurs but is less important; there are no big game outfitters or commercial wildlife harvesting operations within Edézhíe. Subsistence fishing is important and has high future potential, but there is limited recreational fishing and no commercial fishing or hatcheries.

Trees have high economic value and future potential, mainly for their use in fuel wood harvesting. There is no commercial fuel wood harvesting or commercial logging within Edézhíe, although it does occur within the Dehcho region. Large-scale logging has limited potential, but there is potential for community-based sustainable forestry in areas south and west of Edézhíe. Agriculture is not presently occurring, but largely unsuccessful attempts were made in the Mills Lake area in the 1970s (IMG-Golder, 2006).

Tourism, both current and potential, is the highest in the Mills Lake area and moderate in some other parts. The Dehcho region has other well developed attractions and if desired, Edézhíe could benefit from further tourism development.

Finally, renewable energy generation such as wind and hydro electricity generation have some potential based on limited information. There are, however, concerns about environmental issues, financial viability, and lack of local support at this time.

2.2.5 Strategic Environmental Assessment (SEA)

The *2004 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals* states, in accordance with the federal commitment to sustainable development, that: “Ministers expect that policy, plan and program proposals of departments and agencies will consider, when appropriate, potential environmental effects.”

An SEA must accompany any policy, plan or program proposal brought before Ministers for approval. SEA is an effective planning tool that supports the achievement of sustainable development. It provides for evaluation of any positive and negative environmental effects of policy, plan or program proposals, and the impacts of those environmental effects on socio-economic factors, as the proposals are being developed and before decisions on implementation are made.

The SEA for Edézhíe (SENES, 2007) concluded that establishing Edézhíe as an NWA is not likely to result in important negative environmental effects. It is likely to result in environmental and related socio-cultural effects that are positive through the conservation

of natural ecosystems and species, and protection of subsistence harvesting activities and traditional use by the Dehcho and Tłichô First Nations. The SEA recommended that Edézhíe should be supported by a management plan that provides for the effective participation of stakeholders, particularly the Dehcho and Tłichô communities. It is further recommended that the management plan incorporate a monitoring dimension and adaptive management approach to ensure that management measures will be successful in achieving intended outcomes.

2.2.6 Socio-Economic Assessment

Volume 1 of the Edézhíe socio-economic report (AMEC 2008) presented an array of social statistics from the six Edézhíe communities and related them to the overall NWT situation. In summary, the population is primarily Aboriginal (87%), and compared to the NWT average, is characterized by: a higher population growth rate, a lower average age, a higher ratio of males to females, a lower level of education, a lower likelihood of being employed, a higher likelihood of being employed in services other than health, education, or business (34%), a lower average family income in 2005 (35%), a higher burden of living costs, a greater amount of housing in need of major repair (29%), a higher percentage of households in core need, higher crime rates, and a greater likelihood of participating in traditional land uses.

Volume 2 of the Edézhíe socio-economic report (AMEC 2008) conservatively estimated the current economic output of Edézhíe at \$1.8 – 2.8 million annually, as determined primarily from the earlier assessments of Edézhíe and the social and economic statistics summarized in Volume 1. Cultural and historical values are very difficult to quantify. It was estimated that the ecological goods and services of Edézhíe could be 60 – 80 times the annual economic output.

Volume 2 estimated the total economic potential from non-renewable resources of the Edézhíe candidate protected area (Table 3), based on limited information and a number of assumptions about the scale of development based on past NWT experience, its duration, exploration and development costs, and marketability. In summary, mineral development would likely occur ahead of hydrocarbon development owing to the current lack of infrastructure for getting hydrocarbons to market; however, in the case of natural gas, a Mackenzie Valley pipeline could change this prediction. Hydrocarbons, minerals and diamonds would all provide low levels of employment during exploration and high levels during construction. Minerals and diamonds would provide continuing high employment during production, whereas employment generated from hydrocarbon development would decline to be almost negligible during operations. It is not likely that any resource development in the Edézhíe area would occur for at least 10-20 years. In Section 6.0, hydrocarbon, mineral and diamond potential is discussed in relation to boundary options for a future Edézhíe protected area.

Table 3: Estimated resource development potential in the Edézhíe candidate protected area (from AMEC 2008).

Attribute	Oil	Gas	Minerals	Diamonds
Resource Potential	Potentially 0.5 million barrels 0.1% of current reserves in NWT Exact volumes and locations unknown	Potentially 233 billion cubic feet 0.3% of current discovered reserves in NWT Exact volumes and locations unknown	Moderate potential for lead-zinc. Could be more than one mine Use 1000 ton per day mine (Prairie Creek mine proposal) as example	Unknown potential Could be more than one mine Examples range from 0.5 million carats/year (Jericho Mine) to 2.4 million carats/year (Snap Lake) Could be larger
When	Exploration: 2020 Construction: Unlikely Operations: Unlikely	Exploration: 2020 Construction: 2025 Operations: 2027	Exploration: 2010 Construction: 2020 Operations: 2022	Exploration: 2010 Construction: 2020 Operations: 2025
Duration	Exploration: 5 years Construction: 2 years Operations: 20 years	Exploration: 10 years Construction: 2 years Operations: 10 years	Exploration: 5 years Construction: 2 years Operations: 10-20 years	Exploration: 5 years Construction: 2 years Operations: 10-20 years
Cost	Exploration: \$55 million Construction: \$175 million	Exploration: \$220 million Construction: \$175 million	Exploration: \$50 million Construction: \$167 million	Exploration: \$50 million Construction: \$120 million to \$1,000 million
Gross Revenues	\$42 million (\$100/barrel)	\$350 million	\$40 million/year	\$75 to \$275 million/year
Economic Impact	Exploration: 200-320 PYs Construction: 630 PYs Operations: 1.5 PYs/year	Exploration: 790-1,280 PYs Construction: 630 PYs Operations: 10 PYs/year	Exploration: 180 to 290 PYs Construction: 600 PYs Operations: 200 PYs/ year	Exploration: 180 to 290 PYs Construction: 150 to 750 PYs Operations: 65 to 300 PYs/year

3.0 Conservation and Economic Values of Edézhíe

3.1 Methodology

The EWG was faced with the complex task of considering multiple layers of conservation and economic values overlying the Edézhíe candidate protected area and designing a protected area taking into account all of these values. As an initial, objective approach to this task CWS, as part of the EWG, conducted a MARXAN (Game and Grantham, 2008) analysis.

MARXAN is a computer program that identifies the optimal solution for incorporating a range of information into the smallest geographic area. In the case of a candidate

protected area such as Edézhíe, MARXAN is provided representation target levels for each of the conservation values identified for the area and attempts to meet these targets within a minimum sized area. Different scenarios with respect to the economic values are explored by attaching 'cost' to those values or, in other words, the degree to which MARXAN should avoid economic values when identifying areas for achieving conservation value target levels.

The conservation values and their representation targets were:

- Horn Plateau Ecoregion and Landscape Units – 75%
- Vegetation cover (from satellite imagery) – 15 to 75% (abundant cover types assigned lower target values)
- Source waters and large water bodies – 75%
- Waterfowl habitat – 75%
- Key Migratory Bird Terrestrial Habitat Site #18 – Mills Lake – 100%
- Woodland caribou/Moose survey data – 75%
- Woodland caribou critical (late winter) habitat – 65%
- International Biological Program Sites – 30 to 75%
- Traditional use – 100%

The economic values used were:

- Lead-zinc potential¹
- Uranium potential
- Natural gas and oil potential
- Mineral licences

The entire study area, in this case the Edézhíe candidate protected area, is divided into equal size 'planning units'. There were 16,000 such planning units within Edézhíe and each planning unit has a certain conservation and economic value signature based on the specific values occurring in it. These planning units are the fundamental unit of the

¹ Diamond potential could not be included in the MARXAN analysis. Kimberlite indicator minerals were widespread in Edézhíe (Figure 4), but the available data was not sufficient to identify a specific source.

MARXAN analysis. In the results below, the dark green areas on the maps represent planning units that were selected more than 50% of the time in 100 runs of the program. MARXAN, however, does not delineate the actual boundary location of a possible protected area. The boundary lines in the options below were drawn by the EWG to best capture the intent of the particular option.

3.2 Conservation and Economic Values

From its inception, the surrounding communities considered Edézhíe as first and foremost an area intended for conservation. One MARXAN analysis, therefore, had a higher ‘cost’ attached to the economic values within the Edézhíe candidate protected area (Figure 5). In other words, the analysis sought to include as little area of economic potential as possible while striving to meet the representation targets set for the various conservation values (Section 3.1). Although the results did include some overlap of the conservation and economic values (Figure 5), it was not to the degree seen for an ‘open scenario’ where there was no additional cost to including areas of economic value).

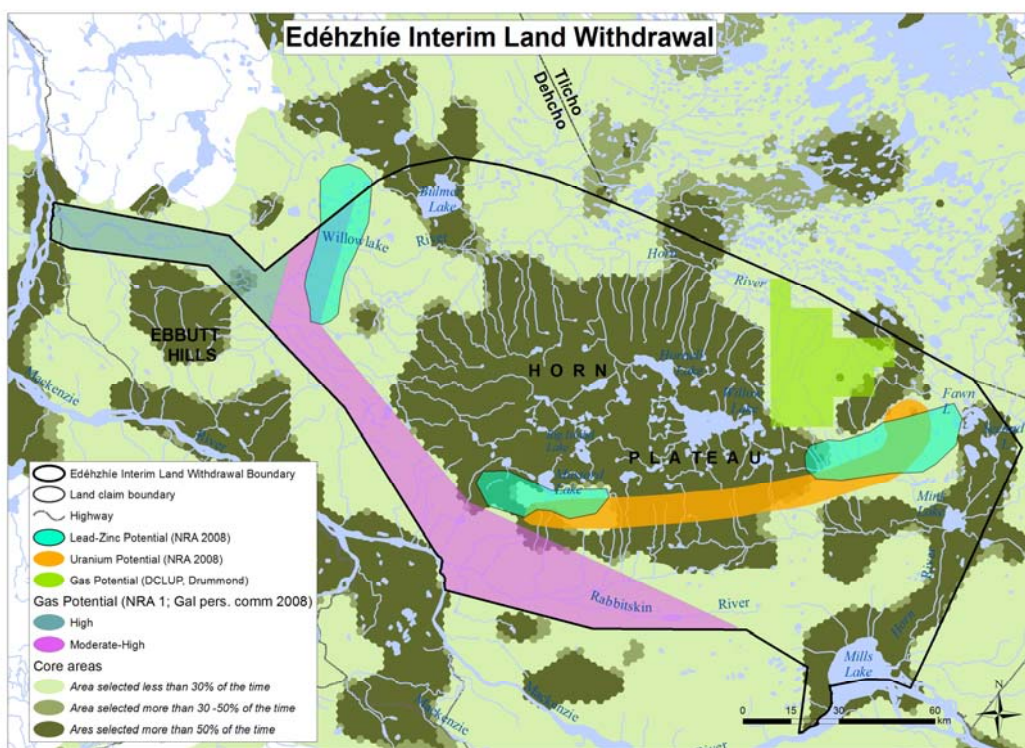


Figure 5: The areas of conservation value within the Edézhíe candidate protected area when MARXAN avoided economic values as much as possible.

4.0 Recommendations

The Edézhíe Working Group directs the following recommendations (Table 2) to the Dehcho First Nations, the Tłı̄ch̄o Government, and Environment Canada, to the extent that the recommendations fall within their respective mandates. The Working Group also directs its recommendations to INAC and the GNWT, to the extent that the recommendations fall within their mandates. These recommendations mark the transition from Step 5 to Step 6 of the PAS planning process, which advances Edézhíe towards establishment as an NWA under the *Canada Wildlife Act*.

4.1 Boundary

The EWG used the results of the analysis described in Section 3.2 (Figure 5) as the basis for boundary determination. The EWG recommends that an area covering 57% (14,249 km²) of the original Edézhíe candidate protected area (25,230 km²) be considered for establishment as a permanent protected area (Figure 6 and 7). This area is a compromise between the conservation and economic potential within the original candidate protected area. The considerable size reduction creates greater flexibility within the Dehcho Region with respect to other conservation designations. The recommended boundary is now retracted from the Dehcho-Tłı̄ch̄o regional boundary; however, Tłı̄ch̄o communities will still have access to it for traditional activities.

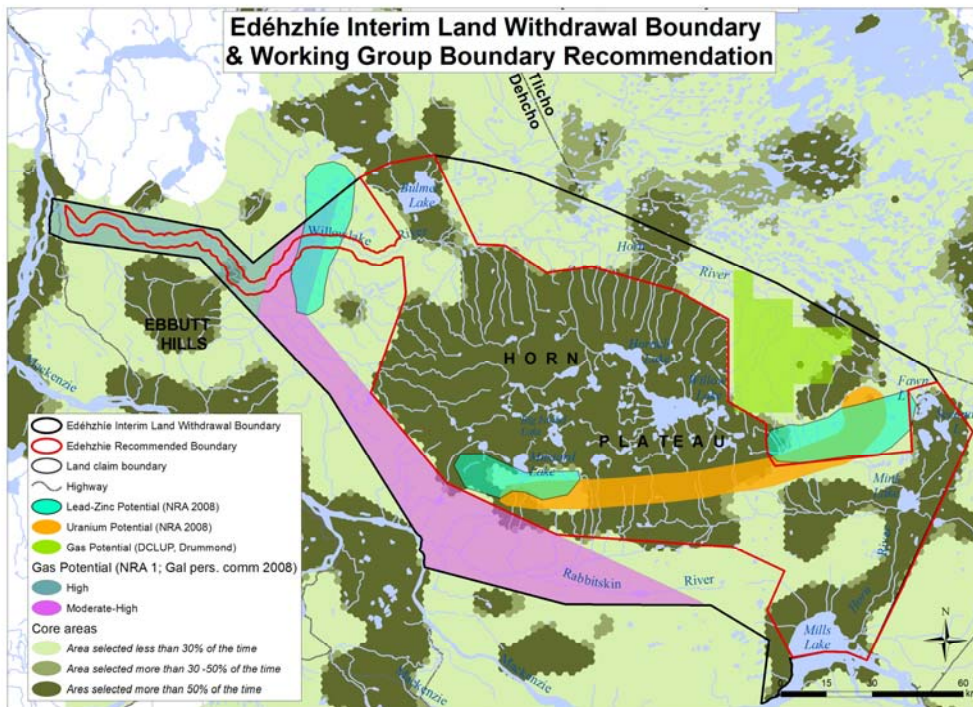


Figure 6: The Edézhíe Working Group’s recommended boundary in relation to the original candidate protected area.

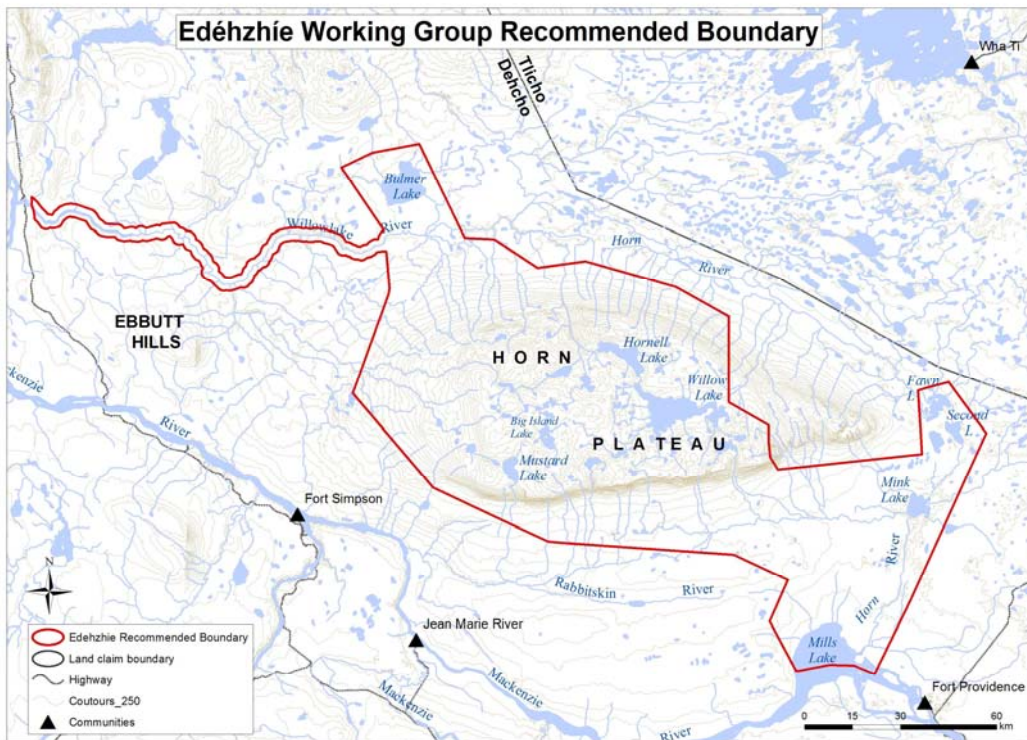


Figure 7: The Edézhíe Working Group’s recommended boundary in relation to topographic features.

4.1.1 Conservation Rationale:

A large majority (89%) of the conservation values in the original Edézhíe candidate protected area are included in the recommended protected area. It includes the feeder streams of the Willowlake, Horn, and Rabbitskin Rivers, including the source waters on the Horn Plateau. This was the main protective goal of the Edézhíe candidate protected area as articulated by the First Nations communities.

The area within the recommended boundary protects almost all the conservation values in the original candidate area including boreal woodland caribou/moose habitat, the Mills Lake Key Migratory Bird Habitat Site, other large boreal wetlands such as Bulmer, Mink, and Fawn Lakes, water quality, and all important traditional use areas. The area within the recommended boundary contains 98% of the land in the original candidate area that First Nations identified as being the most important for traditional use. It also contains 92% and 87% of lands identified as having high to moderate importance respectively for traditional use.

4.1.2 Economic Rationale:

A large majority of the hydrocarbon and mineral potential (78%) in the original

Edézhíe candidate protected area is excluded from the recommended boundary and will be available for future disposition (e.g., mineral and petroleum leases) as Special Management Zones under the Dehcho Land Use Plan. A summary of the estimated socio-economic impact associated with the development of the hydrocarbon and mineral potential outside the recommended boundary (AMEC, 2008) is found in Table 4. The majority of the hydrocarbon and mineral potential identified in the socio-economic assessment (Section 2.2.6) is retained. Such development, however, remains hypothetical at this time (AMEC, 2008)

Approximately 43% of the diamond potential identified in the candidate protected area is excluded from the recommended boundary and will be open for advanced exploration and possible development. A summary of the estimated socio-economic impact associated with diamond mining outside the recommended boundary (AMEC, 2008) is found in Table 4. The majority of the diamond potential identified in the socio-economic assessment (Section 2.2.6) is retained (cf. Tables 4 and 3). Such development, however, remains hypothetical at this time (AMEC, 2008).

The recommended boundary extends as far west as, but does include, the Mackenzie Gas Project natural gas pipeline corridor (Figure 7). The mineral lease in the original candidate area is not included within the recommended boundary.

Table 4: The remaining estimated mineral and hydrocarbon potential as determined by subtracting the potential within the recommended boundary from that in the original candidate protected area as identified in Table 3 (from AMEC, 2008).

	Based on 78% of Potential Outside the Recommended Boundary		Based on 43% of Potential Outside the Recommended Boundary
	Hydrocarbons	Minerals	Diamonds
Total Costs (exploration, construction)	\$481 million (over 12 years)	\$167 million (over 7 years)	\$258 million
Gross Revenues	\$15 million/year for 20 years)	\$42 million/year for 20 years	\$118 million/year for 20 years
Economic Impact (exploration and construction)	1900 PYs over 7 years	616 PYs over 12 years	400 PYs over 7 years
Economic Impact (operations)	9 PYs for 20 years	154 PYs for 20 years	130 PYs for 20 years

4.2 Legal Designation

The EWG recommends that Edézhíe be established as a National Wildlife Area (NWA) under the *Canada Wildlife Act (Wildlife Area Regulations)*. Upon designation, Environment Canada will become the lead responsible authority in Edézhíe; the authority and management of the area therefore remains with the federal government through the Minister of Environment Canada. The *Canada Wildlife Act* applies only to Crown Lands. As a result, the lands within Edézhíe will not be available for, and cannot be selected as, private lands through the Dehcho Process.

Rationale:

The EWG has reviewed the *Canada Wildlife Act* and believes that given the flexibility in management provided by the *Wildlife Area Regulations* and the wishes of the Dehcho and Tłichô communities to conserve the land and water for future generations, NWA is the best legal designation. It best meets the conservation goals for an Edézhíe NWA while at the same time allowing limited economic activity and enjoyment by the communities and other Canadians.

4.3 Land Administration

Section 9.(1) of the *Canada Wildlife Act* states: “The Governor in Council may authorize the Minister to lease any lands, or purchase or acquire any lands or any interests or rights in any lands, for the purpose of research, conservation and interpretation in respect of (a) migratory birds; or (b) with the agreement of the government of the province having an interest therein, other wildlife.” Therefore, the *Canada Wildlife Act (Wildlife Area Regulations)* provides protection to the surface lands through transfer to Environment Canada’s authority (in this case transfer from INAC). Ownership and jurisdiction remains with the federal government. However, the *Canada Wildlife Act* does not provide for CWS to manage subsurface lands and issue subsurface dispositions.

The EWG considered three options concerning future subsurface dispositions in the recommended NWA. Three options were considered and discussed. The EWG does not have a consensus recommendation regarding subsurface dispositions.

Option 1 - Withdrawal of the subsurface rights through the *Territorial Lands Act*, either for the area within the entire recommended boundary or for zones therein.

INAC facilitates an Order-in-Council to withdraw the subsurface rights on a long-term basis. No further dispositions (rights) are issued by INAC.

The EWG does not have specific recommendations concerning zonation within the recommended boundary area. Any such zones, however, would include areas of exceptional conservation or traditional use value (e.g., wetlands, parts of the Horn Plateau). Detailed discussions and decisions on zonation within the Edézhíe NWA would

require a re-convening of the EWG and additional consultation with the Edézhíe communities.

Option 2 - Withdrawal of the subsurface rights through the Dehcho Land Use Plan, either for the area within the entire recommended boundary or for zones therein.

An interim Dehcho Land Use Plan would zone Edézhíe's subsurface as a Conservation Zone. Conservation Zones prohibit mineral and petroleum development, but may allow some related uses, such as access for roads and feeder pipelines. Conservation Zones in the Land Use Plan will be implemented through a subsurface-only withdrawal under the *Territorial Lands Act*. An Interim Dehcho Land Use Plan, if approved and implemented, could be amended upon agreement of the three parties (Canada, DFN and GNWT) and would be reviewed at least every five years. The difference between this option and Option 1 is that the subsurface withdrawal in this option is regularly reviewed, and could be amended upon agreement of the Parties.

Should Edézhíe be designated prior to the approval of the Land Use Plan, INAC would continue to extend the withdrawal of the subsurface rights on an interim basis through an Order-in-Council. Subsurface rights would continue to be under the federal administration and control/authority of INAC.

The same comments with respect to zonation under Option 1 apply here.

Option 3 - No withdrawal of subsurface rights within the recommended boundary.

Environment Canada assumes surface administration while INAC retains the subsurface authority and the ability to issue subsurface rights leading to possible industrial development.

4.3.1 Dehcho and Tłichô First Nations

The Dehcho and Tłichô First Nations recommend that the subsurface of the Edézhíe NWA be permanently withdrawn under the *Territorial Lands Act*. Option 1 with subsurface withdrawal of the entire area within the recommended boundary is the preferred mechanism for achieving this.

Rationale:

The Dehcho and Tłichô First Nations have recommended a boundary option that results in a 43% decrease in land area from the original candidate protected area. Virtually the entire area of moderate to high hydrocarbon and mineral potential has been left available for future disposition. Industry representatives have advised the EWG that the excluded 43% represents high potential for future diamond exploration. The First Nations believe that this compromise from the original candidate area is a strong rationale for a subsurface

withdrawal of the area within the recommended boundary. It is also the view of the First Nations that the conservation values within Edézhíe must be absolutely protected from industrial development. The Dehcho First Nations have previously formalized their wish that there be no industrial development in an Edézhíe NWA through letters from Chiefs and community resolutions and that this be achieved by a subsurface withdrawal. The Chief of Fort Providence has recently stated: "Edézhíe is where we as Deh Gah Got'ie are going to find ourselves culturally, economically, politically and spiritually, and it will be managed cooperatively by our future Deh Gah Got'ie."

Goal 2 of the PAS is to "protect core representative areas within each ecoregion". The area within the recommended boundary contains 44% of the Horn Plateau, 3% of the Hay River Lowlands, and 3% of the Great Slave Lake Plain Ecoregions. Subsurface withdrawal of the area within the recommended boundary would ensure the long term protection of a significant portion of one ecoregion, and smaller portions of two others.

The recommended boundary (Figures 6 and 7) includes a large tract of boreal woodland caribou habitat which has been assessed as still capable of sustaining this species over the long term (Environment Canada, 2008). A subsurface withdrawal as recommended by the Dehcho First Nations and Tłı̄chô Government (see Section 7.0), would best ensure that additional development related disturbance remains low. In addition, such a withdrawal would assist Canada in protecting critical habitat for boreal caribou as required by the federal and territorial *Species at Risk Acts*.

Option 1 would ensure that the eco-cultural values of the Edézhíe NWA are protected for the long-term and contributes to a balanced approach to land use in the Dehcho Region.

Option 2 would provide temporary protection but would not ensure long-term protection of the eco-cultural values of the Edézhíe NWA from industrial development. The status of Edézhíe could change pending the outcome of ongoing five year reviews.

Option 3 would threaten the eco-cultural values of the Edézhíe NWA.

4.3.2 Government of Canada

Environment Canada

Environment Canada recognizes the value of securing the withdrawal of subsurface rights in its protected areas and will seek the withdrawal of subsurface rights on a case-by-case basis. Environment Canada is considering all the options for subsurface disposition in an Edézhíe NWA. Decisions will be made in concert with other federal interests in this matter and will be based on a weighing of all the information the Working Group has presented in this Recommendations Report, other sources, and any required additional analysis.

Indian and Northern Affairs Canada

Decisions on the subsurface dispositions for NWAs being established under the PAS in the NWT will be made on a case-by-case basis. Indian and Northern Affairs Canada is currently considering the subsurface disposition options, and recommends that subsurface disposition options form part of the future discussions and negotiations on the establishment of the Edézhíe NWA. Indian and Northern Affairs Canada does not have a recommendation for any specific subsurface option for the Edézhíe NWA at this time.

4.3.3 Government of the Northwest Territories

The Government of the Northwest Territories (GNWT) is satisfied that the EWG has reviewed the assessment information presented on land values in the vicinity of the Edézhíe candidate protected area in a manner consistent with the Protected Areas Strategy process.

On the matter of subsurface withdrawals, the GNWT agrees that subsurface rights would be withdrawn for areas designated as conservation zones and that this subsurface withdrawal for the Edézhíe NWA should be consistent with the Interim Dehcho Land Use Plan.

In general, GNWT political process is followed during the time of public consultation. Information provided through upcoming public consultation on the proposed Edézhíe NWA may be reviewed by Cabinet and a GNWT position offered at that time. This could lend support to any land withdrawal requests through the Indian and Northern Affairs Canada Land Withdrawal Directive for protected areas.

The GNWT also remains interested in participating in any pursuant Edézhíe NWA management discussion.

4.3.4 World Wildlife Fund Canada

The position of World Wildlife Fund Canada is that the best solution to protect the Edézhíe NWA is a permanent subsurface withdrawal as this provides certainty to industry and agrees with all resolutions and positions of all the Aboriginal partners/communities represented by the EWG and fully protects the Horn Plateau Ecoregion from industrial development as required in the NWT-PAS. Option 1, with subsurface withdrawal for the entire area within the recommended boundary, is the only legal mechanism for achieving this.

Rationale:

Option 1 would ensure that the eco-cultural values of the Edézhíe NWA are protected for the long-term and contributes to a balanced approach to land use in the Dehcho Region.

Option 2 would provide temporary protection but would not ensure long-term protection of the eco-cultural values of the Edézhíe NWA from industrial development.

Option 3 would threaten the eco-cultural values of Edézhíe if it was available for industrial development.

4.3.5 Ducks Unlimited Canada

Ducks Unlimited Canada (DUC) supports final designation of Edézhíe NWA as defined by the Edézhíe Working Group's selected boundary. This support is based upon its mission to retain wetlands and associated habitats for the benefit of waterfowl.

DUC supports the balanced approach that the Edézhíe Working Group has chosen by adjusting the boundary and reducing the area of the proposed NWA to 57% of its original size in order to exclude most areas with non-renewable resource potential. DUC believes it is essential for the final designation to include surface and sub-surface protection to provide clarity with respect to what lands will be protected and what lands may be developed. Achieving surface and sub-surface protection of the area within this boundary also reflects the vision of the Dehcho and Tłichô communities empowered through the Northwest Territories Protected Areas Strategy to make decisions about how their land and resources should be managed for future generations.

One area of high non-renewable resource potential excluded from the selected boundary is along the northern portion of the Horn River, upstream from Mills Lake. DUC's vision of management of the Edézhíe NWA includes ensuring appropriate action is taken to maintain the ability of wetland habitat, including Mills Lake, to support breeding, moulting, and staging waterfowl.

Rationale:

The organizations that make up the Edézhíe Working Group demonstrated their collective commitment to compromise to attain a balance between conservation and development in the region. These organizations also seek clarity with respect to ensuring the eco-cultural values contained within the Edézhíe NWA are protected for future generations and Option 1 is best suited to provide this clarity.

4.3.6 NWT and Nunavut Chamber of Mines

The Chamber agrees to the recommended Edézhíe NWA boundary since it is a good compromise between conservation and development. Areas of high lead/zinc and oil and gas potential were excluded from the area within the recommended boundary; however, it is concerned that the true mineral potential of the Edézhíe area may never be known. The government mineral potential assessments suggested that the source for abundant kimberlite indicator minerals (and an actual diamond stone) could very well be found beneath Edézhíe. However, without advanced mineral exploration, it would never be

known if kimberlite ore bodies exist there. The work of at least one exploration company with mineral claims in the Dehcho and adjacent to the recommended boundary is very positive. There is the possibility of a new diamond field opening up in the Dehcho region in the near future.

The consistent message from the Dehcho and Tłı̄ch̄ô representatives on the Working Group was that they wanted full protection of the proposed Edézhíe NWA and absolutely no development. The Chamber, however, would have liked to have seen more discussion on other ways to protect the NWA and provide opportunity for future mineral exploration. In the opinion of the Chamber, Options 2 and 3 are more flexible approaches to land management in the Dehcho Region than Option 1.

The Chamber hopes that industry and the Edézhíe NWA can be good neighbours in the future. However, we believe that the proposed Edézhíe NWA has the potential to host economic kimberlite ore bodies and fears that permanent removal of land from mineral exploration could negatively affect the Dehcho in the future.

Rationale:

Option 2 would enable conservation and development zones to be shifted over time and allow for mineral exploration. Option 3 could allow mineral exploration to continue under special government permitting as can happen in other Wildlife Areas under CWS jurisdiction.

Both options would allow for systematic investigation of tracts of land. If nothing is found, exploration moves onto the next tract. This kind of mechanism allows exploration to proceed while providing environmental scrutiny of all activities within the area.

4.4 Transfer of Private Land

The EWG recommends that the 43.3 ha parcel of land owned in fee simple by Ducks Unlimited Canada be transferred in title to the Minister of Environment as per the Memorandum of Agreement between Ducks Unlimited Canada and the Canadian Wildlife Service dated October 17, 2002.

4.5 Management

The EWG is not prepared to make detailed recommendations on the future management of the Edézhíe NWA. It does, however, recognize the need for all management partners to be involved in finalization of the current Draft Management Plan. At that time, specific management issues will be addressed in detail.

The EWG recommends that:

- An Edézhíe NWA co-management agreement be established between Environment Canada, the Dehcho First Nations, the Tłıchô Government, the Government of the Northwest Territories, and non-governmental organisations.
- An Edézhíe NWA Management Committee should take its primary direction from the *Wildlife Area Regulations*, the co-management agreement, and the Edézhíe NWA Management Plan.
- The interests of the two Tłıchô communities in relation to the ongoing management of Edézhíe will be represented through the Wek'èezhii Renewable Resources Board; the four Dehcho communities will be represented by an applicable board created under the Dehcho Final Agreement. In the interim, the Dehcho First Nations should identify a regional organization that will represent their interests.
- Public awareness and appreciation of the ecological and cultural values of the Edézhíe NWA be communicated and fostered.

Appendix 4 lists the management principles, goals, and objectives for the Edézhíe NWA.

Appendices

Appendix 1: Steps in the NWT Protected Areas Strategy

Steps in the PAS	
1.	Identify the main areas to be protected.
2.	Prepare a proposal for a protected area. Get support from community and regional organizations.
3.	Regional and government review of the proposal. Send proposal to a sponsoring agency.
4.	Apply for short term (5 year) protection of the candidate area, if needed.
5.	Study and assess the ecological, cultural and economic values of the candidate area. Write a final recommendations report for the area.
6.	Apply to sponsoring agency to set up an official protected area.
7.	The sponsoring agency approves and sets up the protected area.
8.	In partnership, implement, monitor, and review the protected area.

Appendix 2. Terms of Reference for the Edézhíe Working Group

Mandate:

The Edézhíe Working Group oversees and guides the detailed evaluation studies and consultation required under Step 5 of the PAS planning process. The Edézhíe Working Group makes recommendations to Dehcho First Nations, Dogrib Treaty 11 Council, Canadian Wildlife Service, INAC and the GNWT on the protected area based on the results of evaluation studies and consultations.

Working Group Partnership:

One representative each from:

1. Canadian Wildlife Service
2. Dehcho First Nations
3. Dogrib Treaty 11 Council
4. Pehdzeh Ki First Nation (Wrigley)
5. Líídlí Kúé First Nation (Fort Simpson)
6. Ttheh'édhélí First Nation
7. Deh Gah Go'ie First Nation (Fort Providence)
8. Whatí
9. Behchokö
10. World Wildlife Fund
11. Ducks Unlimited Canada
12. Canadian Association of Petroleum Producers
13. NWT Chamber of Mines
14. Indian and Northern Affairs (INAC)
15. Government of the Northwest Territories (GNWT), Environment and Natural Resources (ENR)

Working Group Partners are appointed by their respective organizations to contribute expertise and information and to secure financial and other resources from their organizations. Working Group Partners have the option of naming an alternate to replace them in situations when they are unable to attend a Working Group meeting.

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. During resource assessment discussions, it is expected that a traditional land user and/or elder will be selected by each of the communities of Pehdzeh Ki (Wrigley), Líídlí Kúé (Fort Simpson), Zhahti Kûê (Fort Providence), Ttheek'éhdélí (Jean Marie River), Behchokö and Whati to attend.

Working Group Partners Duties and Responsibilities:

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.
2. To develop and oversee the implementation of an Annual Work Plan (complete with a budget) for the evaluation studies required under Step 5. (Please note: Various partners in the Working Group are government agencies. As such they have their own projects, fiscal year, and budget processes to work within. Their projects and expenditures cannot be directed by the Working Group and its Work Plan, however it is hoped that these agencies will contribute to and complement the Annual Work Plan and also be guided by it).
3. To review the Edézhzhíe proposal, and other known information, in order to determine knowledge “gaps” required under Step 5, within the context of the Protected Areas Strategy policies.
4. To guide, monitor, and review the Step 5 work conducted by the Working Group Partners, including Canadian Wildlife Service (sponsoring agency for the Edézhzhíe Candidate Protected Area), GNWT, INAC, Ducks Unlimited, or any other agency conducting Step 5 work.
5. To identify and secure financial resources for the evaluation work identified in the Work Plan.
6. To prepare an Annual Report for submission to the Partners of the Edézhzhíe Candidate Protected Area. The report will contain:
 - Details of the Step 5 evaluation work conducted.
 - Recommendations for the next Annual Work Plan and future work.
 - A proposed budget required to complete the Step 5 evaluation.
7. To develop communication and consultation plans for the review of the evaluation studies (Annual Reports and Work Plans may assist with this duty) and to distribute information amongst partners.
8. To coordinate the public review of the candidate protected area which includes discussions on the protected area status.

9. To make recommendations on the boundaries and establishment of the protected area to the Dehcho First Nations, Dogrib Treaty 11 Council, Canadian Wildlife Service, INAC and the GNWT. Note that the common boundary of Edézhíe between the Dogrib Treaty 11 Council and the Dehcho First Nations is fixed by a legal agreement between the parties, and cannot be altered by this Working Group.

PAS Secretariat role:

The PAS Secretariat will support the establishment of Edézhíe Working Group by:

- Supporting the Edézhíe PAS Community Coordinator in making arrangements for Working Group meetings.
- Briefing Working Group Partners on evaluation studies.
- Coordinating public communication, consultation and review.
- Assisting in the preparation of work plans and budgets.
- Compiling information and materials for the Working Group.
- Ensuring the Working Group is working within the Protected Areas Strategy.

Meetings:

The Working Group will meet as required to review study results and work plans, and plan consultation activities. Meetings may be face-to-face or by conference call.

Location of meetings:

Working Group meeting location will be selected by the Working Group from amongst the Working Group Communities and Yellowknife. Access and cost logistics will also be considered in meeting location decisions.

Review of Terms of Reference:

The Edézhíe Working Group terms of reference will be reviewed once a year or as required.

Appendix 3: Edézhíe candidate protected area chronology.

Date	Milestone
1992	<ul style="list-style-type: none"> Denendeh Resource Committee lists the Horn Plateau as priority area for protection within Líídlí Kúé First Nation traditional territory.
August 1996	<ul style="list-style-type: none"> INAC Minister announces the development of a NWT Protected Area Strategy (PAS) by the federal, territorial, Aboriginal governments, ENGO, and others at same time as approval of the first diamond mine in NWT.
April 1999	<ul style="list-style-type: none"> NWT Cabinet approves PAS forwards to INAC Minister for approval by Canada.
April 1999	<ul style="list-style-type: none"> Líídlí Kúé First Nation formally advances Horn Plateau into PAS Step 1 - 2 and begins mapping and documenting ecological and economic information plus traditional knowledge.
May 1999	<ul style="list-style-type: none"> Deh Gah Got'ie Dene First Nation and Fort Providence Resource Management Board hold community workshop to begin advancement of Mills Lake as a NWT PAS candidate protected area.
Sept 1999	<ul style="list-style-type: none"> NWT PAS approved by INAC and the GNWT
October 1999	<ul style="list-style-type: none"> Dehcho leadership pass Resolution #02 in support of creating Horn Plateau protected area, with no industrial or commercial activities to take place within boundary.
January 2000	<ul style="list-style-type: none"> Chief Cli requests PAS Secretariat to contact applicable federal/territorial departments in Dehcho for input and support similar and details of federal or territorial partnering or sponsoring institutions and their applicable legislative support
August 2000	<ul style="list-style-type: none"> Final Líídlí Kúé Horn Plateau Report and October 2000 Fort Providence PAS Workshop report tabled at 8th Annual Dehcho Assembly in Kakisa. Reports used as a basis to advance Mills Lake/Horn River and Horn Plateau as a single candidate area. 8th Annual Assembly of the Dehcho First Nations in Kakisa passes resolution supporting the initiative to advance the Horn Plateau as a Dehcho protected area, which would include the Líídlí Kúé First Nation, Deh Gah Got'ie Dene First Nation, Tthe'k'éhdéí First Nation, and Pehdzeh Ki First Nation as co-managers of the area along with government. Deh Gah Got'ie First Nation were encouraged to complete a proposal for the Mills Lake and Horn River protected area so as to link this area with the shared area on the Horn Plateau for a combined protected area with the CWS as possible sponsoring agency.
September 2000	<ul style="list-style-type: none"> PAS Secretariat receives Líídlí Kúé Horn Plateau Final Report and began work with possible sponsoring department, Líídlí Kúé First Nation, Dehcho First Nations and communities, the Dogrib Treaty 11 Council, Dogrib communities, and others to identify the consultation process needed to review and advance the site through the PAS process.
October 2000	<ul style="list-style-type: none"> PAS Workshop held in Fort Providence passes resolution¹ to link Mills Lake and Horn River with the Horn Plateau and advance it as a single candidate area for protection from industrial development under the NWT PAS. Delegates support the CWS a possible sponsoring agency using the <i>Canada Wildlife Act</i>, including a negotiated co-management plan, to protect Mills Lake, Horn River, and the Horn Plateau.

Date		Milestone
January	2001	<ul style="list-style-type: none"> Regional PAS Workshop held in Fort Providence with Líídlí Kúé, Deh Gah Go'ie, Tthe'k'éhdélí, and Pehdzeh Ki First Nation. Pass resolution for Dehcho First Nations to formally request the CWS to act as the sponsoring agency under the PAS to establish "Edézhíe" as a protected area under the <i>Canada Wildlife Act</i>. In conjunction with this resolution, the workshop participants developed a vision statement.
April	2002	<ul style="list-style-type: none"> On behalf of the Dehcho First Nations and the Dogrib Treaty 11 Council, Grand Chief Michael and Grand Chief Joe Rabesca submit a letter to Environment Canada to formally request that the CWS, as a federal partner in the NWT PAS, proceed as the sponsoring agency, with an application to INAC requesting the Surface and Sub-surface Land Withdrawal of the area of land known as Edézhíe.
December	2002	<ul style="list-style-type: none"> CWS receives a copy of the interim land withdrawal Order in Council (OIC 2002-1805 October 24, 2002) from the DIAND Lands Administrator. The withdrawal will expire on June 30, 2007.
September	2006	<ul style="list-style-type: none"> Request for extension of Edézhíe Interim Land Withdrawal submitted by CWS to DIAND.
June	2007	<ul style="list-style-type: none"> Interim land withdrawal extended until October 2008 (Order in Council P.C. 2007-1003 on 14 June 2007).
May	2008	<ul style="list-style-type: none"> Analysis of boundary options completed and presented to the Edézhíe Working Group.
June	2008	<ul style="list-style-type: none"> Interim land withdrawal extended until October 2010 (Order in Council).
February	2009	<ul style="list-style-type: none"> Edézhíe Working Group makes recommendation on a boundary and the Dehcho First Nations and Tłichó Government representatives reaffirm their wish to see a subsurface land withdrawal of the entire area. Dehcho First Nations passes a Resolution adding its support to the need for a subsurface withdrawal of the lands within the Edézhíe Working Group's recommended boundary to protect it from all industrial activity.

Appendix 4: Management Principles, Goals and Objectives

Management of Edézhíe will be guided by the following principles:

- Recognition and protection of the traditional and current use of the area by the Dehcho and Tłichô First Nations;
- Conservation of nationally and locally important wildlife and wildlife habitat for the benefit of all Canadians;
- Encouragement of public awareness of and appreciation for the natural resources of the area.

Management of the Edézhíe Wildlife Area has the following goals:

- Maintain and promote cultural values and traditional pursuits;
- Conserve and protect the watershed;
- Maintain important boreal wildlife habitat and biodiversity;
- Conduct research, monitoring and education.

Management of the Edézhíe Wildlife Area has the following objectives:

- Edézhíe will represent spiritual and biophysical values associated with the Horn Plateau and surrounding area and provide an important resource for continuing education of cultural, traditional and scientific values of the Dehcho for local, national and international audiences.
- Management will be ecosystem-based and respectful of natural processes including forest fires, which are a key component of maintaining this ecosystem and its associated biodiversity. Decisions will be based upon sound community ecological and scientific information.

No management regime will occur in the Edézhíe Wildlife Area that could have a detrimental effect upon species listed under the federal *Species at Risk Act*.

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