

Thelon Game Sanctuary Management Plan

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1.0 Introduction

1.1 Background to the Planning Process

1.1.1 Legal Mandate for the Thelon Game Sanctuary Management Plan

This Management Plan arises from Section 9.5.2 of the Nunavut Land Claims Agreement (NLCA), which states:

The Territorial Government shall, within five years of the date of ratification of the Agreement, coordinate the preparation of a management plan to jointly conserve and manage the Thelon Game Sanctuary. This shall entail applying the process set out in Sections 8.4.11 and 8.4.12 for that part of the Sanctuary in the Nunavut Settlement Area, and coordinating that process with a process applicable in that part of the Sanctuary, which is outside the Nunavut Settlement Area. The Thelon Game Sanctuary Management Plan shall be based on the recommendations of the DIO and affected communities. This plan shall be subject to approval of the federal and territorial governments. No changes will be made to the status of the Thelon Game Sanctuary or its boundary, until the Sanctuary management plan is approved by the federal and territorial governments. Following approval of the Sanctuary management plan, proposals to change the boundary of the Thelon Game Sanctuary, to disestablish the Sanctuary, or to alter its status shall be subject to joint public review by the NWMB and the agency having jurisdiction over management and protection of wildlife and wildlife habitat in that part of the Sanctuary which is outside the Nunavut Settlement Area. Section 9.3.2 applies to any decision of the NWMB respecting that part of the Sanctuary that is within the Nunavut Settlement Area.

The process leading to this Management Plan and the plan's contents have been consistent with these provisions.

It is understood that nothing within this document is intended to reduce or detract from the rights set out under the NLCA or any future land claims agreements, or any Aboriginal or treaty rights that may be exercised in the Thelon Game Sanctuary (Sanctuary).

It is further agreed and understood that nothing in this Management Plan will prejudice, nor is it intended to predetermine the outcome of benefits that may be negotiated during the development of the Inuit Impact and Benefits Agreement (IIBA) for the Sanctuary. An IIBA, requested by the Kivalliq Inuit Association, will be entered into for the Sanctuary. As well, this plan is not intended to prejudice or predetermine any agreements reached by the Akaitcho Dene, Government of the Northwest Territories (GNWT) or Canada during negotiations and ratification of an Akaitcho Agreement.

1.1.2 A Short Summary of the Planning Environment

The Sanctuary is currently a 52,000 square kilometre area centred on the Thelon River Basin with a western boundary approximately 250 km from the Dene community of Lutsel K'e and an eastern boundary 200 km west of the nearest Nunavut community, Baker Lake. Currently, the land is withdrawn from disposition under the Federal *Territorial Lands Act*, meaning that no surface or subsurface interests and developments can be established in this area. Upper portions of the Thelon River were designated as a Canadian Heritage River in 1990 for the area's natural and cultural integrity and recreational values.

While the Territorial Wildlife Acts prohibit hunting and trapping by any person in a Wildlife Sanctuary, the harvesting rights of Inuit of the Nunavut Settlement Area as set out in the NLCA as well as the Aboriginal and treaty rights of Dene prevail over any inconsistent or conflicting statutory prohibitions.

The Nunavut/Northwest Territories boundary runs through the Sanctuary creating Nunavut and Northwest Territories portions. The Lutsel K'e Dene are part of Akaitcho Treaty 8 Tribal Council who are negotiating an Akaitcho Agreement dealing with lands, resources and governance with Canada and the GNWT. The Akaitcho Treaty 8 Tribal Council signed a Framework Agreement in July 2000 and an Interim Measures Agreement in June 2001.

To be effective, protected areas must operate within a stable jurisdictional framework. This is not currently the case for the Sanctuary. While the Nunavut co-management bodies are now operational, and the Nunavut public government came into effect in 1999, the Dene are currently involved in negotiations of an Akaitcho Agreement. Therefore, the Management Plan cannot at this time deal with detailed management and development issues but must focus instead on laying the philosophical, policy and structural foundations, which will guide future development of the Sanctuary.

As the NLCA makes clear, the Management Plan must be based upon the recommendations of KIA and affected communities. This has been a guiding principle throughout the development of the plan.

1.1.3 Purpose of the Management Plan

This Management Plan for the Thelon Game Sanctuary is a long-range plan intended to define the values to be protected in the Sanctuary and to provide the foundation upon which the structures and processes needed to protect these values can be established. To this end, the Management Plan incorporates the following components:

- A vision for the Sanctuary and the associated conservation goals;
- Description of the legal framework within which the Sanctuary will be managed;
- Recommendations for the alteration of boundaries;

- › Recommendations on the establishment of buffer areas adjacent to the Sanctuary needed to support the conservation goals and description of means by which these areas can be implemented;
- › Policies/recommendations to be used as guidelines for management;
- › Identification of the participants in management;
- › Roles and responsibilities of participants;
- › Management structures required to manage the Sanctuary; and,
- › Direction on the nature and extent of human use.

The Management Plan deals with both the Nunavut and Northwest Territories portions of the Sanctuary despite the process having been initiated and funded through the NLCA. This is in accord with terms of the NLCA and with the wishes of the Dene of Lutsel K'e. However, nothing in this document is meant to prejudice or predetermine any future position the Akaitcho Treaty 8 Dene may wish to assume with regard to the Sanctuary or any other matter, nor is it intended to create an overlap with or affect the jurisdiction of existing agencies.

1.2 An overview of background data

1.2.1 Cultural History

The area now called the Thelon Game Sanctuary has a long history of human occupation. The area contains numerous archaeological sites and artifacts. The area was occupied as early as 6,000 BC by Archaic Indians. At about 1,500 BC they were replaced by Pre-Dorset Inuit who were in turn replaced about 700 BC by the precursors of the modern Dene. Following a devastating smallpox epidemic in 1781 - 1782, the Chipewyan Dene began a slow retreat southward and began to use the Thelon River on a much more sporadic basis. As Dene territory contracted, Inuit began to occupy the inland areas of the Kivalliq after about 1820 including the Thelon River.

Early Euro-Canadian exploration of the area around the Thelon was directed by the Hudson's Bay Company. In 1762, Captain W. Christopher arrived at the mouth of the Thelon River in Baker Lake. Numerous other explorers and mapping expeditions were to follow, but not along the Thelon itself. As a result, the Thelon became one of the last areas in Canada to be mapped by white men. In 1900 J.W. Tyrrell was commissioned by the Geographical Survey of Canada to map the Thelon with a view to the consideration of resource development, and commercial transportation. It was Tyrrell who first recommended that the area be turned into a game sanctuary for the preservation of the musk ox population.

Tyrrell's recommendation was not seriously pursued until twenty years later when, in 1924-25, John Hornby and Captain J.C. Critchell-Bullock embarked on an expedition from Great Slave Lake to Baker Lake to investigate the need for sanctuary designation. Hornby, in particular, became a strong advocate for the idea of a Thelon Game Sanctuary. His concerns were not limited to the musk oxen only, but included the caribou population as well as a range of other wildlife species. In 1927, the Thelon Game Sanctuary was created covering an area of 15,000 square miles.

Several historical structures related to early European presence can still be found in the Sanctuary, including three graves and the remains of a cabin at Hornby Point where John Hornby and two others died in 1927.

For the Dene/Metis, the Thelon's sanctuary status meant the loss of good hunting and trapping grounds. However, after the sanctuary boundaries were altered in 1956, Chipewyan Dene once again began to use some of the southeastern portions of the original sanctuary, which were no longer included.

From before its sanctuary designation, until the 1950s, Inuit lived in and around the Sanctuary. The Inuit depended on caribou and fish for survival, so hunting and trapping continued throughout this period. By the late 1950s, most Caribou Inuit had relocated to Baker Lake. Some traditional camps continued to be used seasonally for hunting and trapping. However, people consulted in Baker Lake indicated that the Sanctuary was and is an effective barrier to land use in that area.

Since the creation of the Sanctuary, the primary interests of non-native society in the area have been mining exploration, recreation and the conservation of one of the largest and finest wilderness areas in Canada. Mining exploration has been prohibited in the Thelon since 1930, yet pressure from mining and prospecting interests has remained. With respect to recreational use, there are currently two licensed tourism operations, which guide and outfit canoeing, hiking, and educational expeditions in the Thelon during summer seasons. At this time no tourism companies operating in the Sanctuary are based in the Kivalliq Region of Nunavut. Visitors from numerous countries come to the Thelon, some with tourism companies and others through private initiative. All are drawn by the remote pristine wilderness character of this inspiring landscape. Even for those Canadians who never set foot in the Sanctuary itself, the value of wild areas such as this are significant in the simple knowledge that they remain undisturbed.

The cultural value of the Thelon is difficult to quantify, or even to define completely. In addition to the relevance of land use and archaeological sites in the Sanctuary, spiritual values must also be remembered and explored. To the Chipewyan Dene, the Thelon represents a place of new life, which is not simply a breeding ground for wildlife, but is connected to the overall cyclical scheme of life. To the Inuit, all land is a powerful presence, as the source of all that is necessary to sustain life. While this worldview does not distinguish the Thelon from the lands around it, it does add to, rather than detract from, the value placed on the Sanctuary.

1.2.2 Natural Resources

The Sanctuary falls within the Low Arctic Ecoregion, which covers most of the Kivalliq Region. The tundra vegetation typical of this ecoregion characterizes much of the Sanctuary. Predominant vegetation consists of lichens, heath, and low shrubs. More than 120 species of lichen can be found in the Sanctuary. Variation in tundra vegetation in the Sanctuary is controlled largely by topography. Bare, exposed areas are covered by sparse black lichen cover or lichen/heath (dwarf shrub) mats. Less exposed sites, such as drainage ways and the lee sides of eskers and hills are home to low shrubs, lichens, mosses and sedges. Moist lowlands and flood plains commonly have tussock grass, low shrubs, moss, and willow thickets. While the tundra areas of the Sanctuary

are not particularly rare or unusual, they are significant for the fact that they remain largely undisturbed.

The Thelon River Valley, situated over 160 km north of the tree line, is a unique sheltered oasis within the arctic tundra region. Black spruce and white spruce trees extend from the river valley far out onto the open tundra. This area is perhaps the largest community of spruce outliers on the barrens, and was nominated as an IBP site (International Biological Program Ecological Site) for its unique qualities. The Thelon River Valley is also unusual because of its tall shrub communities and willow thickets.

The Sanctuary represents one of the richest areas for mammalian wildlife on the tundra. The Sanctuary is important to the ranges of caribou, moose, and musk ox. Forest communities and sheltered areas which are unusual in an area dominated by tundra allow for the presence of animal species - such as the moose and the beaver - rarely found so far north of the tree line.

The Sanctuary is an important part of the range and calving grounds of the Beverly Caribou herd. The herd was estimated to consist of around 265,000 animals in 1994 and is believed to be increasing in size.

The musk ox population was the most pressing concern surrounding the creation of the Sanctuary in 1927. Muskoxen are year-round residents of the Sanctuary. In 1930, the musk ox population within the Sanctuary was estimated to be 250 animals - half of the total population in the NWT. The population is now estimated to consist of at least 1100 animals, counted in 1994, representing about 1% of the total population in the NWT and Nunavut.

There is no evidence that moose regularly occupied the Sanctuary prior to the 1950's. Currently moose are regularly seen along the Thelon River and the population is thought to be increasing.

While the density of barren-ground grizzly bear in the Sanctuary is not known, sightings are regular, and have been increasing in frequency over the last two decades. The Thelon River Valley is important denning habitat and an important food source to the barren-ground grizzly population.

Of a total of 82 bird species recorded, 58 breed within the Sanctuary. Of these, 8 species represent significant northward extensions of their usual range by breeding in the Sanctuary: mallard, lesser scaup, American widgeon, common merganser, northern harrier, northern shrike, yellow rumped warbler, and rusty blackbird. The significance of the Sanctuary to bird populations is evident in the presence of these species. Ordinarily limited to boreal forest areas, they are able to breed in the Sanctuary because of its unique spruce outliers. Raptors and waterfowl are common in the Sanctuary, which is also a key molting ground for Canada geese.

Fish species in the Sanctuary seem to be those which are common throughout the NWT and Nunavut — lake trout, round whitefish, and arctic grayling, to name a few. However, it is worth noting that the northern pike reaches the northern limits of its range within the Sanctuary.

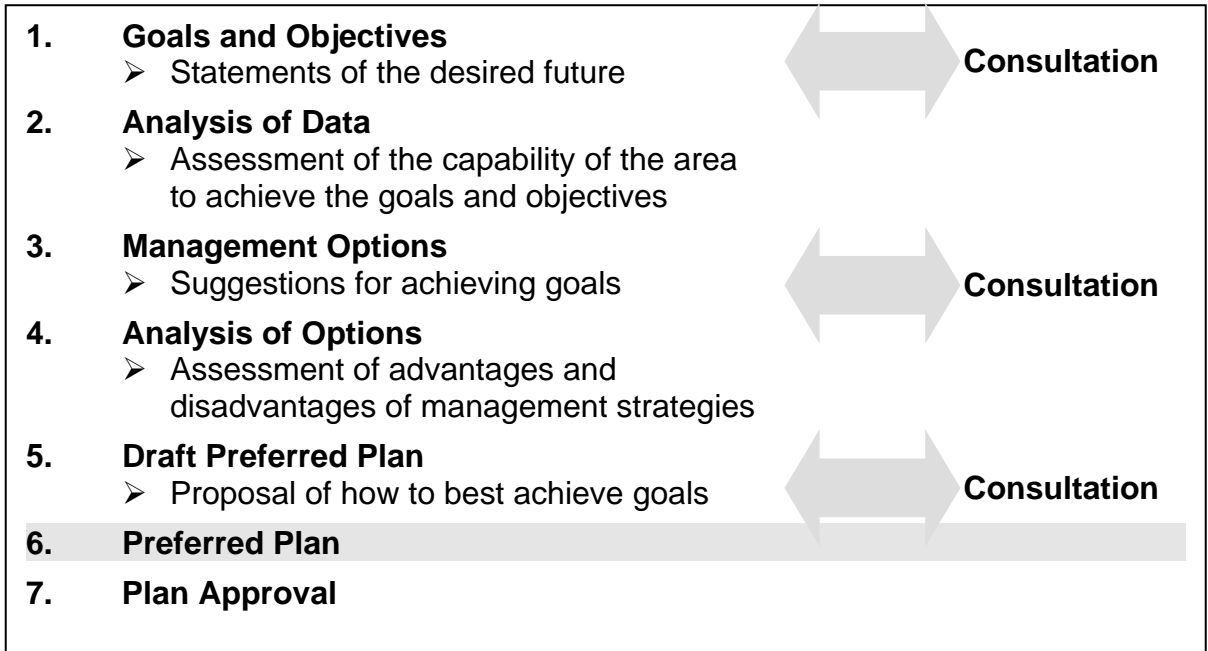
Mineral exploration is prohibited in the Sanctuary so information on mineral resources is limited to mapping projects and exploration in the surrounding area. Earlier surveys indicated little significant mineralization in the Sanctuary. However, the Sanctuary and surrounding district appear to be rich in uranium deposits, which have been the focus of the majority of recent exploration activity in the area. Prior to the 1980s, it was believed that the area held no significant gold deposits. However, since the discovery of some gold near Baker Lake in the early 1980s, more attention has focused on gold exploration. While some diamond exploration activity has occurred near the Sanctuary, specific information remains confidential.

1.3 Planning Process

The planning process that was conducted for the Sanctuary is outlined below. Public consultation was a key component in this process. With a special emphasis on local community contact, meetings, discussion groups and interviews were conducted at each stage of the planning program. Planning and consultation was coordinated through two committees, the Akiliniq Planning Committee in Baker Lake and the Thelon Dezzeth Planning Committee in Lutsel K'e. In November 1995, Lutsel K'e withdrew its support for the Thelon Dezzeth Planning Committee in favour of a more broadly based land use planning process related to the Akaitcho Agreement Process. Regardless, the Dene continued to participate as observers to the Akiliniq Planning Committee based in Baker Lake and contributed under the auspices of the Wildlife, Lands and Environment Committee. Nationally, a series of newsletters were prepared and circulated requesting public comment at each step of the process. Documentation of all consultations conducted in local communities and nationally has been recorded in previous reports submitted to the Akiliniq Planning Committee. A chronology of events is provided in the appendix to the plan.

The process is presently at Stage 6, the submission of the preferred Management Plan. Once approved, the Management Plan will form the basis for implementation of a new Sanctuary management structure, which will carry the responsibility for future management.

1.3.1 An outline of the Planning Process leading to the Thelon Game Sanctuary Management Plan



2.0 Role of the Thelon Game Sanctuary

2.1 Vision Statement

The Management Plan for the Sanctuary is founded on a vision expressed for the future of the Sanctuary. This vision reflects the importance of the special qualities of the area and its relationship to the people of the surrounding communities. It has been developed through public consultation, reviewed in previous stages of the planning process, and has been broadly supported by both Inuit and Dene.

The entire contents of the Management Plan are consistent with, and will elaborate on, this vision. It is essential that the intent of the vision be maintained by those who implement the Management Plan and by the public at large.

Vision

"A Thelon Game Sanctuary, managed and protected so that its undisturbed character and cultural values are preserved for the enjoyment of future generations."

2.2 Conservation goals

The vision statement addresses the three fundamental components or elements of the management and operation of the Sanctuary:

1. Protection of the undisturbed natural character and important ecological values of the Sanctuary;
2. Protection of the important cultural heritage of the area; and,
3. Utilization of the area for its recreational and intrinsic values.

Addressing each of these components is crucial to effectively achieving the stated vision.

Underlying these components is an administrative and operational dimension, which, although not explicitly mentioned in the vision statement, is nevertheless essential to the effective management of the Sanctuary. These various elements serve as the framework around which more specific directions for action can be identified.

The first level of interpretation of the vision statement for the Sanctuary lies in what are called conservation goals. These broad level statements are action oriented, and identify what must occur if the stated vision is to be realized. Like the vision statement, these conservation goals were developed through public consultation, reviewed at all the previous stages of the planning program, and are widely supported.

The following statements, consistent with the expression of the vision statement, provide the basis for more specific management objectives within each aspect of the management program for the Sanctuary.

Goals:

- to protect and maintain the sanctuary as a viable natural system;
- to protect the spiritual and cultural values of the Sanctuary; and
- to allow opportunities for use and enjoyment that are consistent with the protection and maintenance of the natural and cultural values of the Sanctuary.

3.0 The Boundary of the Thelon Game Sanctuary

3.1 Land status - historical & present

When the Thelon Sanctuary was established, its boundaries were created to encompass a vast area of wilderness without regard to the impact of such a designation on the lifestyle of people who traditionally used the land and resources of the area. An area of approximately 39,000 sq. km was designated by the Federal government as the Sanctuary in 1927 on the recommendation of John Hornby, a researcher funded by the Department of the Interior to travel and assess resource values in the area during an expedition on the Thelon River in 1925. While the original purpose of the Sanctuary was primarily the protection of musk ox, “it also had many advantages as a sanctuary for wildlife in general.”

The Sanctuary retained its original configuration until the 1950’s. At that time, mining interests in the southwest portion of the Sanctuary were successful in lobbying government to alter the boundaries, once again without consulting local people. The changes made removed a large area in the southwest from Sanctuary status and significant areas were added to the northwest and southeast in exchange. These changes were made neither on the basis of ecological considerations, nor as a reflection on the purpose and effectiveness of the Sanctuary. Rather, they were based on considerations related to the mining interests in the area.

The most recent alteration to the land status of the Sanctuary occurred upon ratification of the NLCA in 1993 when the land parcel BL - 44/66C became Inuit owned land. Further, Article 9.5.1 of the NLCA provided that:

“ Inuit Owned Lands Parcel BL - 44 / 66 C shall cease to constitute a part of the Thelon Game Sanctuary, unless, prior to the second anniversary of the date of ratification of the Agreement, the NWMB determines that the continued sanctuary status of that portion is integral to the conservation purpose served by the Sanctuary as a whole”.

In July, 1995 land parcel BL - 44/66C ceased to be part of the Sanctuary.

3.2 Boundary considerations

There has never been a thorough review of the boundaries, nor any assessment of their appropriateness to the established conservation goals for the Sanctuary. The mandate for this planning program also did not call for such a boundary review. However, it seemed very timely at this important juncture in the history of the Sanctuary to consider, in general terms, the appropriateness of the existing boundaries and to identify possible future actions consistent with the new regulatory regime resulting from the NLCA and the creation of Nunavut.

This review sought to determine, in very broad terms, whether existing boundaries were consistent with the long term vision and conservation goals for the Sanctuary, as identified and confirmed through the public consultation process. Detailed assessment and field studies were neither possible nor provided for within the terms of reference for this management-planning program. However, it is recognized that a detailed review

and analysis of the boundary proposals included in this plan must be undertaken prior to a final decision being made.

It is recommended that any review be directed and undertaken by the Thelon Game Sanctuary Management Authority (Management Authority) as it determines the need and appropriate timing. It is further recognized that any proposal to change the boundaries of the Sanctuary would be subject to joint public review by the Nunavut Wildlife Management Board (NWMB) and the agency with comparable jurisdiction in the Northwest Territories. Also, any proposed change to the boundaries of the Sanctuary within the Nunavut Settlement Area, related to management and protection of wildlife and wildlife habitat, would require the approval of the NWMB.

The following objectives will direct the review by the Management Authority:

- To assess and identify ecological integrity requirements
- To identify appropriate conservation area status for various areas within and adjacent to the Sanctuary.

3.3 Boundary review

The boundaries of the Sanctuary were established without the benefit of detailed review, justification, and documentation. They were apparently defined by following the most obvious natural landmarks to achieve the desired Sanctuary size. Public sentiment on the topic of boundaries was strongly focused on maintaining the strong conservation mandate of the Sanctuary over the full extent of the existing area. The 1927 decision to protect the Sanctuary resulted in a large and significant area being subject to some of the strongest protection measures accorded to any protected area in the country and people recognized and supported this reality.

In addition, two key areas adjacent to the Sanctuary emerged repeatedly in research and public consultations as critical areas, which are integral to maintaining the character and resource values for which the Sanctuary has been recognized. The areas are:

- a large area to the southwest (originally included in the Sanctuary) which:
 - is valuable wildlife habitat;
 - covers much of the extremely important headwaters of the Thelon River drainage; and
- a large area to the northeast which:
 - embraces critical areas of the Beverly caribou herd calving grounds; and
 - includes important caribou crossing areas along the Thelon River.

Although this Management Plan presents no confirmed position with respect to any boundary alterations, the Management Plan does document the public discussion that took place and provides direction as to how local community interests in conservation might be addressed through new area designations. It will then be up to the Management Authority, in cooperation with the Akaitcho Dene, KIA, GNWT, Nunavut Planning Commission (NPC), NWMB, and the Government of Nunavut (GN), to recognize the critical nature of the specific areas discussed, and to pursue their appropriate management with considerable effort. The success of such management

will significantly influence the long-term potential of the Sanctuary and the realization of its conservation goals.

Within the Nunavut Settlement Area, the NPC would need to consider the designation of such areas in the context of carrying out its land use planning responsibilities. With respect to such a NPC planning process, the NWMB would also have an important role to play through the identification of wildlife management zones and areas of high biological activity, and by providing recommendations to the NPC.

Sanctuary Extension

One area was proposed and discussed at length as a possible addition to the Sanctuary with all the status and implications for management that such a designation would entail. The area borders the Sanctuary on the southwest extending along the Thelon, Mary Frances, Radford and Hanbury river systems. The area is rich in natural resources and provides excellent habitat for many of the species central to the character of the Sanctuary. The area's importance is also related to its location as a major component of the upper watershed area of the Thelon River. Protection of this watershed from impacts emanating from other forms of land use is critical.

This area remains as central to the purpose of the Sanctuary as it was back in 1927, before the area was removed from Sanctuary status in the 1950's. Returning a central portion to Sanctuary status would be recognition of the values inherent in the original Sanctuary establishment. This area is still recognized by many as an integral part of the ecological core of the Sanctuary, which should receive the highest level of protection. At the same time, there are other legitimate interests that do not support such a designation. Clearly removing any additional land from potential exploration and development is not supported by the mining industry. Nor is such status supported by the people of Lutsel K'e who prefer achieving conservation goals in that area through the use of a Special Management Area (SMA) (see below) or some other form of protected area.

In light of all of these factors this Management Plan is not recommending an addition to the Sanctuary. Instead, the Management Plan encourages the Management Authority to consider the possibility of an extension at an appropriate time when jurisdictional parameters are clearer. At that time a comprehensive review, taking into account the full range of resource values, and the costs and benefits of alternative land designations should be undertaken as the foundation to an informed decision.

The concept of establishing Special Management Areas (SMAs) was proposed as one method of preserving the conservation values of important areas adjacent to the Sanctuary (for details, see Appendix 2). In Nunavut, the NWMB the NPC and the GN are encouraged to examine options in detail for protecting the conservation and heritage values of these areas, within their respective areas of authority.

Inuit owned lands parcel BL - 44 / 66 C

As indicated earlier, this land parcel, under specific considerations provided within the NLCA, was removed from Sanctuary status. However, during its investigations and

planning, the Akiliniq Planning Committee recognized the major cultural significance of this area as well as the caribou crossings. The Committee wanted special recognition of the area to ensure adequate protection of these important resources. It is recommended that the responsible authority (KIA) consider appropriate measures to ensure such protection either by reinstating the area to Sanctuary status or through some equally effective means.

Policies/Recommendations:

Through the consultations and development of this Plan, the following recommendations were received from the public and other participants as appropriate matters for the Management Authority:

- The Management Authority should address all necessary and appropriate measures, to ensure that the established Sanctuary area retains its protected status,
- One strong recommendation received through public consultation was that an area to the southwest of the existing Sanctuary should be reinstated back to full Sanctuary status. It would be appropriate for the Management Authority to consider this recommendation in light of alternative resource and land use benefits and impacts, and determine whether and by what means this recommendation could best be implemented.
- The Akiliniq Planning Committee recommended that management areas or other protected status be created and managed in adjacent areas of special importance, particularly Tyrrell Lake to the southwest, and Aberdeen Lake to the northeast. It would be appropriate for the Management Authority to consider this recommendation, with special attention to management strategies and options, either for co-operative management of these adjacent areas, or strategies to ensure appropriate communication and coordination between the Management Authority, and the local land use management agencies responsible for adjacent areas.
- In the event other special management areas are proposed, it would be appropriate for the Management Authority to undertake or recommend a comprehensive boundary review process for the specific identification of each area so that the areas identified accurately reflect the extent of the primary resources of concern to Sanctuary integrity.
- As noted above, it would be appropriate for the Management Authority to consider making recommendations to KIA to ensure adequate protection of land parcel BL 44/66 C, including the reinstatement of the land to Sanctuary or other protected status.

4.0 Thelon Game Sanctuary Management Structure

4.1 Background

A Management Plan implementation process for the Sanctuary is based on the establishment and evolution of an effective management structure. The need for an effective structure arises from and results from:

- the emergence of Aboriginal jurisdiction in Canada as that relates to land and resource management;
- current circumstances respecting the Dene and their treaty entitlement negotiations;
- the NLCA as the basis for the development of a management plan for the Sanctuary; and,
- the division of the Sanctuary by the Nunavut Territory boundary.

4.1.1 Jurisdictional Context

At present, jurisdictional interests with regard to the management of the Sanctuary include the GN, the GNWT, various institutions of public government established under the NLCA and two distinct Aboriginal interests - the Inuit of Nunavut and the Dene of the Akaitcho Treaty 8 Tribal Council. The division of the Northwest Territories and the formation of the public government of Nunavut in 1999, created a new jurisdictional situation, which is reflected in the management structure for the Sanctuary. With the formation of a Nunavut public government, the GNWT ceased to have jurisdiction over the eastern portion of the Sanctuary.

In addition to the unique dimension that the emergence of Nunavut adds to the relationships existing among the various jurisdictional interests, the negotiations between the Dene, GNWT and Canada related to the development of an Akaitcho Agreement may add new jurisdictional authorities. The Dene have participated in the management planning process for the Sanctuary to a lesser extent than have the Inuit largely because of their involvement in the Akaitcho Agreement process.

The nature of the jurisdictional relationships that exist with respect to the Sanctuary are evolutionary in character. The jurisdictional interests and the relationships between them are not, by their nature, in conflict as far as the management of the Sanctuary is concerned. Rather, the challenge relates to designing appropriate mechanisms for their cooperation and co-existence over time. Thus, it is important that a management structure for the Sanctuary be inherently flexible so that it can be adapted to changing circumstances as the relationships among the jurisdictional interests involved are clarified. Further, it is imperative that the inherent interest of the Inuit and Dene in the Sanctuary be respected and accommodated.

4.2 Concept

A joint or cooperative management regime operating on the basis of shared decision-making is the conceptual basis for the Sanctuary management structure contemplated here (see Chart 1). Functional components of the management structure include:

- A Management Authority which derives its authority from participating jurisdictional interests (parties); and,

- Local or community level implementation offices and/or committees, which derive their authority and legitimacy from the Management Authority and the communities of Baker Lake and Lutsel K'e.

Each of the levels identified as comprising the management structure has a specific role. Since ultimate authority and responsibility are vested at the jurisdictional interest level, it is at this level that the correct legislative and legal framework within which the management system must function should be achieved. For example, a recommendation by the Management Authority to change hunting regulations pertaining to the Sanctuary would require approval from the NWMB, the institution within Nunavut having jurisdiction over harvesting. The NWMB would then make a decision with respect to the Nunavut Settlement Area part of the Sanctuary, pursuant to the terms of the NLCA. A positive decision, duly accepted by the relevant Minister, would result in regulatory changes.

The role of the Management Authority would be to exercise planning, management and coordination functions with respect to the Sanctuary and to coordinate its efforts with the jurisdictions of existing institutions of public government (e.g. NWMB), and with Akaitcho Dene organizations KIA and the governments of the Northwest Territories and Nunavut. The Management Authority would deal with management planning and policy development, as well as implementation at a programming, administrative and operational level.

Local level advisory committees and/or offices would function as direct links between the communities of Baker Lake and Lutsel K'e, visitors, and the Management Authority. A community level presence is the basis upon which the Management Authority's function is legitimized within those communities most closely tied to the Sanctuary.

4.3 Management Authority

Creation of a Management Authority is central to establishing an effective management structure. The Management Authority would be the vehicle whereby the parties come together to effect management for the Sanctuary. The composition of the Management Authority would include representation from each of the parties identified in 4.3.1.

The Management Authority would be empowered by the participating parties to develop and implement management planning and policy initiatives and to oversee tourism and other (e.g. research) use of the Sanctuary. As well, the Management Authority would be in a position to make recommendations that require action by appropriate bodies. Ultimately, the powers and authority that are conferred to the Management Authority are constrained by the authority of each of the parties and of the existing institutions of public government over aspects of the lands and resources, which comprise the Sanctuary. Therefore, the relationship between the Management Authority and the participating parties is a critical one.

The establishment and maintenance of a Management Authority will require agreement among participating parties. A Management Authority agreement would set out composition, reporting, financial considerations, etc. and would form the basis for legitimizing and instituting the operation of the Management Authority. Enactment of

corresponding and complimentary legislation may be agreed upon (to the extent possible) in the Management Authority agreement (see section 5.0).

4.3.1 Composition & Operation

The following comprise recommendations as to the structure and operation of the Management Authority:

Members:

One member appointed to represent each of:

- a) the GNWT;
- b) the GN; and,

Two members appointed to represent each of the Inuit and Dene as follows:

- c) one member representing Kivalliq Inuit Association (KIA)
- d) one member representing the community of Baker Lake, as appointed by KIA;
- e) one member representing the Akaitcho Treaty 8 Tribal Council or an organization designated by the Tribal Council; and,
- f) one member representing the community of Lutsel K'e, as designated by the Lutsel K'e Dene First Nation.

Term: The term of members shall be indefinite at the pleasure of the appointing party.

Replacement: A party choosing to replace a member shall give 30 days notice to the other parties.

Meetings: The Management Authority would meet at least once per year. Additional meetings would be held at the discretion of Management Authority.
Note: It is recommended that during the initial year of operation three meetings/workshops be scheduled as proposed in section 3.5 below.

Alternate Members: One alternate member shall be designated by each party with membership on the Management Authority. Alternate members may attend any meeting of the Management Authority but shall participate as an active member only when substituting for an absent member.

Chair and Procedure: Members shall select a Chair from time to time from among the regular members, and establish rules and procedures for the conduct of business of the Management Authority.

Quorum: The quorum requirement would be two-thirds of those interests (as recommended under Members above) formally choosing to participate in the Management Authority, so long as, for any meeting, at least one Inuit and one Dene member are in attendance.

Decisions: Decisions of the Management Authority shall be made by consensus unless a vote is requested by any member. If a vote is requested, a motion will be approved if two-thirds of those members in attendance approve, including at

least one Inuit and one Dene member. The Chair may vote but shall not have a second (tie-breaking) vote.

4.3.2 Roles & Responsibilities

The Management Authority may advise the Minister or the Ministers designate, the NWMB, or other agencies, as it deems appropriate, on all matters related to Sanctuary management. In addition, the following roles and responsibilities are intended to be a guide to the function and operation of the Management Authority:

- Develop and implement policies, plans and programs consistent with stated objectives and necessary for the effective management of the Sanctuary; subject to the consent of the appropriate bodies;
- Operate within the legal and legislative parameters which govern the lands and resources comprising the Sanctuary;
- Develop recommendations with respect to required legislative and regulatory initiatives necessary to the effective management of the Sanctuary;
- Review, assess and advise on management initiatives and development proposals under consideration for the Special Management Areas if created (see 3.3);
- Coordinate the interests of Territorial level governments, the Inuit and the Dene in a cooperative and responsible manner;
- Consult with the public with respect to the management and operation of the Sanctuary with particular emphasis on affected communities;
- Have regard for the rights of Aboriginal peoples who have a traditional and ongoing interest in the Sanctuary;
- Fulfill administrative functions necessary to the effective operation of the Management Authority, local level committees and offices, and the Sanctuary (i.e. budgeting, staffing, facilities, enforcement, tourist use and services, research and monitoring, cultural resource protection, etc.);
- Coordinate and delegate management initiatives and responsibilities;
- Have regard for health and safety considerations; and,
- Advise appropriate agencies in resolving conflicts with respect to the use of the Sanctuary and its resources.

In fulfilling its roles and responsibilities the Management Authority may, subject to the authority of the appropriate institutions of public government in Nunavut (e.g. NWMB) and appropriate government agencies and organizations in the NWT:

- Monitor fish and wildlife populations, their habitats and any impacts;
- Monitor activities within the Sanctuary and the SMAs if they are created;
- Identify research requirements and deficiencies within the Sanctuary and the SMAs if they are created;
- Identify relevant persons and agencies to undertake research;
- Review research proposals and undertake research programs;
- Prepare tourist information packages and communication strategies;
- Hold meetings, workshops or otherwise consult publicly or privately with any person or group;
- Recommend appropriate consumptive and non-consumptive uses of resources within the Sanctuary;

- Recommend and monitor levels of use, methods of use and use allocations;
- Recommend resource use practices, guidelines, limits and restrictions or other regulatory measures; and,
- Recommend any other measure or action necessary for the effective management of the Sanctuary.

4.3.3 Recommendations and Approvals

To facilitate the effective function of the Management Authority, it will be necessary for each participating party to identify lines of communication and authority for the approval of Management Authority recommendations. Recommendations of the Management Authority would be accompanied by a written explanation or summary of reasons supporting the recommendation. Further, it will be imperative that each party establish and maintain administrative procedures to ensure that consideration of any recommendation by the Management Authority is timely and authoritative. Where a recommendation is approved, each party must ensure that all appropriate steps (i.e. legislation, regulation, consent, resolution, etc.) necessary to effect the recommendation are taken within each respective jurisdiction.

Where a recommendation of the Management Authority requires the consideration and approval of another body with relevant jurisdiction, the parties will ensure that appropriate communication lines and administrative procedures are in place to facilitate the timely consideration of the recommendation by that other body.

Where a recommendation is approved by another body with relevant jurisdiction, all of the parties must ensure that the steps necessary to implement the decision of the approving body are taken within each of their respective jurisdictions.

4.3.4 Program and Budget

Funding in support of the operation of the Management Authority can be categorized by type:

- financing member participation in the Management Authority; and,
- financing management functions and policy and program implementation including local community implementation committees and offices.

It is recommended that the Management Authority be charged with the responsibility of developing annual budgets and recommending cost sharing arrangements. These annual budgets would be submitted to government parties for approval and commitment of funds.

Given that the ultimate authority for establishment and management of Conservation areas and wildlife remains with governments it is anticipated that within the Nunavut

Settlement Area, the GN will provide funding for the Management Authority through enhanced funding received under the Implementation Contract, and that other appropriate government agencies may provide the funding required in responding to recommendations of the Management Authority for other implementation and participation contemplated in this Management Plan. It is recognized that the operation of a Management Authority is a new obligation for governments and Aboriginal organizations, and that additional implementation funding for the Management Authority will be required to ensure the effective implementation of the Management Plan given the limited resources available to the affected communities.

In the spirit of joint management it is further anticipated that the appropriate community will provide office space for use by the Management Authority as deemed appropriate.

Annual program budgets prepared by the Management Authority would be developed to correspond to anticipated operational demands associated with the management of the Sanctuary (i.e. summer peak activity). Initially, based on current levels of use and expenditure, it can be anticipated that these demands will be modest. Over the longer term, it can be anticipated that these demands will increase in response to increased tourist use.

It is proposed that the fiscal year for the Management Authority commences on April 1 to best correspond to the timing of budget planning processes and anticipated program expenditure requirements and activity. The annual program budgets would include, on an as required basis, provision for administration including local level office operations, equipment, communications, public meetings, research and public education, technical assistance and other matters deemed necessary for the effective management of the Sanctuary. Contribution of facilities, equipment, services and the like by any party should be encouraged as a means of controlling costs and recognized as contributions to cost if they are consistent with the proposed work program budget, and are approved by the Management Authority prior to their being provided.

To facilitate the operation of the Management Authority and its local level offices, it is recommended that annual funding allocations be directed to an appropriate financial vehicle over which the Management Authority has discretion and for which it is accountable.

The Management Authority will be responsible for providing an annual report within 90 days of the end of each Management Authority fiscal year to each party, and upon their request, other bodies having a jurisdictional interest, whether that party has formally participated as a member of the Management Authority or not. The annual report would provide a narrative description of activities undertaken during the year, evaluate those activities against the management objectives for the Sanctuary, identify factors limiting the achievement of those objectives, and outline proposals for overcoming limitations on achievement, as well as publishing appropriate financial statements in accordance with generally accepted accounting principles.

4.3.5 Staffing and Secretariat Function

To facilitate the development and operation of the Management Authority it is recommended that the participating parties support an Executive Director for the

Management Authority and, during the initial phase of operations, a secretariat/facilitator function. The Executive Director position would function as a coordinator for the Management Authority and would oversee policy and program implementation at a local and field level. It is recommended that this position be supported on an ongoing basis. The use of existing personnel, on a full or part-time basis as circumstances may dictate, would be well suited to this position.

A secretariat/facilitator function is intended as a support before and during the establishment and initial developmental period of operation (i.e. year 1) of the Management Authority. The task of the facilitator would be to work with the members of the Management Authority and the Executive Director to train, refine, and develop their ability to conduct the business of the Management Authority in an effective and efficient manner. Candidates for the secretariat/facilitator function would have a demonstrated understanding of the management objectives for the Sanctuary and be adept at working with a group having diverse backgrounds, interests and training needs. It is recommended that the secretariat/facilitator function be supported for a minimum of one year and, further, that during the initial year of Management Authority operation a minimum of three meetings/workshops be scheduled. Wherever feasible the use of existing government, Aboriginal or co-management organizations and personnel should be encouraged.

4.3.6 Establishment

The Management Authority should be created within six months of the approval of this plan by a formal agreement amongst the parties. The agreement should be based upon the recommendations set out in this Management Plan.

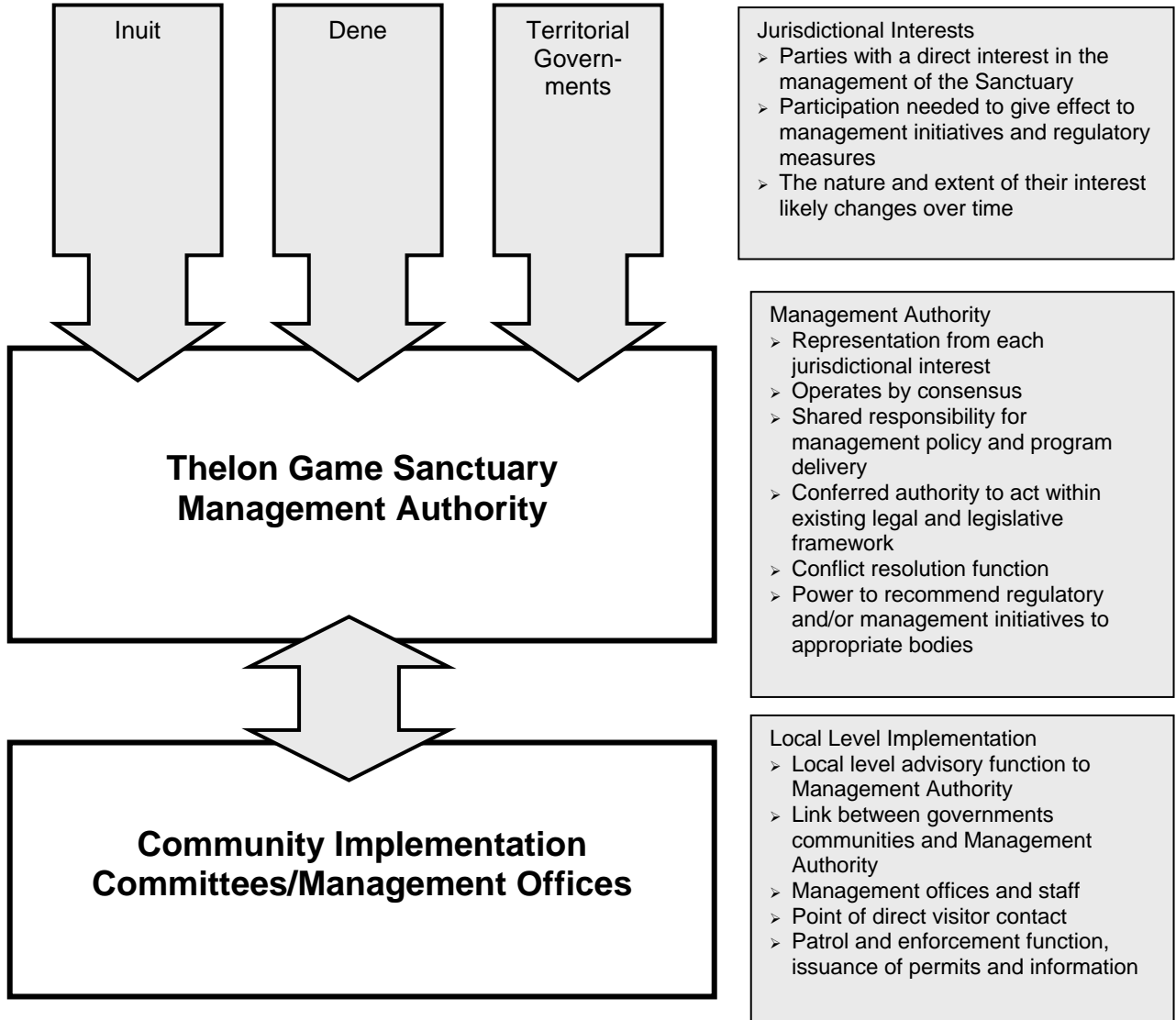
4.4 Local Level Implementation

The process of developing a management plan for the Sanctuary was premised on input and advice from the communities of Baker Lake and, to the extent practical, Lutsel K'e. Continuing a community-based process and linkage is viewed as critical to the ultimate operation of the Management Authority and the effective management of the Sanctuary. To effect this relationship it is recommended that the Management Authority be empowered to structure community implementation committees in Baker Lake and Lutsel K'e. Further, it is recommended that the Management Authority consider utilizing existing community organizations and government agencies to fulfill this function.

The establishment of local implementation offices is viewed as an important support to the operation of the Management Authority. However, the creation of local level offices should only proceed when circumstances warrant. Further, the use of existing entities (such as the Hunters and Trappers Organization or CLARC in Baker Lake or the Wildlife, Lands and Environment Committee in Lutsel K'e) to fulfill this function should be considered. These offices would be located in one or both of the communities in closest proximity to the Sanctuary (i.e. Baker Lake and Lutsel K'e) and would function to perform the day to day operational tasks necessary to implement the Management Plan for the Sanctuary. These offices would be responsible for issuing permits, patrolling the Sanctuary, monitoring tourist use, etc. and would afford the Management Authority with an ability to respond directly to community and tourist needs.

To coincide with the development of Management Authority capabilities it is recommended that the local level community implementation committees be structured during the initial developmental period of the Management Authority. However, local level offices should not be established until the Management Authority is formally constituted and has determined the need for local level offices and appropriate mechanisms for their operation.

4.4.1 Management Authority Flow Chart



5.0 Legislation

5.1 Historical context

J.W. Tyrrell was commissioned by the Geographical Survey of Canada to map the Thelon River in 1900 and was the first to recommend that the area be designated a game sanctuary. However, over 20 years passed before that action was taken following a recommendation made in a report on an expedition by John Hornby and Captain J.C. Critchell-Bullock. The chronological history of the Sanctuary is summarized below:

1927 The Sanctuary was originally established by an Order In Council under the Federal *Northwest Game Act* (1920). Under this Act the focus in the Thelon was wildlife protection, achieved through the prohibition of hunting and trapping by both Aboriginal and non-Aboriginal people.

1930 A new Order in Council under the Federal *Territorial Lands Act* was proclaimed to expand the protection measures within the Sanctuary, due to increased prospecting activity in the region. The new Order In Council effectively withdrew the lands of the Sanctuary from any surface or subsurface disposition (i.e. no prospecting or mining activity was permitted).

1948 Responsibility for wildlife management was transferred from the Federal Government to the Territorial Government.

1949 A Game Ordinance was passed by the new Territorial Government, which, in an attached schedule, included the contemporary boundaries of the Sanctuary. In addition to prohibiting hunting and trapping in the Sanctuary by any person, the Game Ordinance stipulated that “no person shall enter the Thelon Game Sanctuary unless he first obtained a license to do so,” and it was not customary to grant licenses for any entry. At this time, the Sanctuary still remained “withdrawn from disposition” (i.e. from other land uses) under the Federal *Territorial Lands Act*.

1956 Since the creation of the Sanctuary, there had been pressure from the mining sector to allow prospecting, particularly in the southwest portion of the area. This pressure came to fruition in 1956. The Territorial Government changed the Sanctuary boundaries in response to this pressure by revising the Game Ordinance. The boundary changes involved deleting land from the southwest portion of the Sanctuary and adding areas to the north and southeast.

1972 In spite of the boundary changes made in 1956, no change to the Federal *Territorial Lands Act* occurred until 1972, when the same lands which were redefined as being included in the Sanctuary in 1956, were correspondingly “withdrawn from disposition”.

1978 The NWT Game Ordinance was replaced by ‘An Ordinance Respecting Wildlife’. While continuing the restrictions on hunting and ‘acquiring wildlife, nests or eggs within a sanctuary’, the requirement for a license to enter the area

was deleted from the statute. This reflected a new and more conciliatory approach to public recreational use of the Sanctuary.

Currently, the Sanctuary is designated under the Northwest Territories *Wildlife Act* and the Nunavut *Wildlife Act* (New names for the previous, identical provisions of the NWT Game Ordinance) as a 'wildlife sanctuary'. Provisions of these Acts attempt to fully protect all forms of wildlife within the Sanctuary from hunting and trapping. However, the harvesting rights of Inuit are set out in the NLCA. The lands comprising the Sanctuary also continue to be withdrawn under the Federal *Territorial Lands Act*, and are consequently unavailable for any form of exploration, development or disposition.

5.2 The Nunavut Land Claims Agreement (NLCA)

In 1993, the Inuit of the Nunavut Settlement Area signed a land claims Agreement (the NLCA) with the Crown (the Federal and Territorial governments). Certain implications for the Sanctuary arise from this Agreement. However, it is important to recognize that not all the implications of the Agreement are clear at this point in time. Nevertheless, the implications of the Agreement on the Sanctuary are real and of major significance. Three of these are discussed below.

Aboriginal and Treaty Rights

Inuit and Dene people have the constitutional right to harvest within their traditional use areas. In the case of Inuit, the extent of this right is set forth in the NLCA. Accordingly, this plan recognizes that Aboriginal harvesting can no longer be restricted within the Sanctuary unless any such restriction is established for a valid purpose, consistent with Aboriginal and Treaty Rights, including rights under the NLCA and any future land claims agreements, or unless those Aboriginal peoples exercising harvesting rights in the Sanctuary provide their consent.

Territorial Boundary

The boundary between Nunavut and the NWT divides the Sanctuary so that approximately 40% of it, the area in the southwestern corner, remains in the existing Northwest Territories while approximately 60%, the north and eastern portions, is within Nunavut. From a legislative perspective, this means that the GN presides over the majority of the Sanctuary. To maintain the status of the Sanctuary under a Nunavut government new legislation will have to be enacted — this legislation could be a revised and updated version of the existing GNWT legislation or a new piece pertaining directly to the Sanctuary. With the same basic relationship existing between the Federal government and the government of Nunavut as there is between the Federal government and the government of the Northwest Territories, it appears that the potential for corresponding legislation exists.

Land Status

Effective as of July 1995 Inuit Owned Land Parcel BL - 44/66C was withdrawn from Sanctuary status (see Section 3.0 Boundaries). The remainder of the lands comprising the Sanctuary remain "withdrawn from disposition" under the Federal *Territorial Lands Act*.

5.3 The Akaitcho Agreement

The portion of the Sanctuary that is within the Northwest Territories is subject to the negotiations of an Akaitcho Agreement between the Akaitcho Territory Dene First Nations, Canada and the GNWT. To date, a Framework Agreement and an Interim Measures Agreement have been signed by the negotiating parties.

Given the preliminary stage of the present negotiations under the Akaitcho Agreement Process, the potential jurisdictional or administrative structure remains uncertain and it is difficult to anticipate the nature of management and legislation requirements for the Sanctuary and the adjacent areas put forward for future considerations as SMAs or other protected areas.

The Dene of Lutsel K'e have continued to express their fundamental concern for the Sanctuary area and its integral role in the cultural history of their people. Further, the Dene clearly view themselves as participants in the future management of the area. This Management Plan is without prejudice and will not interfere with the Akaitcho Agreement, rather the Management Plan will adapt to the provisions that arise from the Akaitcho Agreement Process.

5.4 Proposed legislative directions

From the previous discussion of the legislative history and present situation in the Sanctuary, a number of considerations must be reflected in the future legal basis for the Sanctuary:

- **Multi-party interest in the area:** This is not an area under the control of one individual group. Instead it involves a complex set of relationships in which areas of interest extend beyond areas of responsibility, and both overlap with the interests and responsibilities of other groups. This situation should be respected and accommodated rather than altered.
- **Need to maintain the integrity of the conservation role of the Thelon Game Sanctuary:** It is possible, in times when uncertainty prevails and the complexity of negotiating agreements amongst many interests delays action, that the strength of the conservation mandate of the Sanctuary could be weakened. Actions having a legal consequence taken at this point must not jeopardize the achievement of the most desirable conservation goals for the Sanctuary. The compromise of conservation goals is clearly not the intent of participating Aboriginal groups nor of government agencies. It is absolutely critical that the strong conservation mandate of the Sanctuary be recognized and maintained. Any legislation must ensure the fullest possible level of protection enjoyed by the Sanctuary in the past, while respecting Aboriginal and Treaty rights.

Policies/Recommendations:

In response to present circumstances described above and the principles considered to be important foundations for current action, the parties to this Management Plan recommend as follows:

- Canada, the GN and the GNWT will review their relevant legislation and draft new legislation or amend existing legislation where necessary to implement this plan and ensure the protection and conservation of the Sanctuary.
- It is recognized that the drafting of new legislation and amendments to existing legislation will take time to complete. In the interim, the withdrawn status under the Federal *Territorial Lands Act* and wildlife sanctuary status under the Northwest Territories *Wildlife Act* and the Nunavut *Wildlife Act* should be maintained.
- Recognize the Management Authority, and enable it to assume its responsibilities regarding the Sanctuary as described in this plan.
- Take appropriate actions to provide for Aboriginal hunting within the Sanctuary as described in this plan.
- Utilize existing or new legislation to give effect to this Management Plan.

6.0 Resource Management Policies/Recommendations and Strategies

6.1 Resource management objectives

Effective protection of natural and cultural resources lies at the heart of the mandate and vision for the Sanctuary. Broadly described, the conservation strategy for the Sanctuary is to ensure that the integrity of the lands and resources of the Sanctuary are not compromised. To direct natural and cultural resource management actions, more specific objectives have been identified as follows:

- to maintain the diversity of species (vegetation and wildlife) and natural processes;
- to apply special protection measures to species deemed to be of particular significance due to their location, abundance, vulnerability, officially recognized rarity, endangered or threatened status;
- to ensure the integrity of cultural resources and the cultural landscape of which they are a part; and
- to accord special protection and recognition to natural and cultural resources that reflect their level of significance locally, regionally, nationally and internationally.

6.2 Non-renewable resources

Non-renewable resource utilization has been a primary influence in the development of the Northwest Territories and Nunavut, and will continue to play a major role in sustaining northern economies in the future. It is imperative in planning for and managing protected areas that this role is recognized and that land use allocations reflect a balanced approach to ensure that a full range of benefits accrues to local communities and regional economies. In combination with land use allocations, development and operational practices are essential elements in managing land use activity in ways that contribute towards more fully integrated land use objectives and benefits.

During the public review of options with respect to management of non-renewable resource utilization within the Sanctuary and surrounding areas, views were consistent and strong concerning the importance of maintaining the integrity of the Sanctuary's comprehensive conservation mandate. In fact, there was a strong interest in expanding the mechanisms for conservation in the region to ensure the long-term viability of the Sanctuary. Non-renewable resource utilization was seen as incompatible with the goals and vision for the Sanctuary. The position favoured was that no reductions take place in the area where strict conservation was applied and resource extraction was excluded. As described earlier this position supports both the maintenance of the current boundary and the present management intent for the Sanctuary.

In addition, considerable concern was expressed about the fact that there are no measures in place to protect and conserve resources integral to the character of the Sanctuary but located in areas outside the current Sanctuary boundary. Better control over land use and development was encouraged in areas critical to the integrity of the Beverly caribou herd and the Thelon River watershed system.

Public sentiment was strongly against providing for mining activity anywhere within the Sanctuary. The rationale commonly expressed was that there were plenty of viable areas for development outside the Sanctuary boundaries.

Policies/Recommendations:

- Maintain a comprehensive policy against any utilization of non-renewable resources within the Sanctuary.
- Maintain a comprehensive policy against any activity related to the use of non-renewable resources (e.g. exploration).
- Recommend appropriate environmentally and culturally sensitive and restrictive policies and land use plan regulations (while not preventing development) for areas adjacent to the Sanctuary where protection for the traditional, cultural and ecological values have been identified.

6.3 Wildlife management

It is within the legal landscape of the NLCA, as well as the emerging understanding of inherent Aboriginal jurisdiction and confirmation of rights to use traditional lands and resources, that the Sanctuary must develop and function. This is a fundamentally different perspective for management than has been the case in the past. The conservation goals identified for the Sanctuary place priority on: ensuring sustainable wildlife populations; maintaining the naturalness of this diverse ecosystem; and, maintaining sufficient abundance of species and lack of disturbance by humans to promote significant wildlife viewing opportunities. This Management Plan recommends regulation of Aboriginal harvesting through existing regulatory and co-management authority, exercised with the Aboriginal community itself through direct involvement and participation in the structures and authorities identified for managing the Sanctuary.

The Sanctuary is recognized by local people as a special place — one that has played a significant role in their culture and one that for a number of families represents the place of their birth and the burial ground of their ancestors. In recent years, with the imposition of restrictions via the designation of the Sanctuary, the integrity of this place has been assured. In response to this historical context, two opposing views have developed within local communities. Some local people are in favour of maintaining the restricted status of the Sanctuary concerning hunting in respect to those whose lives were significantly impacted by the decision to create and protect the area. Some also support the no hunting legislation because they believe that it is an area that is not needed for hunting but serves to protect game populations, providing an abundance of animals in areas closer to the communities. However, a completely opposing view is also common. For some community members the importance of respecting the right to harvest throughout their traditional lands is more important. For them, that right should not be limited in any way.

Broader public opinion on this issue, beyond the local communities, was also split. While some believed the concept of a Sanctuary would be lost with any hunting at all, others acknowledged that subsistence harvesting by Aboriginal people could reflect a traditional relationship to the land that could be acceptable.

Developing a compromise position on this issue means blending these perspectives. The result is a proposed wildlife harvesting policy reached as a compromise in discussions in Baker Lake, which respects the Aboriginal right to harvest wildlife within the Sanctuary while traveling on the land. That right is not constrained by area or season, methods of travel or species. However, such harvesting is to be perceived as a personal, traditional right and the bounty of such hunting should be for the purpose of feeding family and friends. It is not intended to support the storing or commercial harvest of species.

It is recognized that, in the Nunavut Settlement Area, this type of harvesting limitation can only be achieved in one or more of the following ways:

- (1) through an NWMB restriction, which can limit Inuit harvesting only in accordance with the terms of the NLCA;
- (2) through individual Inuit voluntarily modifying their harvesting activities; and
- (3) through a bilateral agreement between Inuit affected and the management agency of the Sanctuary, negotiated in accordance with the terms of the NLCA.

This plan recommends that the NWMB's approval of the Management Plan include the NWMB's undertaking to examine this issue further to see what harvesting restrictions are warranted and within its authority to impose under the terms of the NLCA. This plan also recommends that individual Inuit and individual Dene be asked to consider voluntarily modifying their harvesting practices in accordance with the plan's proposed wildlife harvesting policy.

While it is widely believed that visitor harvesting of wildlife is unacceptable, this strongly held view does not extend to fishing. Fishing by visitors is generally viewed positively. As a food source while traveling, fishing is an acceptable activity.

Policies/Recommendations:

- Respect Aboriginal and Treaty rights, including NLCA and any future land claims agreement rights, regarding the harvesting of wildlife.
- Maintain a complete ban on all non-Aboriginal hunting, excepting where those non-Aboriginal people are assigned rights as determined by the NLCA or other applicable treaties with Aboriginal Peoples.
- Provide for the use of fish for food by visitors travelling in the Sanctuary.
- Recommend more restrictive wildlife harvesting policies only as required to maintain the health and abundance of specific wildlife populations.
- Recommend that individual Inuit and individual Dene be asked to consider voluntarily modifying their harvesting practices in accordance with the Management Plan's policies/recommendations.

- Recommend that the NWMB and the agency having jurisdiction over management and protection of wildlife and wildlife habitat in the Northwest Territories jointly and publicly review what harvesting restrictions are warranted and within their authority to impose, in view of Inuit and Dene harvesting rights and community interests, and in view of the special purposes and policies relating to the Sanctuary.

6.4 Ecological research

Throughout its existence the Sanctuary has largely experienced inactive management by isolation: tourist numbers have been extremely small; development pressure has been minimal; and, widespread or episodic ecological change has not been significant. The ecosystem has not suffered, and in fact may have benefited, from this lack of attention.

However, without active management or a high level of activity, there has been a corresponding low level of documentation and understanding of the dynamics of the ecosystems that comprise the Sanctuary. In remote areas such as this, research programs can often represent a major, if not the most significant, human impact. These impacts can be seen not only in terms of numbers of person days but also as a result of access and the intrusiveness of the research activity itself.

Concern over the extent of research that might be stimulated in the future has led to the need to clarify management intentions with respect to a research program for the Sanctuary. It is considered appropriate to increase research activity in the Sanctuary to provide a better foundation of baseline data for understanding management issues. However, it is critical in such a remote and undisturbed environment, that research activity not become excessive and that the intrusiveness of such activity be minimized. To this end, it is recommended that research whose objectives will specifically address management issues of the Sanctuary be given the high priority and other research projects be screened on the basis of the extent of impact both individually and cumulatively as part of the collective impact of this type of activity.

Policies/Recommendations:

- Develop a basic monitoring program that documents conditions and population dynamics over time.
- Ensure that priorities for research activities undertaken in the Sanctuary contribute specifically to management activities and issues.
- Ensure that research activities are strictly controlled to minimize their impact on the lands, resources and values that are within the Sanctuary.
- Ensure that all ecological research activities involve local people to the fullest extent possible.
- Ensure that all ecological research activities are advised by the Elders of Lutsel K'e and Baker Lake.

6.5 Cultural resources

The cultural history and resources of the Sanctuary are of critical importance to the local people. Disrespect for and disturbance of these resources by tourists is a major concern. Consistently, local people have identified the need for concerted efforts towards public education coupled with a strong enforcement program to ensure that the cultural integrity of the Sanctuary is not undermined through tourist use. While policies and regulations currently exist to protect such resources, the feeling is that those statements alone, without the public awareness and adequate enforcement, will be inadequate to address community concerns. Management of the Sanctuary should take special efforts in this regard to ensure an active approach to the protection of the cultural resources of the area and to directly involve local people in their management.

Policies/Recommendations:

- Establish regular and effective communication with government and other agencies legally responsible for enacting and enforcing protective laws and policies, and for permitting activities likely to impact sites of cultural or archaeological importance, with a view to:
 - Ensure that cultural sites and artifacts are not disturbed by visitors.
 - Ensure that priorities for research contribute specifically to management activities and issues by documenting culturally significant sites and recording oral history and traditional knowledge of the area.
 - Develop a public education program for both locals and tourists focusing on the importance of the Sanctuary's cultural resources and the requirements and mechanisms for their protection.
 - Ensure direct community control over cultural resources and the enforcement of related policies.
 - Ensure that all cultural research activities involve local people to the fullest extent possible.
 - Ensure that all cultural research activities are advised by the Elders of Lutsel K'e and Baker Lake.

7.0 Tourist Management Policies/Recommendations and Strategies

7.1 Tourist management objectives

Managing tourist activity can be expected to be an increasingly important responsibility for the Management Authority. While tourist numbers will likely remain low, increased activity will likely flow from broader public awareness and greater local community interest. While it is not the intent of the Sanctuary to encourage and promote tourism, areas of such natural and wilderness qualities are expected to continue to be sought out by a certain segment of society. Such activity is not considered incompatible with the vision and goals of the Sanctuary and therefore, should be accommodated where consistent with the conservation values and conditions. The following objectives are proposed to direct the nature of tourist management activities:

- to provide for appropriate use in keeping with conservation values;
- to encourage tourists to develop an appreciation for the natural and cultural characteristics of the Sanctuary; and
- to ensure tourist awareness and preparedness with respect to regulations affecting activity in the Sanctuary and their own personal safety

7.2 Activities

Recreational activities in the Sanctuary are focused on the experience of and appreciation for the varied natural features of this wild landscape and its cultural richness embracing centuries of human activity. These recreational activities, such as nature study, photography, wildlife viewing, etc., are summertime pursuits supported by backcountry activities such as canoeing, kayaking, camping and hiking. The pattern of recreational activity is not likely to experience great changes in the future. The existing activities are widely accepted as appropriate and, under proper regulation, are consistent with the vision and goals for the Sanctuary. A possible increase in springtime activity could take place, especially with support from local guiding operations.

The character of the Sanctuary is such that casual use, i.e. day use, is perceived to be inconsistent with the values and experience that the area provides. This is true because the only possible way that such use could take place is with the use of air access. While air access is recognized as an acceptable means of supporting compatible activities, it is not viewed positively as a central component of the tourist experience. Thus, dropping tourists in the Sanctuary and picking them up two or three weeks later is acceptable while flying into the Sanctuary for a day hike or for an overnight fishing trip and then flying out, is not acceptable. It is this differentiation that must be carefully considered by the Management Authority in authorizing access.

Guiding support for tourist activity in the Sanctuary is considered a valuable contribution to achieving the goals and objectives of the Sanctuary. Not only do such services provide an enriched opportunity for tourists to appreciate and understand the values of the Sanctuary, but they also provide a direct means of ensuring that such use imposes the minimum of environmental impact and adheres to all the conservation requirements established by the Management Authority.

Similarly, community use of the Sanctuary is to be encouraged. Many people in the local communities have lost contact with the Sanctuary that was so much a part of the lives of their ancestors. Bringing these people, especially the young people, back in touch with this important area can provide significant benefits to the community and opportunities for such activity should be encouraged.

Limited aircraft sightseeing has been reported in the Sanctuary. While this activity may not require controls at this time, preliminary discussions should be undertaken with the appropriate authorities to establish a regulatory basis for discouraging such use.

Policies/Recommendations:

- Allow wilderness-oriented activities only.
- Encourage the use of local guiding operations in support of recreational activities, especially those services provided by local Aboriginal groups.
- Prohibit day use activity in the Sanctuary supported by aircraft.
- Discourage sightseeing by air over the Sanctuary.
- Implement a mandatory registration system for tourists.

7.3 Access

Surface access to and throughout the Sanctuary is presently unregulated. Natural conditions and distances have largely limited motorized access within the Sanctuary to date. With potentially increasing use levels, it is important to establish clear guidelines related to motorized access. Powerboat access is highly impractical throughout much of the Sanctuary with the exception of the Beverly Lake area and the Thelon River upstream from the lake. Such access to Beverly Lake would seem appropriate but extending use up the Thelon River would create conflict with summer users in what is expected to be a wilderness area.

The use of snowmobiles presents a slightly different situation. Conflict with other user types with different expectations is unlikely, due to the time of year. Also, this form of access will be the dominant form available to Aboriginal people seeking to use the Sanctuary and undertaking extensive overland expeditions. Thus, accommodating such use supports local use and appreciation of the area.

Air access is generally considered to be an essential element in support of tourist access to such a large and remote area. However, overuse or misuse of this form of access will cause problems for the effective management of the Sanctuary. Complete control over aircraft landing in the Sanctuary is considered absolutely essential to monitor all forms of human activity. Identifying preferred landing sites for regular use contributes to more effective management. Flexibility of determining landing sites must be left to pilot judgment and present circumstances for safety reasons but that encouraging predictable access areas will avoid many environmental impacts and tourist conflicts.

Policies/Recommendations:

- Establish a mandatory permit system for the use of motorboats anywhere in the Sanctuary besides Beverly Lake by any tourists, commercial guiding operations and non-Aboriginal people.
- Establish a mandatory permit system for the use of snowmobiles and ATV's within the Sanctuary by tourists, commercial guiding operations and non-Aboriginal people.
- Establish a system of mandatory aircraft landing permits within the Sanctuary in co-operation with appropriate agencies.
- That the Management Authority considers the appropriateness of the use of any other motorized vehicle within the Sanctuary.
- Establish controls on overflights in cooperation with the Dept. of Transportation and Communications including regulations regarding flying heights, restricted areas and wildlife harassment (e.g. avoid calving grounds) co-operation with appropriate agencies.
- Identify and encourage the use of key landing sites to minimize aircraft impact on resource values and tourist expectations.

7.4 Information/education

No coordinated effort aimed at providing information or public education on the values and/or use of the Sanctuary is presently in place. As a wildlife sanctuary, public use has been a low priority. The impacts of public use, both negative from an environmental perspective and positive from an economic perspective, as well as the responsibility of the Management Authority for tourists, suggest that greater attention should be paid to public contact. Clear concise information on access, conditions, regulations, etc. as well as background information on natural and cultural resources will result in more knowledgeable and responsible visitors and will lessen the potential management problems frequently caused by ill-informed users.

It is clear, however, that the Management Authority will not have established channels for the production and distribution of materials to the specific audience that should be targeted. Government agencies and private sector interests that communicate with such groups and individuals on a regular basis are logical participants in such an effort. They should be involved from the outset to ensure that a comprehensive and effective communications strategy is developed and implemented. A communications strategy should address the following three areas:

1. pre-trip information - develop materials and cooperate with private sector interests for information development and distribution.
2. natural and cultural history interpretation - promote cooperation and coordination with existing visitor centres in Yellowknife and Baker Lake, and potential future centers in Lutsel K'e and Rankin Inlet; the focal points of tourist access.

3. public education media - encourage and monitor wider public awareness through other agency initiatives (e.g. Canadian Heritage River System) and private initiatives (e.g. commercial tourism, publications).

Policies/Recommendations:

- Develop and implement a tourist education program to improve visitor knowledge of conservation practices related to the Sanctuary environment and to improve awareness of cultural values.
- Work cooperatively with government agencies, interest groups and the private sector in the development and delivery of tourist information.
- Develop and implement an educational program for local communities regarding the Sanctuary and its value to the future integrity of cultural heritage.

7.5 Facilities

At present, no public facilities exist in the Sanctuary. While the environmental impacts of small-scale facility development are seen to be very localized, such facilities can be very disturbing to visitors expecting a remote, wilderness experience. However, the issue of facilities should not be viewed entirely from a tourist perspective. Facilities are not considered fundamental to the fulfillment of the established visions and goals for the Sanctuary. The goals are clearly conservation oriented and do not depend on accountability for public use, or the development of greater access for recreation, or the generation of greater economic benefits from tourist activity. If facilities were to be encouraged for such reasons then a foundation for such choices would logically exist in the vision and management goals for the Sanctuary.

One perspective, which does support some form of facility development, is related to the cultural value of the area and the importance of the Sanctuary to the local Aboriginal people. Facilitating greater connections with the area by local communities, especially young people, is considered a valuable role for the Sanctuary. Semi-permanent camps could be effectively located and developed to support programs whereby local Aboriginal people could spend time in the Sanctuary. Many locations are possible for such camps. The Management Authority in conjunction with the local implementation offices will be responsible for identifying and approving potential sites for such facilities. Any actions in this regard, though, do not restrict the right of Inuit and Dene to camp anywhere within the Sanctuary.

There was a perceived need for a potentially permanent facility at the edge of the Sanctuary to serve as a departure / pick-up point and check point. Once again the Management Authority must determine the scale and functioning of such facilities and locations developed in consultation with the local implementation offices. It is assumed that such facilities are long-term possibilities that will be dependent upon a more demonstrated need as activity levels within the Sanctuary increase in the future. This plan accepts the principle of such operational facilities outside the Sanctuary but does not recommend near-term implementation.

Policies/Recommendations:

- Discourage the development of permanent facilities for any purpose.
- Encourage the development and use of organized community camps (e.g. seasonal tent camps, science camps, etc.) in designated areas.
- Recommend the development of staging area camps outside the Sanctuary.

7.6 Regulations

Regulatory controls over tourist activity in the Sanctuary can help promote care for the environment and visitor safety. Regulations not presently in place could be instituted to direct and monitor visitor activity, e.g. mandatory registration, and to ensure minimum environmental impacts of visitor use, e.g. fishing quota, garbage removal, fire restrictions.

Lack of enforcing a comprehensive regulatory regime over the Sanctuary in the past has resulted in some significant problems of abandoned equipment and supplies. In particular, fuel drums are and will continue to be a problem unless direct action is taken to ensure that all users of the area are directly responsible for the timely removal of all supplies. In addition, the Management Authority should work with agencies and groups responsible for past abandonment of equipment and supplies to establish a long-term cleanup strategy.

Policies/Recommendations:

Responsible agencies should, where recommended by the Management Authority:

- establish and enforce visitor fishing regulations by setting catch limits;
- promote a 'pack in, pack out' policy and enforce regulations to keep the Sanctuary free of garbage;
- establish and enforce regulations restricting the storage and/or abandonment of equipment and supplies within the Sanctuary in support of any activity (e.g. management, research or tourist use);
- develop and implement a program of cleanup of existing sites; and
- restrict campfire use to safe locations (below high water mark in summer).

8.0 Appendices

8.1 Appendix #1 - Public Consultation

Public consultation was the foundation for the planning process followed in the preparation of the Management Plan for the Sanctuary. The Akiliniq Planning Committee provided direction for the process especially with respect to approval of materials for release for public review and comment and in consideration of the public comment and the implications of that input for planning.

Public consultation in the communities of Baker Lake and Lutsel K'e was the primary focus of the consultation effort and was facilitated through the efforts of local people contracted to work with the consulting team. A series of nationally distributed newsletters was produced to inform and solicit input from a broader base of interests.

The following chronological outline illustrates the integral relationship of public consultation to the planning process as it unfolded.

October 12, 1994

- Akiliniq Planning Committee meeting
- review and approval of the planning process
- agreement to initiate public consultation

October 1994

- community consultation began in Baker Lake and Lutsel K'e
- regional workshops held in Yellowknife
- national newsletter (#1) released

February 19 - 20, 1995

- Thelon Dezzeth Planning Committee meeting
- review of draft report on community consultation

February 22 - 23, 1995

- Akiliniq Planning Committee meeting
- review of draft report on community consultation

March 1995

- continued community consultation in Baker Lake
- submission of report "Consultation on the Conservation Goals for the Thelon Sanctuary"

May 29 - 30, 1995

- Thelon Dezzeth Planning Committee meeting
- adopted vision and goal statements for the Sanctuary

June 1 - 2, 1995

- Akiliniq Planning Committee meeting
- adopted vision and goal statements for the Sanctuary

July 1995

- › community consultation in Baker Lake and Lutsel K'e

August 8 - 11, 1995

- › community meeting in the Sanctuary - Inuit and Dene elders and representatives from the planning committees from both communities met in the Sanctuary about 5 km downstream from Warden's Grove
- › the meeting resulted in the signing of a joint statement indicating the intent to cooperate on the planning of the Sanctuary

August / September, 1995

- › national newsletter (#2) released
- › continued community consultation in Baker Lake
- › informal consultations in Lutsel K'e
- › community leaders in Lutsel K'e did not support continued community consultation

October 30 - 31, 1995

- › Akiliniq Planning Committee meeting
- › presentation and review of community and national consultation on issues
- › presentation and review of draft options to be presented and discussed publicly

November 29 - 30, 1995

- › Thelon Dezzeth Planning Committee meeting
- › presentation of draft options to be presented and discussed publicly
- › Thelon Dezzeth Planning Committee disbanded at the request of the Lutsel K'e Band Council
- › a local committee (Land and Environment) was identified as the appropriate entity to deal with planning in the Thelon

December 1995

- › community consultation on options began in Baker Lake
- › national newsletter (#3) released

January - March 1996

- › continued community consultation in Baker Lake

April 10 - 12, 1996

- › Akiliniq Planning Committee meeting
- › presentation and review of community and national consultation on options
- › presentation and review of preferred options to be presented and discussed publicly as the draft Management Plan
- › approval in principle of the proposed draft plan package for public review

April - May, 1996

- › production of a video for use in local community consultation on the draft Management Plan

June 17 - 19, 1996

- › Akiliniq Planning Committee meeting

- presentation and review of complete documentation of material to be discussed publicly as the draft Management Plan
- approval of the proposed draft plan package for public review

June - July 1996

- public release of a video for use in local community consultation on the draft Management Plan
- national newsletter (#4) released
- full draft plan released and circulated to agencies, organizations and interest groups for detailed review

October 15 - 17, 1996

- workshop in Lutsel K'e coordinated by the Land and Environment Committee to discuss and review the draft plan
- a community response to the Management Plan was formulated at the workshop

November 4 - 7, 1996

- Akiliniq Planning Committee meeting
- presentation and review of all responses to the draft plan
- presentation and review of proposed changes to be made to the draft Management Plan as a result of the consultation
- direction and approval by the committee for changes to the document based on committee discussion and formal resolutions
- process identified for conclusion of the preparation of the Management Plan document according to the direction of the Committee

June 1997

- distribution of final plan (covering letter from APC Chairman David Toolooktook)
- Thelon Wildlife Sanctuary Management Plan distributed to NTI, KIA and NWMB for review
- requests that recommendations be copied to Director, Fisheries and Wildlife, RWED by 15 September 97

August 29, 1997

- letter from Ben Kovic (NWMB) to David Toolooktook (APC) requesting more time to review plan

September 29, 1997

- letters from Doug Stewart (RWED) to Ben Kovic (NWMB) and Jose Kusugak (NTI) asking for recommendations on submission of the plan for Ministerial approval by December 1st, 1997

October 10, 1997

- letter from Clara O'Gorman (NTI) to Robin Reilly, David Toolooktook (APC) and Paul Kaludjak (KIA)

January 21, 1998

- letter from Paul Kaludjak (KIA) to Stephen Kakfwi

February 18, 1998

- letter from KIA and NTI to APC

April 1998

- letter from Stephen Kakfwi to Paul Kaludjak, stating that GNWT has completed its role, that APC has completed its work, but that one more meeting may be necessary to secure the approval of KIA

April 15-16, 1998

- meeting between KIA and NTI in Baker Lake

May 13, 1998

- NWMB Quarterly meeting on Broughton Island
- NWMB rejected the plan, with a brief outlining their concerns with the plan
- GNWT rep outlined government's position on plan, advised that APC was no longer in existence, and suggested groups meet to determine process for securing Ministerial approval. NWMB resolved to write a letter to GNWT outlining concerns with plan and process

August 7, 1998

- letter from Stephen Atkinson to KIA, NTI, NWMB requesting a final meeting with NTI, KIA, NWMB and the Baker Lake representatives of the APC to review and discuss comments on, and concerns with the Management Plan in order that agreement could be reached and the plan recommended for approval

August 27, 1998

- letter from James Eetoolook (NTI) to Stephen Atkinson (RWED) responding to the request for final meeting on Plan. NTI indicated support for KIA concerns with issues related to NLCA. NTI indicated they feel another meeting would be redundant and that all concerns must be addressed

October 2, 1998,

- meeting of KIA, NTI, NWMB, DIAND and RWED in Iqaluit

October 6, 1998

- letter: NTI, KIA, NWMB, RWED, cc: DIAND with revised plan

January 19, 1999

- meeting of KIA, RWED (Arviat), NTI, Baker Lake. The meeting was to review final draft plan with Baker Lake Planning Members. RWED (Iqaluit) unable to attend due to late scheduling of meeting

January 25, 1999

- KIA Board Meeting, final draft plan presented to KIA Board. Board accepted plan, and requested that final draft, and changes made be translated prior to approval

February 1999

- RWED received final draft plan from KIA. Review identified significant changes that were not agreed to at the October 1998 meeting that were not highlighted and not forwarded to RWED

March 5, 1999

- letter from Stephen Atkinson to NTI and KIA (cc DIAND and NWMB)

May 2000

- meeting of DSD, KIA, DIAND, NTI and NWMB in Rankin Inlet

February 2001

- meeting between the Baker Lake HTO, KIA and DSD in Baker Lake

July to October 2001

- working group revision of text by teleconferences
- agreement in principle on the Management Plan text

November 2001

- legal and technical review by the parties forming the working group

XXXXXX 2002

- Management Plan approval

8.2 Appendix #2 – Special Management Areas (SMAs)

During consultations, the concept of establishing Special Management Areas (SMAs) was proposed and examined as one method of preserving the conservation values of important areas adjacent to the Sanctuary. The merits of creating SMAs should be closely examined by the NPC in cooperation with the NWMB, the KIA, the NTI and the Government of Nunavut (DSD), in addition to the Government of the Northwest Territories (RWED), Lutsel K'e, and any other authorities established over time in the NWT.

The creation of two Special Management Area designations, or some other similar protected area, is proposed for consideration as described below. The specific boundaries of the SMAs if they are created must be the result of a more rigorous boundary assessment, which ensures that the critical areas are adequately covered and undue restriction is not placed on areas beyond those important to the integrity of the Sanctuary. Such a review must ensure comprehensive public consultation within the local communities to ensure full community awareness and support. It is recommended that the Management Authority pursue the identification of these specific boundaries at the earliest appropriate opportunity.

1. An extension of watershed protection to the southwest of the existing Sanctuary is proposed as a Special Management Area (SMA), rather than as a direct addition to the Sanctuary. This proposal reflects the importance of watershed values while at the same time recognizing the potential for other forms of land use and a different management regime in the area. It is critical in this special management area, referred to as the Tyrrell Lake SMA, that the values which are fundamental to the integrity of the Sanctuary, in this case the water quantity, natural flows and quality, are protected. The Tyrrell Lake SMA should be managed as a buffer area to the Sanctuary.
2. The second Special Management Area proposed lies along the existing northeastern boundary of the Sanctuary and extends over the area between the Garry Lakes and the Aberdeen Lake area. This area, referred to as the Aberdeen Lake SMA, is locally recognized as a calving area for the Beverly Caribou Herd. The area extends southward to Marjorie Lake and the Dubwant River to encompass important crossing areas along the Thelon River. Like the Tyrrell Lake SMA in the southeast, this area is critical to protect a natural resource at the heart of the Sanctuary and its conservation mandate. The caribou herds of this region are a critical resource to both the Inuit and Dene people of the Thelon region and the success of maintaining those herds in healthy numbers is essential. Special considerations for the management of the area to the northeast of the existing Sanctuary must be consistent with the intent of the Management Plan for the Sanctuary while land use is administered locally through the appropriately designated regulatory body.

The SMAs are critical to achieve two fundamental objectives:

- to ensure that resource specific development and use restrictions are applied to activities that could influence the integrity of resources critical to the sustainability of the Sanctuary even though the resources are not completely contained by the Sanctuary; and,

- to give a direct local conservation input into the regulatory process for land use adjacent to the Sanctuary.

The SMAs are not intended to eliminate development or other land use activity, rather to ensure that such activities are especially sensitive in their approach and timing to the resource values of the area.

The role of the Management Authority, therefore, is to provide input to the land use permitting process, outlining resource concerns and optional mitigating measures. Such input should be a recognized step in the process and should precede permit approval. The SMAs highlight the areas of critical resources linked to the Sanctuary and identify the area within which the Management Authority will be a contributing participant in the land use regulatory process.