

**CHAPTER 10
LAND, WATER AND ENVIRONMENTAL REGULATION**

Dehcho Land and Water Board

1. The Agreement will provide for the establishment of a Dehcho Land and Water Board composed of nominations by Dehcho Government, Government of the Northwest Territories and Canada.
2. The Agreement will provide for the accountability of the Dehcho Land and Water Board to Dehcho Government, the Government of the Northwest Territories and Canada, including requirements for annual reports and plans.
3. The Agreement will provide for financial accountability requirements of the Dehcho Land and Water Board to Government of the Northwest Territories and Canada, including requirements for preparation and approval of annual budgets.
4. The Agreement will set out the authority and responsibility of the Dehcho Land and Water Board relative to Dehcho Government, Government of the Northwest Territories and Canada.
5. Additional provisions regarding the establishment, accountability and authority of the Dehcho Land and Water Board may be provided for in federal legislation.

Functions of the Dehcho Land and Water Board

6. The Dehcho Land and Water Board shall regulate the use of land and waters and the deposit of waste so as to provide for the conservation, development and utilization of land and water in a manner provided for in federal legislation.
7. For greater certainty, the Dehcho Land and Water Board shall not regulate the use of land and water and the deposit of waste in a National Park, National Park Reserve or a national historic site administered by Parks Canada.
8. Under a Agreement, the Dehcho Land and Water Board will be responsible for the following activities within the Dehcho Region:
 - (a) issuing, amending and renewing authorizations and the terms and conditions attaching thereto for all uses of land and water and all deposits of waste, including those incidental to the exercise of subsurface rights;
 - (b) to suspend or cancel authorizations as may be provided for in legislation;
 - (c) establishing policies and guidelines applicable to its authorizations;

- (d) holding public consultations and hearings in communities in relation to any matter within its jurisdiction;
- (e) establishing procedures for the conduct of its business, including public hearings;
- (f) proposing to government, including a Dehcho Community Government or the Dehcho Government, changes to legislation or Dehcho laws in respect of the use of land or water or the deposit of waste; and
- (g) conducting preliminary screening, in accordance with the *Mackenzie Valley Resource Management Act*.

Dehcho Land and Water Board Relationship with the Mackenzie Valley Land and Water Board

- 9. The Dehcho Land and Water Board will be a regional panel of the Mackenzie Valley Land and Water Board and will have functions in respect of land and water use within the Dehcho Region as set out in this chapter.
- 10. The Mackenzie Valley Land and Water Board, has functions in respect of land and water use decisions that extend beyond the Dehcho Region as provided for in the *Mackenzie Valley Resource Management Act*.

Dehcho Land And Water Board Relationship with the Dehcho Resource Management Authority

- 11. The Dehcho Land and Water Board may consider non-binding advice from the Dehcho Resource Management Authority on matters concerning land and water use in the Dehcho Region as set out in the Dehcho Resource Management Authority chapter.
- 12. Notwithstanding the separation of the Dehcho Resource Management Authority and the Dehcho Land and Water Board, these institutions may share facilities and administrative support for efficiency reasons.
- 13. A member of the Dehcho Land and Water Board may not at the same time be a member of the Dehcho Resource Management Authority.

Mackenzie Valley Environmental Impact Review Board

- 14. Federal legislation may provide for:
 - (a) recognition of Dehcho Community Lands;
 - (b) that at least one member of the Mackenzie Valley Environmental Impact Review Board will be a Dehcho nominee;
 - (c) that the Dehcho First Nations' authority to nominate members will operate in conjunction with the authority of any other Aboriginal

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- people to nominate members of the Mackenzie Valley Environmental Impact Review Board as provided for under land claims agreements;
- (d) the circumstances under which the Dehcho First Nations may be represented on any panel that may be established by the Mackenzie Valley Environmental Impact Review Board to conduct an environmental impact review of a proposed development; and
 - (e) the circumstances under which Dehcho Government will be consulted where a panel is established to conduct an environmental impact review of a proposed development wholly or partly on Dehcho Lands.

Mackenzie Valley Environmental Impact Review Board Relationship with the Dehcho Resource Management Authority

15. The Mackenzie Valley Environmental Impact Review Board may consider non-binding advice from the Dehcho Resource Management Authority regarding recommendations for environmental assessments as provided for in the Dehcho Resource Management Authority chapter.