

August 21, 2020

The Honourable Daniel Vandal, P.C., M.P.
Minister of Northern Affairs
Terrasses de la Chaudière
10 Wellington Street, North Tower
HULL QUEBEC K1A 0H4

Sent by email

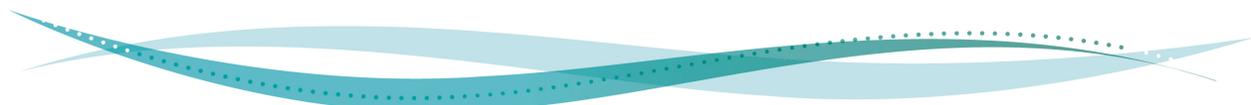
Dear Minister Vandal:

RE: Board Appointments Process – Lack of Timely Nominations and Appointments

The Chairs of the Land and Water Boards of the Mackenzie Valley (the Boards) are writing about ongoing concerns with the federal Board appointments process and subsequent Board member vacancies. The appointment of Board members is set out in the *Mackenzie Valley Resource Management Act* and as such is a federal responsibility. This is not limited to the signing of appointment letters but includes ensuring the nomination process is conducted in a timely manner.

Presently the Boards have several vacancies, with more coming within the next nine months; namely:

- 1) The MVLWB, WLWB and GLWB are all waiting on the appointment/re-appointment of nominees put forward by the GNWT.
 - a. Nominee for the GLWB submitted August 6, 2019. This appointment remains outstanding.
 - b. Nominee for the MVLWB submitted March 5, 2020. This appointment remains outstanding.
 - c. Nominee for the WLWB submitted early March 2020. This appointment remains outstanding.
- 2) The term for the federal nominee appointed to the MVLWB, Kimberly Fairman, expired on August 13, 2020 and there is no indication of a re-appointment or replacement.
- 3) The term for the federal nominee appointed to the SLWB, Violet Doolittle, expires on August 22, 2020.
- 4) All four Boards have members whose terms will expire within the next nine months:
 - a. Sam Gargan, Dehcho nominee appointed to the MVLWB, expires on November 29, 2020;
 - b. Florence Catholique, Akaitcho nominee appointed to the MVLWB, expires March 1, 2021;
 - c. Gerry Kisoun, federal nominee appointed to the GLWB, expires March 1, 2021;
 - d. Nigit'stil Norbert, Gwich'in Tribal Council nominee appointed to the GLWB, expires March 1, 2021;
 - e. Elizabeth Wright, Chair of the GLWB, expires March 11, 2021;
 - f. Rachel Crapeau, federal nominee appointed to the WLWB, expires May 23, 2021; and,
 - g. Larry Wallace, Chair of the SLWB, expires May 31, 2021.



Land and Water Boards of the Mackenzie Valley

Given that recent appointments indicate 9 to 10 months are required from the time of a nomination being submitted to the Minister and an appointment being approved, the Boards are currently anticipating significant vacancies in the coming months. That is, the nomination for the MVLWB Chair was submitted in July 2019 and the re-appointment did not happen until May 2020, and the GNWT nomination for the SLWB was submitted early August 2019 and that re-appointment did not happen until late April 2020. And in both cases, substantial pressure from the Boards was required in order to see the appointments acted upon. This is not a unique occurrence and is indicative of an inefficient and ineffective process.

The Boards are very busy and these gaps create operational difficulties that impact the effectiveness and efficiency of our work. This is especially true for the MVLWB, where within several months there will only be two Board members. And while the MVLWB also has the advantage of being able to pull from the regional panels, it becomes more and more difficult to schedule meetings and maintain quorum when the MVLWB Chair needs to go to the other Boards who are also busy and have their own vacancies. There have already been recent cases of Board decisions being deferred due to lack of quorum.

We do understand there have been challenges within the federal government as a result of COVID-19 and that Board appointments were unfortunately deemed non-essential, however, these vacancies hinder the timely decision-making of the Boards which in turn can lead to delays in project approvals and associated economic development.

We would appreciate the Honourable Minister's serious and urgent consideration to act upon the pending vacancies to ensure the Boards are able to maintain quorum. The Boards are available to participate in whatever way would assist with developing a more effective appointments process.

Sincerely,



Mavis Cli-Michaud
Chair
Mackenzie Valley Land and Water Board



Joseph Mackenzie
Chair
Wek'èezhii Land and Water Board



Larry Wallace
Chair
Sahtu Land and Water Board



Elizabeth Wright
Chair
Gwich'in Land and Water Board

Copied to: Michael McLeod, Member of Parliament for the NWT
Matthew Spence, Regional Director General, CIRNAC

