



**Government of the Northwest Territories Response to Committee
Report 23-20(1): Report on the Review of the Land Use Permitting and Water
Licensing Regulatory Framework in the Northwest Territories**

Background

The Standing Committee on Economic Development and Environment (SCEDE) presented their Committee Report “Report on the Review of the Land Use Permitting and Water Licensing Regulatory Framework in the Northwest Territories” on May 22, 2025. The full report was released publicly and to Government of the Northwest Territories (GNWT) departments on May 25, 2025. The report contains 20 recommendations for the Departments of Environment and Climate Change, Industry, Tourism and Investment, Finance, Executive and Indigenous Affairs, and Education, Culture and Employment. The recommendations address a number of components of the *Mackenzie Valley Resource Management Act’s* (MVRMA) regulatory framework, Indigenous government and Indigenous organization capacity to participate in the regulatory process, efficiency of land use permitting and water licensing processes, and mining regulations.

The Committee’s objective was to review the effectiveness and interpretation of the processes and requirements under the MVRMA. The review also aimed to assess the role of the GNWT within the regulatory system.

The GNWT has fully or partially accepted all of the Committee recommendations. Recommendations 3, 5, 7, 8, 10, 13, and 20 have been fully accepted. The other 13 recommendations have been partially accepted. For all recommendations and particularly for the recommendations partially accepted, a response has been provided outlining current and future GNWT action to support work in the areas related to the recommendation.

Recommendation 1

The Standing Committee on Economic Development and Environment recommends the Government of the Northwest Territories develop a standardized mineral exploration permitting bundle, in consultation with affected parties, similar to what the Mackenzie Valley Land and Water Board (MVLWB) has already done for municipal water licences.

GNWT Response

The GNWT is only responsible for a portion of the regulatory framework concerning mineral exploration in the NWT. It is necessary for the GNWT to collaborate with responsible parties to ensure there is a common understanding of the permitting requirements that could comprise a “standardized mineral exploration permitting bundle.” As indicated in the answers to other recommendations below, the GNWT, and in particular the departments of Industry, Tourism and Investment (ITI) and Environment and Climate Change (ECC), are already working with those who would be considered ‘affected parties’ through the Mackenzie Valley Operational Dialogue (MVOD), which includes the MVLWB, to create unified platforms for clients to access regulatory tools and pathways. The GNWT will continue to advance this work with its partner agencies, including with a particular focus on mineral exploration.

Recommendation 2

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories provide a transparent public update on its website outlining the steps being taken to amend the Waters Regulations, progress against key milestones, and timelines for further action, to ensure accountability and maintain public confidence.

GNWT Response

The GNWT began a phased approach updating the *Waters Act* and regulations in cooperation with the Intergovernmental Council (IGC) in late 2024:

- Phase 1 – Targeted amendments to the Waters Regulations
- Phase 2 – *Waters Act* amendments
- Phase 3 – Amend the Waters Regulations again, as necessary to bring the *Waters Act* amendments into force.

A technical working group (TWG) was established under the Intergovernmental Council’s Legislative Development Protocol to collaboratively and consensually develop the Waters Act regulation amendments (Phase 1). Multiple meetings have been held with the TWG to develop and draft the regulation amendments.

The TWG has identified these targeted amendments as a priority and is pursuing their development in an expedient manner. Under the Legislative Development Protocol, the TWG have invited Indigenous governments and Indigenous organizations who are not members of the Intergovernmental Council and representatives from Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to participate in the TWG meetings.

In addition to TWG meetings, ECC has conducted bilateral engagement with the Land and Water Boards. Information from this meeting will be brought back to TWG members for their review. The GNWT will be completing public engagement on the regulations. The GNWT agrees to providing a summary of phases and next steps publicly for how the amendments to the *Waters Act* and associated regulations will occur.

Recommendation 3

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories update the Waters Regulations, allocate sufficient resources — including staffing and funding— to support the amendments and their implementation, and identify a clear target date by which the new regulations will be in effect.

GNWT Response

The GNWT accepts this recommendation. The GNWT is currently advancing targeted amendments to the Waters Regulations. Progress is being made as outlined in response to Recommendation 2. The Department of Environment and Climate Change is sufficiently resourced to complete this initiative. These targeted amendments are a priority for the GNWT and the Technical Working Group, they are actively being worked on expediently. ECC can commit to completing them as soon as possible, prior to the end of the 20th Legislative Assembly.

Recommendation 4

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories adhere to the announced timeline for implementing the Mineral Resources Act (MRA) Regulations, ensuring that the process includes meaningful public consultation, is properly resourced for effective execution, and is supported by frequent public reporting on progress and milestones through the GNWT website to maintain transparency and accountability.

GNWT Response

ITI is currently working on a variety of engagement materials as it prepares to finalize initial drafts of regulations under the MRA. A timeline communicating steps in advancing these regulations, which includes completing steps outlined in the Intergovernmental Council Legislative Development Protocol, Aboriginal Consultation, and public engagement, and the expected to-coming-into force date of the MRA are included in these materials. Progress through the process will be updated regularly and will be available through ITI's website.

Recommendation 5

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories review and enhance its internal processes related to board appointments, including the timeliness of nominations, coordination with federal counterparts, and mechanisms for follow-up, to ensure that regulatory and co-management boards maintain full membership and operational continuity, and make these enhancements in a timely fashion.

GNWT Response

The GNWT accepts this recommendation. The GNWT has revised its standard operating procedures related to regulatory and co-management board appointments, to ensure that Board vacancies are filled in a timely, effective, and coordinated manner. Many board appointments are made by the federal Minister of Crown-Indigenous Relations and Northern Affairs and do not fall within the purview of the GNWT.

Recommendation 6

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories add compliance and enforcement datasets to the GNWT Open Data Portal.

GNWT Response

To avoid duplication, the GNWT currently posts inspection reports, land use permits, and water licence applications/licence information and other related compliance information on these public board registry websites:

- <https://www.inuvwb.ca/register/>
- <https://mvlwb.com/registry>

Recommendation 7

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories expand and improve the current Pathfinding Program into a single, comprehensive initiative. This enhanced program should guide proponents through regulatory requirements across the entire project lifecycle, encompassing the Land and Water Boards and relevant GNWT departments. Adequate staffing and resources should be provided by the GNWT to ensure its effective operation.

GNWT Response

The GNWT accepts this recommendation. The Ministers of ITI and ECC have been mandated to facilitate resource development through enhanced collaboration with the Single Window Pathfinders.

Initiatives are underway to improve and increase GNWT pathfinding services. Other examples include the recent establishment of the Regulatory Pathfinding Working Group through which the GNWT Departments of ITI and ECC are collaborating with CIRNAC, the Mackenzie Valley Environmental Impact Review Board (MVEIRB) and the MVLWB, to develop an “NWT Regulatory Web Page” as an interim step to creating a potential, cost effective, virtual “one-stop” shop for clients seeking project authorizations in the NWT and the launch of the development of an Environmental Assessment and Regulatory training course, coupled with an extensive online “regulatory pathways tool,” by MVEIRB.

These efforts will also assist with advancing the collaborative work amongst ITI, ECC, MVEIRB, MVLWB and CIRNAC with respect to pathfinding initiatives identified through the Mackenzie Valley Operational Dialogue initiative and will result in better harmonization of the various pathfinding resources from across the NWT that can be used to support mineral resource proponents.

Recommendation 8

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories review the suite of existing templates and guidance documents across the regulatory system to identify where there are gaps, and develop consistent, high-quality materials—such as templates, how-to guides, and reference documents—to support all stages of the project authorization lifecycle as part of a comprehensive Pathfinding Program.

GNWT Response

The GNWT accepts this recommendation. ITI and ECC, are participating in Crown Indigenous Relations and Northern Affairs Canada’s (CIRNAC) collaborative Mackenzie Valley Operational Dialogue (MVOD) initiative and currently working on many of these aspects of the NWT regulatory regime.

Through the Regulatory Pathfinding Working Group, ITI and ECC are collaborating with CIRNAC, the MVEIRB, and MVLWB on the development of an “NWT Regulatory Web Page”, along with an Environmental Assessment and Regulatory training course and an online regulatory pathways tool.

The MVLWB and the MVERIB have comprehensive online policies, guidelines, resources, including How-To guides, reference documents, and some templates to support all stages of resource projects authorization lifecycle. GNWT pathfinders are able to point clients to these resources.

The GNWT's focus to support the strengthening of pathfinding resulting from Mackenzie Valley Operational Dialogue and consolidate the suite of existing guidance and reference material into a unified and simplified platform, and to make them more available and 'user-friendly' will complement one another.

Recommendation 9

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories work with the Land and Water Boards (LWBs) of the Mackenzie Valley to provide better guidance and direction to project proponents across all stages of the regulatory lifecycle of a project to include plain language summaries with their technical reports as part of their engagement with Indigenous communities and the public.

GNWT Response

The GNWT has a limited ability to influence how the Land and Water Boards conduct business when working with project proponents. That being said, the inclusion of plain language summaries is already a requirement contained in the Land and Water Board's Document Submissions Standards and Standard Outline for Management Plans that are provided to proponents. ECC will reach out to the Land and Water Boards to ensure that these plain language requirements are being upheld by when reviewing submissions for completeness. ECC's Regulatory and Permitting Division can also continue to monitor regulatory processes and provide guidance and corrective direction to proponents through its Online Review System (ORS) comments on an ad hoc basis; however, it is ultimately the responsibility of the Land and Water Boards that can ensure this requirement is met at the start of a regulatory proceeding.

Recommendation 10

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories provide more detailed timelines and commitments for development of the new Indigenous Procurement Policy (IPP) and provide details as to how the new IPP could help to address the concerns raised by Indigenous governments and communities in this report and elsewhere.

GNWT Response

The GNWT accepts this recommendation. The Department of Finance completed public engagement on the IPP in May 2025 and the What We Heard report is anticipated to be released publicly in early Fall 2025. Feedback from engagements with Indigenous governments and Indigenous organizations, as well as public engagement, is being reviewed to inform the further development of the policy. The Department anticipates sharing an update on this work with both the NWT Council of Leaders and the Standing Committee on Government Operations in Fall 2025.

Recommendation 11

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories increase the number of secondments to Indigenous governments and communities to increase capacity in environmental, technical, resource development and regulatory fields.

GNWT Response

The Department of Finance Building Capacity in Indigenous Governments Program supports secondment arrangements with Indigenous governments in all regions to help develop their human resource capacity. Program allows for employees of Indigenous governments to be seconded to a position within the GNWT and/or GNWT employees to be seconded to a position within Indigenous governments. The Department of Finance will provide funding for up to a maximum of \$40,000 per year per secondment. The Program will have the capacity to allow for approximately 10 placements annually.

Recommendation 12

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories provide greater investments and partnerships with Indigenous governments to develop long-term capacity building programs for Indigenous governments that include:

- Creating dedicated funding streams for training and professional development in regulatory, environmental, and technical fields.
- Supporting more internships, apprenticeships, and mentorships with regulatory agencies or Indigenous organizations.
- Promoting post-secondary scholarships and bursaries in relevant disciplines like environmental science, engineering, law, or land management and ensuring that local institutions such as Aurora College are able to provide high quality education in these fields.

- Partnering with Indigenous governments in developing community-led training programs while also involving local knowledge holders and Elders to ensure the training is culturally appropriate.

GNWT Response

The GNWT values its partnerships with Indigenous governments and recognizes the need for capacity support programs that are responsive and provide stability and consistency in program availability. Long term capacity building programs include the Building Capacity in Indigenous Governments Program and the Indigenous Career Gateway program. These programs aim to increase the knowledge, skills and abilities of participants by providing work experience for participants, exposure to Indigenous and territorial government operations, and increasing the capacity of Indigenous governments. GNWT departments also work with Indigenous governments on an as needed basis to identify and offer training sessions and workshops in specific areas of capacity that may be needed.

The GNWT is focusing on improving its Indigenous engagement approach that aims to strengthen partnerships with Indigenous governments and Indigenous organizations in several areas, including the regulatory regime in the NWT. The GNWT agrees that any training programs that are developed should be community-led and culturally appropriate and is open to hearing any proposal from Indigenous governments and Indigenous organizations for how such a training program could be delivered within existing resources.

The GNWT has also been working with Indigenous governments through the NWT Council of Leaders and United Nations Declaration on the Rights of Indigenous Peoples implementation working group to identify capacity needs and the GNWT intends to use that information to inform future decisions about how it may help support Indigenous governments and Indigenous organizations to increase capacity. In addition, the GNWT is continuing its advocacy to the Government of Canada to support Indigenous government and Indigenous organization capacity.

The Department of Education, Culture and Employment (ECE) delivers a range of programs for individuals, employers and organizations that can assist Indigenous governments with long-term capacity building. For example, ECE's Skills Development Program can provide financial supports to assist individuals in accessing a range of skills development and training programs that can support enhanced capacity within Indigenous governments.

Similarly, through ECE's Employee Training Program (ETP), employers can access financial support to offset the costs of training new hires. The ETP is available to Indigenous governments and organizations, and eligible training includes essential skills training; technical training courses (excluding apprenticeship technical training); business training; management and leadership training; and short-term certificate training. Additional information on these is available at ECE's Regional Service Centres.

ECE is also engaging with Indigenous governments on the future use of facilities that have previously hosted Aurora College Community Learning Centres. While engagement has largely focused on how these facilities can best serve the needs of communities moving forward, delivery of education and training programs has often been highlighted as a way to enhance community capacity. Dialogue with Indigenous governments to identify community-driven solutions is ongoing.

The Aurora College Board of Governors is responsible for operational matters of Aurora College and decisions around which programs are delivered. As part of the transformation to a polytechnic university, Aurora College has identified areas of teaching and research specialization that include a focus on Earth Resources and Environmental Management. Governance structures and processes in the NWT create opportunities for employment and research in these areas and closely connect to the disciplines highlighted by the Standing Committee. As outlined in the Aurora College Mandate Agreement, 2025-2028, areas of specialization, including Earth Resources and Environmental Management, will inform change and investment and help to define success in the transformation process. We would also note a commitment by the GNWT and the NWT Council of Leaders during the June 2025 meeting to work directly with Aurora College particularly to strengthen community-level learning opportunities.

Recommendation 13

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories change the Interim Resource Management Assistance (IRMA) Program funding model from providing annual funding to providing stable multi-year funding to enable Indigenous governments to attract and retain high quality staff.

GNWT Response

The GNWT accepts this recommendation. The GNWT has already fulfilled the multi-year funding option for IRMA funds. In response to the findings of the 2020 Environmental Audit, a multi-year funding option was added in an update to the IRMA Guidelines in 2022, modeled closely after the multi-year approach used by the Cumulative Impact and Monitoring Program. This reduces the administrative burden and increases spending flexibility for communities who may struggle with capacity issues year-to-year.

Recommendation 14

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories prioritize and enhance efforts to increase capacity

funding for Indigenous governments and organizations, advocating for this as part of the updated federal engagement strategy and provide a public status update.

GNWT Response

The Interim Resource Management Assistance (IRMA) program is federally funded with the GNWT contributing 25% of the annual budget. It has been operating since 1997. The current program is fully subscribed on a regular basis, highlighting the importance of the program and the need for additional support for Indigenous governments and Indigenous organizations to participate in regulatory/environmental assessment processes related to their traditional land use areas.

As a result, the GNWT is working with Indigenous governments and Indigenous organizations without modern treaties on a joint federal engagement approach to increase IRMA funding.

Recommendation 15

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories work with the federal government to clarify how the Northern Regulatory Initiative (NRI) can be used to strengthen capacity in the Northwest Territories and provide clear guidance to eligible parties on how to access this funding.

GNWT Response

The GNWT accepts this recommendation. NWT Indigenous communities have identified the need for significant capacity expansion in order to be effectively engaged and participate in mineral exploration and development projects.

The GNWT is hopeful that CIRNAC's Northern Regulatory Initiative could have the mandate and budget necessary to support Indigenous governments and Indigenous organizations capacity. Key objectives and activities of the program include supporting Indigenous governments and Indigenous organizations in participating more fully in regulatory processes, including impact assessments, land-use planning, and regional studies and strengthening the regulatory regime by streamlining regulatory processes, reducing duplication, and improving predictability for resource development projects while ensuring environmental protection and meaningful consultation with Indigenous peoples.

ITI will reach out to CIRNAC to better understand the NRI and identify any opportunities to strengthen Indigenous capacity.

Recommendation 16

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories provide new dedicated capacity funding to support meaningful participation by community governments, non-governmental organizations, and members of the public in regulatory processes under the Mackenzie Valley Resource Management Act (MVRMA). Committee further recommends that the GNWT ensure these groups are consistently included and invited to participate in relevant discussions, so their knowledge and expertise can contribute to decision-making processes, and to share publicly how they will do so and how improvement will be measured.

GNWT Response

GNWT-ECC continues to seek additional funding to support additional capacity and involvement in regulatory processes as outlined in Recommendation 16. As mentioned in the response to recommendation #14, the department has been historically fully subscribed for Interim Resource Management Assistance (IRMA) funding, highlighting the importance of the program and the need to support the participation of Indigenous governments and Indigenous organizations in regulatory processes.

If additional funding becomes available, consideration will be given to expanding programs to other interested parties.

Of note, the MVRMA is federal legislation and CIRNAC is already advancing funding streams to fill gaps and enhance participation in northern regulatory processes, as noted by the Committee in Recommendation 15.

Recommendation 17

The Standing Committee on Economic Development and Environment recommends that the GNWT fully implement all recommendations outlined in the 2020 NWT Environmental Audit, and provide a comprehensive, public written update to Committee that includes:

1. The current status of implementation for each Audit recommendation, clearly indicating which have been completed, are in progress, or remain outstanding;
2. Timelines for the completion of each outstanding recommendation;
3. A detailed rationale for any delays or deviations from any original implementation plans that were developed;
4. An estimate of associated costs and human resources for implementing each recommendation, including any future projected expenditures; and measures to track progress.

GNWT Response

The 2020 Audit included 40 recommendations for various parties with decision-making roles in the NWT environmental regulatory system; thirty-four (34) of the 40 recommendations were directed to the GNWT. An independent Auditor has been contracted to conduct the 2025 Audit, to be released in the Fall of 2025 and tabled during the October 2025 Session. The 2025 Audit will assess various aspects of the NWT environmental regulatory system, including progress on previous audit recommendations.

Recommendation 18

The Standing Committee on Economic Development and Environment recommends that when the 2025 Environmental Audit is published, the Government of the Northwest Territories formulate a comprehensive update to Recommendation 17 in this Committee Report that includes a detailed response plan with associated resources and to provide that response within one year.

GNWT Response

The GNWT, as well as all other relevant parties with decision-making roles in the NWT environmental regulatory system, will have the opportunity to provide responses to the recommendations in the 2025 Audit, to be included in the final report. All GNWT responses will provide rationale as to whether the GNWT agrees or disagrees with the recommendation, as well as including clear commitments when relevant.

Recommendation 19

The Standing Committee on Economic Development and Environment recommends that the GNWT fully implement all recommendations outlined in the Mackenzie Valley Operational Dialogue (MVOD), and provide a comprehensive, public written update to the Committee that includes:

1. The current status of implementation for each MVOD recommendation, clearly indicating which have been completed, are in progress, or remain outstanding;
2. Timelines for the completion of each outstanding recommendation;
3. A detailed rationale for any delays or deviations from any original implementation plans that were developed;
4. An estimate of associated costs and human resources for implementing each recommendation, including any future projected expenditures; and
5. A clear and actionable plan outlining how the government intends to address all outstanding MVOD recommendations, including assigned departmental responsibilities, expected outcomes, and measures to track progress.

GNWT Response

Led by CIRNAC, MVOD is a collaborative body for all governments and regulatory bodies as well as industry partners that participate in the Mackenzie Valley Regulatory system. MVOD was developed as a venue to discuss regulatory challenges (both real and perceived) and to share perspectives, identify common regulatory priorities for the purpose of collaboratively advancing operational actions in order to address a concern that there was a lack of opportunity for partners to explore and discuss these challenges outside of project-specific venues. MVOD is not a venue for formal “audit” or “report” to finalize specific actionable items and deadlines and no recommendations or implementation plans have been developed to date. That being said overarching objectives and steps to meet these objectives have been identified and are summarized as follows.

Community Readiness

Objective: Community members are informed and have capacity to participate in regulatory processes and economic opportunities.

Actions:

- Indigenous capacity building strategies (e.g. secondment initiatives) - GNWT/GoC/Boards lead
- Engagement coordination – Industry/Boards/GNWT/GoC lead
- Education/Outreach - GNWT/Boards lead
- Studies and Participant Funding – GNWT/GoC lead

Regulatory Process

Objective: Regulatory processes are efficient and predictable and fit for purpose.

Actions:

- Collaborative pathfinding approach – GNWT lead
- Identification of proposed regulatory amendments/policies - GNWT/CIRNAC lead with IGC priority setting
- Advancement of Pan-Territorial Forums – CanNor lead
- Development of Mineral Exploration regulatory submission bundles – MVLWB lead

Funding Approach

Objective: Stakeholders and rights holders have sufficient and accessible funding to participate in regulatory processes and economic opportunities.

Actions:

- Identification of opportunities and pathways for more streamlined funding – GNWT/GoC lead
- Identification of opportunities and pathways for more coordinated, long-term, and secure funding sources for Indigenous participation in all phases of regulatory processes – GNWT/GoC lead

Information and Data

Objective: Data and information are available and help support sound decision-making

Actions:

- Analyze regulatory data (from ORS system) and create publicly accessible communication materials/shared regulatory facts – MVLWB lead (MVEIRB for environmental assessment)
- Data portal development and collection – MVEIRB lead

The Departments of ITI and ECC commit to providing regular updates to SCEDE on the progress of any actions that can be shared publicly where the GNWT is involved going forward.