

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

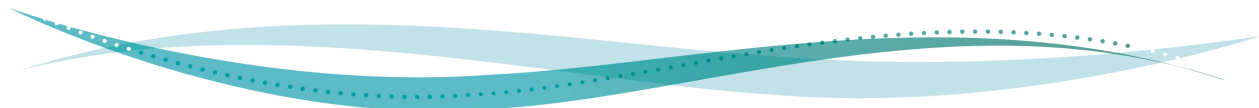
Dear Minister Vandal:

## **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

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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

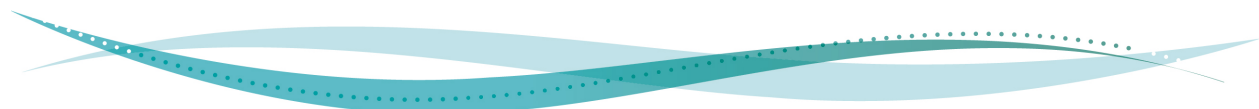


Larry Wallace  
Chair  
Sahtu Land and Water Board



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



October 26, 2020

Mavis Cli-Michaud  
Chairperson  
Mackenzie Valley Land and Water Board

Joseph Mackenzie  
Chairperson  
Wek'èezhii Land and Water Board  
c/o Ryan Fequet

Larry Wallace  
Chairperson  
Sahtú Land and Water Board

Elizabeth Wright  
Chairperson  
Gwich'in Land and Water Board  
c/o Leonard DeBastien

Dear Chairpersons of the Land and Water Boards of the Mackenzie Valley:

I am writing in response to your correspondence dated August 21, 2020. Thank you as well for meeting with me on September 18, 2020 where we discussed the appointments process. I appreciate your understanding of the impacts that COVID-19 has had on all Canadians and the delays that were caused in some of the appointment processes at the federal level.

As discussed during our recent meeting, I remain committed to completing Ministerial appointments in a timely fashion. I can also advise that we have received the nomination for the appointment of a Chairperson to the Gwich'in Land and Water Board and I have instructed departmental officials to begin work on it immediately.

Departmental officials and my staff are also working diligently to ensure appointment nominations from territorial and Indigenous partners are processed as quickly as possible once received. For sole discretion Ministerial appointments, I remain committed to a fair, open and transparent process to these appointments and have instructed my officials to launch an advertised selection process this fall in order to solicit expressions of interest for appointments to several seats, including on your respective Boards.

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Finally, I am also pleased to inform you that since your August 21<sup>st</sup> letter, I have approved the reappointment of Ms. Camillia Zoe-Chocolate to the Mackenzie Valley Land and Water Board and the appointment of William Koe to the Gwich'in Land and Water Board.

Thank you again for discussing your concerns regarding the timelines of appointments with me and for highlighting the critical role that each member plays in the success of your Board's work.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Vandal". The signature is fluid and cursive, with a large initial "D" and a stylized "Vandal".

Hon. Dan Vandal, P.C., M.P.