

Annual Report of the



Gwich'in Land Use Planning Board

April 2003 – March 2004



ANNUAL REPORT OF THE GWICH'IN LAND USE PLANNING BOARD

APRIL 1ST 2003 TO MARCH 31ST 2004

Introduction

Nành Geenjit Gwitr'it T'igwaa'in, Working for the Land, Gwich'in Land Use Plan was officially approved on August 7, 2003. The Planning Board was responsible for developing the land use plan and has now shifted responsibility over to monitoring its implementation. To make sure the intent of the plan is being achieved, it is very important for the Board to understand how the Plan is being implemented and how it is affecting land use in the Gwich'in Settlement Area (GSA). It is also very important that communities and other stakeholders in the region understand how the Plan is working because they have a continued role under the Plan to participate in decisions about development activities.

The approval of the plan has been a long road, and the two previous annual reports give more detail on the process. Suffice to say that the Gwich'in have been working for 20 years to get a land use plan for their settlement region. The final plan was approved by the Gwich'in Tribal Council on April 8th, 2003, by the Government of the Northwest Territories on July 10, 2003, and then by the Federal Government August 7th, 2003. The signature of the Federal Government, as represented by DIAND Minister Robert Nault, was the last step in the final approval.

With the final approval, all land users must now follow the Plan. A variety of water licences and land use permits have been issued by regulatory agencies that have been affected by the Land Use Plan, and many of the action items set out in the Plan are being worked on by different groups.

The contents of this report include:

- an update on Board membership and staff;
- a description of the draft implementation strategy to the Plan;
- the Planning Board's priorities for 2004-2005
- a review of land use permits and water licences issued, and an explanation of how an approved Plan has affected those activities;
- a list of action items that are currently being addressed;
- recommendations for groups to consider in the next year;
- the Planning Board's work plan for 2003-2004, and;
- the audited financial statements for 2003-2004.

Board Membership and Staff:

MEMBERS	NOMINATED BY	APPOINTED ON
Bob Simpson, Chair	Board	August 23, 2002
Charlie Snowshoe, Vice-chair	GTC	December 22, 2001
Fanny Greenland	GNWT	March 14, 2002
Karen LeGresley Hamre	Federal	December 22, 2001
Ian McLeod	GTC	December 22, 2001

The Planning Board has four members. The Gwich'in Tribal Council nominates two members and the Government of the Northwest Territories (GNWT) and Government of Canada each nominate one member. The Planning Board is a public board and the Minister of Indian and Northern Affairs appoints each of the nominees to be members. Once appointed, members represent the interests of the public, not the interests of the group that nominated them.

Members sit on the Planning Board for a three-year term. All of the members were reappointed to another term on the board in December 2001 except for the GNWT nominee who declined reappointment. The GNWT nominated Fanny and she was officially appointed in March 2002.

Together, the members nominate the Chair, who is then appointed by the Minister. The Chair is also appointed for three years. Bob was reappointed for another term in June 2002.

STAFF:

Planner: Susan McKenzie
Administrative Support: Loretta Villeneuve
Planning Assistant: Julie-Ann Andre (February 2004)

Susan began work for the Board in August 2001. Loretta Villeneuve is the Gwich'in Land and Water Board's Office Manager and also assists the Planning Board with administrative and office support. The Board was pleased to welcome Julie-Ann Andre as Planning Assistant in February 2004. Julie-Ann moved from Tsiigehtchic to Inuvik to join the staff.

Implementation Strategy

The Planning Board produced a draft Implementation Strategy in December 2003, entitled ***"Implementing the Gwich'in Land Use Plan: A Five Year Work Plan"***. The Strategy is intended to guide the Planning Board's activities over the life of the Plan. It is also intended to guide our planning partners, such as DIAND, Gwich'in Tribal Council (GTC), Gwich'in Renewable Resource Board (GRRB), and various GNWT departments, in their roles and responsibilities in implementing the Plan. The Strategy was taken to the communities of the Gwich'in Settlement Area in March 2004 for discussion with the Renewable Resources Councils and Designated Gwich'in Organizations of each.

We have also met with various government and board staff in Inuvik and Yellowknife, and had input from other government staff in Ottawa, to revise the Strategy. While the Strategy does not need official approval by our planning partners, their input has been critical as it will take all of us, working together, to effectively implement the Land Use Plan.

Priorities for the Upcoming Year

Our first priority is getting the printed plan out! While the document was approved in August, we are just in the final phase of working with the printers to finish the printed Plan and CD version. We expect shipment of the document in April 2004. Another priority is having an official celebration of the approval of the Plan. This was delayed a couple of times from the original August date, and is now planned for April 2004 in Fort McPherson.

Other priorities of the Board include:

- finalize a contract with the C.S. Lord Geosciences Centre to complete their non-renewable resource assessments of the Conservation Zones
- distribute and web-post the implementation strategy
- work with Yukon planners on co-operative planning in the Peel River Watershed and North Yukon
- develop a research plan to guide the collection of information over the next several years
- detail our involvement in the review of the Mackenzie Gas Project
- develop a youth involvement strategy

These and other priorities will be detailed in the implementation strategy work plan.

Land Use Permits, Water Licences, and Other Authorizations

All regulatory agencies have to ensure that all licensed, permitted, and other authorized activities related to the use of land, water, and the deposit of waste conform with the Plan. The Planning Board has been working with the regulatory agencies to implement this process and monitor the conformance decisions. While we have met with most regulatory authorities, significantly we have yet to meet with the Mackenzie Valley Land and Water Board and the Mackenzie Valley Environmental Impact Review Board.

Foremost is our work with the Gwich'in Land and Water Board (GLWB). Most land use permits and water licences for activities in the GSA are issued by the GLWB. After its approval, the Plan has helped to guide the Land and Water Board in placing conditions on permits in activities that were within Special Management Zones. We have also worked with a grandfathered land use permit with non-conforming activity in the Travaillant Lake Conservation Zone and processed an application for an exception to the Land Use Plan.

The project that had the grandfathered permit and required an exception to the Plan was work looking at geotechnical considerations for the pipeline. As an example of how the Plan works, the regulatory process and issues related to this project and the Land Use Plan are summarised below:

- Imperial Oil Resources Ventures Limited (IORVL) made application to the GLWB in the fall of 2002 for a land use permit (pre-land use plan) for a geotechnical site investigation project. The activities of project that triggered the requirement for a land use permit were winter access road construction, drilling to test ground properties along the proposed pipeline route, and site investigation of potential gravel sources that will be required for pipeline construction.

- The permit was issued late winter (early 2003), and only some of the work was completed before the winter field season ended. The expiry date was set in April 2004 since the remainder of the program was expected to be completed the following winter season. Because the permit was issued prior to plan approval, the right to conduct the activities authorized within it were considered 'grandfathered'. This meant that even if the activities did not conform to the Plan, as long as IORVL met the terms and conditions of the permit, they would be allowed to carry out the activity after Plan approval.
- The Gwich'in Land Use Plan was approved in August 2003.
- IORVL submitted an application to the GLWB for an amendment to their existing land use permit after the approval of the Plan so it was subject to being in conformance before receiving any authorization to do the proposed work. The application proposed additional sites for investigation, changes to winter access routes, and campsite locations with associated sumps.
- An application was made at the same time for a water licence because the quantity of water required for the camp and access road construction, and the deposit of waste in the sumps met the requirements for a type B water licence. (also subject to conformity with the Plan)
- IORVL also submitted application to the GLUPB for an exception to the Land Use Plan because while the activities proposed in the application for the water licence and the amendment to the permit that were in the Travaillant Lake Conservation Zone did not conform, and they were tied to the construction of grandfathered access roads and two gravel source investigations.
- The exception the Board granted allowed the use of community approved water sources and access road route revisions within the Travaillant Conservation Zone. These measures reduced potential impacts of the grandfathered activities. The construction of a proposed sump within the conservation zone was not allowed, or even considered for an exception, and IORVL was able to adapt its project plan to not require the sump.

This geotechnical project identified some potential issues with the authorizations required for the construction of the proposed pipeline project. Because a new authorization would be required to develop the potential gravel sources and they are a non-conforming use in a conservation zone, the Board has discussed with IORVL the requirement for an amendment to the Plan if these sources are needed. We asked this developer, and will ask all others, that all non-conforming activities within a project needing an exception or amendment to the Plan be considered and any requests be 'bundled'. We will look at the pipeline-related activities as a whole and assess them for a single, comprehensive amendment to the Land Use Plan.

With respect to the pipeline right-of-way, the Plan allows for the pipeline through a conservation zone, but it must meet certain conditions set out in the Plan (section 4.2.4). These conditions are:

A pipeline corridor through any of the Gwich'in Conservation Zones will be considered to be a permitted use provided that this use complies with the following:

- a. there is no reasonably feasible alternative to the proposed corridor through the conservation zone;

- b. the proposed corridor must be the shortest possible through the zone, while avoiding the most sensitive ecological and cultural areas and ensuring Gwich'in traditional use activities in the area are not disturbed, or as otherwise agreed to and determined by processes under the Gwich'in Land Claim;
- c. the proposed pipeline corridor development minimizes the area affected by the project, the intensity of disturbance, uses the best available technology to minimize environmental impacts and proposes no additional developments (for example gravel pits, access roads, camps, etc.) within the conservation zone;
- d. the proponent can demonstrate to the Planning Board that meaningful consultation has been held with Gwich'in communities and affected parties on the pipeline corridor, construction, operation and abandonment.

During the regulatory process associated with a pipeline project, the Board may recommend mitigation measures to the regulatory authorities which in the Board's opinion are necessary to ensure consistency with the general intent and purpose of the conservation zones.

Throughout the life of the pipeline project, the regulatory authorities are encouraged to consult with the Planning Board to ensure continued conformity with the Plan.

Following is a table of activities in the GSA that were permitted during the timeframe of this report. The map shows where each of the activities took place. With each activity is a brief description of what conditions from the Plan have been placed on those activities. Refused activities are also listed.

Note: the following table and map are produced with information obtained from the regulatory agency listed. For more information on an activity or to verify details, please contact the appropriate agency.

File Number	Regulatory Agency	Applicant	Operation	Location	Plan Zones	Comments
G03L03	GTC	Ducks Unlimited Canada	Lease	Cardinal Lakes Area	Cardinal Lake Special Management Zone	Plan conditions would apply Fish, heritage, waterfowl
G03R06	GTC	Mackenzie Project Environmental Group	Research	Travaillant Lakes Area	Lakes Around Travaillant SMZ and Travaillant CZ	Plan conditions would apply Fish, heritage
G03R07	GTC	Gwich'in Renewable Resource Board	Research	Richardson Mountain Range, (Black Mountain) Area	Rat River Conservation Zone	activity allowed in CZ
G03R08	GTC	University of Saskatchewan	Research	Campbell Creek, Transect Line Between Inuvik and Paulatuk	Campbell Creek SMZ	Plan conditions would apply: Fish, heritage
G03R09	GTC	Geological Survey of Canada	Research Permafrost Monitoring	between Tsiighehtic and Inuvik	Unknown	Unknown
G03R14	GTC	University of Ottawa	Research	Gwich'in Territorial Park	Gwich'in Territorial Park	Park Management Plan would apply
G03R15	GTC	Diamondex Resources Ltd	Research	Thunder River Area	Lakes Around Travaillant SMZ, GUZ	Plan conditions would apply Fish, heritage
G03Q03	GTC	Northwestel Inc	Quarry	Frog Creek, Deepwater Lake	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03Q04	GTC	Northwestel Inc	Quarry Gravel for road and pad construction	Midway Lake Pit (km 44.1) to Stony Creek Site (km 23.6)	Transportation SMZ	Plan conditions would apply Porcupine caribou, tourism
G03Q02	GTC	Porcupine Enterprises Ltd	Quarry	Frog Creek (km 126.0)	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03G04	GTC	Northwestel Inc.	Quarry	Frog Creek and Midway Lake	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03R17	GTC	Mackenzie Project Environmental Group	Research	Parcel 17, Across the Pipeline Route	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ	Plan conditions would apply Fish, heritage
G03R10	GTC	Mackenzie Project Environmental Group	Research	Travaillant Lakes Area	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ	Plan conditions would apply Fish, heritage
G03R11	GTC	Gwich'in Renewable Resource Board	Research	Travaillant Lakes Area	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ	Plan conditions would apply Fish, heritage

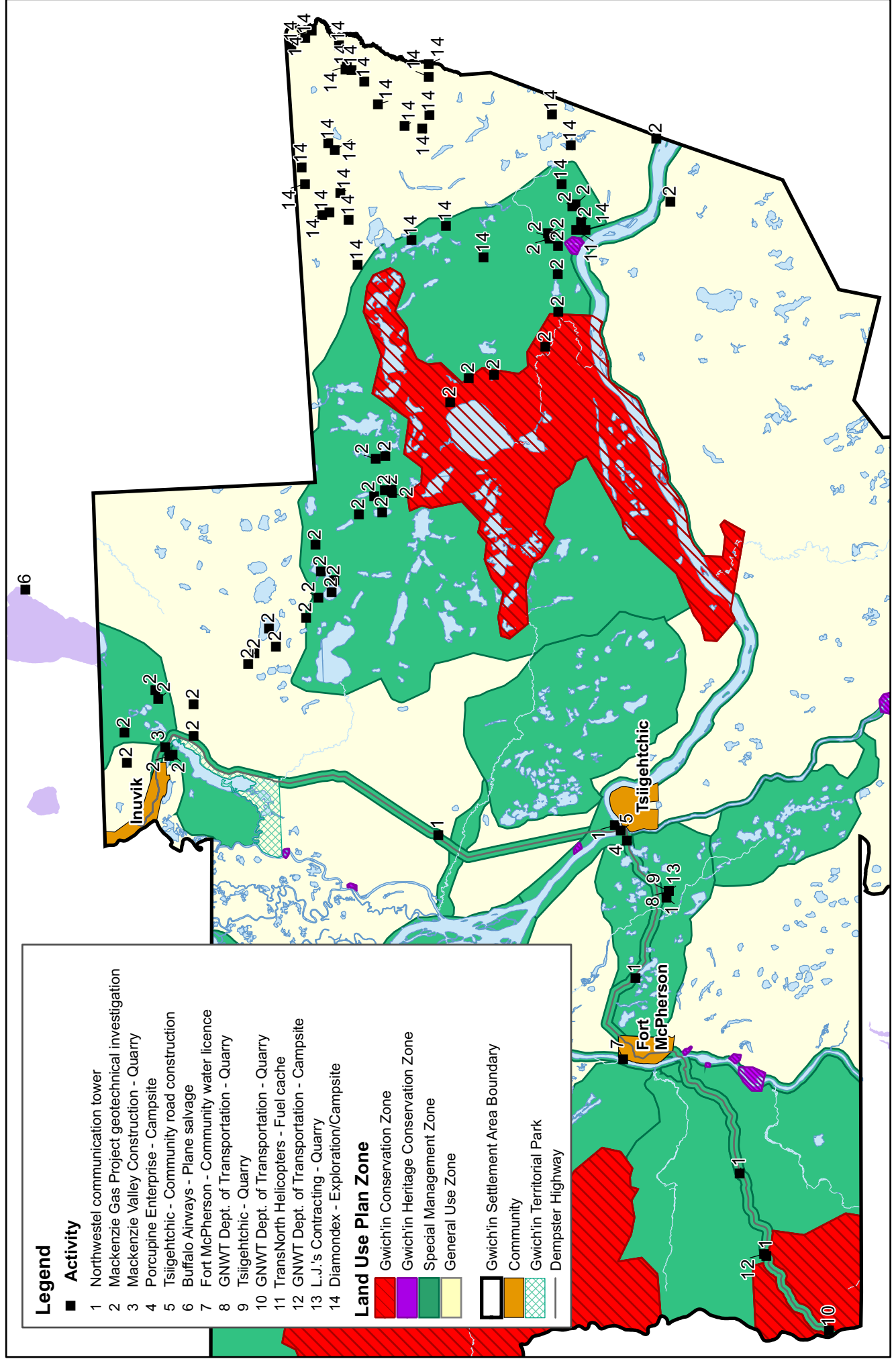
File Number	Regulatory Agency	Applicant	Operation	Location	Plan Zones	Comments
G03R12	GTC	ColtKBR	Research	Preliminary Site Investigations on the Pipeline Route	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ	Plan conditions would apply Fish, heritage
G03R13	GTC	Ducks Unlimited Canada	Research	Cardinal Lakes Area	Cardinal Lakes Special Management Zone	Plan conditions would apply fish, waterfowl, heritage
G03R18	GTC	Shell Canada Ltd	Research	Rat River	Rat River Conservation Zone	Allowed use within conservation zone
G03Q06	GTC	Mackenzie Valley Construction Ltd.	Quarry	Frog Creek (km 126.0) stockpile & load & haul gravel for embankment washing project	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03Q07	GTC	L.J's Contracting	Quarry	Frog Creek pit to Fort McPherson	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03Q08	GTC	Mackenzie Valley Construction Ltd.	Quarry	Frog Creek	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q02	GTC	L.J's Contracting	Quarry 11000m ³ material	Frog Creek Quarry – GNWT DOT stockpiles	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q03	GTC	Mackenzie Valley Construction Ltd.	Quarry:	Frog Creek Pit (km 126) 2000 m ³ to Inuvik Ferry Landing, & 8000 m ³ to Fort McPherson dump	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q04	GTC	L.J's Contracting	Quarry 2000 m ³ pit run	Frog Creek - to south side Peel River crossing	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04R09	GTC	Diamondex Resources Ltd.	Research: Diamond exploration	Proposed Lena West area	Lakes Around Travaillant SMZ General Use Zone	Plan conditions would apply Fish, heritage
G04Q10	GTC	Red River Incorporated Band Ltd.	Quarry 30 m ³ granular 20 m ³ crushed	Frog Creek pit	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q11	GTC	Tsiigehtchic Charter Community	Quarry stockpile and	Frog Creek Pit to the community of	Transportation SMZ	Plan conditions would apply Waterfowl, tourism

File Number	Regulatory Agency	Applicant	Operation	Location	Plan Zones	Comments
G04Q05	GTC	Mackenzie Valley Construction Ltd.	haul. Quarry	Tsiigehtchic Frog Creek pit GNWT stockpiles for grade repairs on Dempster highway (km 85 to km 142)	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q06	GTC	Mackenzie Valley Construction Ltd.	Quarry	Frog Creek to 2000 m ³ to North shore of peel river ferry landing	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q07	GTC	Mackenzie Valley Construction Ltd.	Quarry	Frog Creek excavate & haul pit run under GNWT Permit G99Q006	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q09	GTC	L.J's Contracting	Quarry	Frog Creek Pit material for NWT Power Corporation construction site	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04R10	GTC	Shell Canada Limited	Research the composition of buried waste material and to delineate sump boundaries.	Jacob Archie's camp 6 miles west of Aklavik	General Use Zone	no conditions from plan applied
G04Q08	GTC	Mackenzie Valley Construction	Quarry	Frog Creek Pit for Fort McPherson residential and commercial needs	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q01	GTC	Red River Incorporated Band Ltd.	Quarry	Frog Creek pit for 3 landings on Mackenzie River (20 cubic yards)	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04R01	GTC	AMEC Earth & Environment Ltd.	Research	Proposed pipeline corridor	Lakes Around Travilliant SMZ Travilliant Lake CZ, GUZ, Campbell Creek SMZ	Plan conditions would apply Fish, heritage

File Number	Regulatory Agency	Applicant	Operation	Location	Plan Zones	Comments
G04R02	GTC	Denise Auriat, Wildlife Biologist, GRRB	Research Dall Sheep	Northern Richardsons	Rat River Conservation Zone	Allowed use in CZ
G04R03	GTC	Mackenzie Project Environment Group	Research biophysical studies.	Proposed pipeline corridor	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ, Campbell Creek SMZ	Plan conditions would apply Fish, heritage
G04R04	GTC	Conoco Phillips Canada	Research	Richardson Mountains helicopter to sites to take photos and 2 kg of samples	Rat River Conservation Zone	Allowed use in CZ
G04R05	GTC	Mackenzie Project Environment Group	Research assessment of heritage resources.	Proposed pipeline route	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ, Campbell Creek SMZ	Plan conditions would apply Fish, heritage
G04R06	GTC	Imperial Oil Resources Ventures Ltd.	Research Water crossing studies on pipeline route	Thunder River, Travaillant River, North Caribou Creeks	Travaillant Conservation Zone, Lakes Around Travaillant SMZ	Plan conditions would apply Fish, Heritage
G04R07	GTC	Imperial Oil Resources Ventures Ltd.	Research Ground Studies	Proposed pipeline corridor	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ, Campbell Creek SMZ	Plan conditions would apply Fish, heritage
G04R08	GTC	Gwich'in Renewable Resource Board	Research vegetation survey	Near proposed Mackenzie Valley Pipeline route	Unknown	Unknown
G03S001	GLWB	NWTEL-Golder	Geotechnical	Fort McPherson	Transportation SMZ	Plan conditions would apply waterfowl, tourism
G03S002	GLWB	NWTEL-Golder	Geotechnical	Tsiigehtchic	Tsiigehtshik SMZ	Plan conditions would apply Fish, heritage, raptors
G03S003	GLWB	IORVL	Geotechnical Investigation	CNT Route	Lakes Around Travaillant SMZ Travaillant Lake CZ, GUZ,	Plan conditions would apply Fish, heritage
G03L004	GLWB	Northwestel	Geotechnical Testing	KM 23.6 Hwy 8 Stoney Creek	Transportation SMZ	Plan conditions would apply Porcupine caribou, tourism
G03L005	GLWB	Northwestel	Geotechnical Testing	KM 44.1 Hwy 8 Deep Water	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03L006	GLWB	Northwestel	Geotechnical Testing	KM 126 Frog Creek	Transportation SMZ	Plan conditions would apply Waterfowl, tourism

File Number	Regulatory Agency	Applicant	Operation	Location	Plan Zones	Comments
G03L007	GLWB	Northwestel	Geotechnical Testing	Km 178.5 Rengleng River	Transportation SMZ	Plan conditions would apply raptors, tourism
G03Q008	GLWB	MVCL	Quarry Operation	Km 106.1 Dempster	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03J009	GLWB	Porcupine Enterprises	Campsite For DOT work	Km 141 Dempster Highway	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G03X011	GLWB	Buffalo Airways	Salvage	Sitidgi Lake	Campbell Creek SMZ, GUZ	Plan conditions would apply fish, heritage – project did not proceed
G03L1001	GLWB	Hamlet of Ft. McPherson	Water Licence	Deep Water Lake/ Town	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q001	GLWB	DOT Inuvik	Quarrying	Frog Creek Pit	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q002	GLWB	Charter Community of Tsiigehtchic	Quarrying	Frog Creek Pit	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
G04Q003	GLWB	DOT Inuvik	Quarrying	KM 1 -12.5 Dempster Hwy	Transportation SMZ	Plan conditions would apply Porcupine caribou, tourism
G04H004	GLWB	Trans North Helicopters	Fuel Cache	Thunder River Air Strip	Lakes Around Travailant SMZ	Plan conditions would apply Fish, Heritage
G04J005	GLWB	DOT Inuvik	Campsite	KM 23.1 Dempster Hwy.	Transportation SMZ	Plan conditions would apply Porcupine caribou, tourism
G04Q006	GLWB	LJ's Contracting Ltd.	Quarrying	Frog Creek Pit	Transportation SMZ	Plan conditions would apply Waterfowl, tourism
MV2004C0027	MVLWB	Diamondex Resources	Exploration	in the north east area of the GSA	Lakes Around Travailant SMZ GUZ, Mackenzie River SMZ	Plan conditions would apply Fish, heritage, waterfowl

Map of Activity Locations for Land Use Permits and Water Licences Issued in 2003-04 within the Gwich'in Settlement Area



Actions Identified in the Land Use Plan

COMMUNITY INVOLVEMENT:

Recommendation: The Planning Board recommends that all management and regulatory groups work with communities to improve the level of understanding of communities about decision-making processes.

Action: The Planning Board did not do any joint community meetings or workshops with other Boards or the GTC in the communities during this reporting period.

The recommended workshop to talk about how decisions will be made regarding oil and gas development did not take place.

Recommendation: The Planning Board recommends that co-management boards continue to develop an integrated management system to improve the level of involvement of Gwich'in, communities and representative organizations in decision-making processes.

Action: The co-management boards and the GTC together supported an integrated GIS project that was started in October 2000, and it has been worthwhile. It provides for a GIS technician who maintains a common database for all regional bodies to use. The Gwich'in Land and Water Board took the funding responsibility for the salary of this position after the first technician left in 2002 as there was concern about attracting qualified people for the position without secure funding. Tracy Creighton was hired to fill the vacancy. A wider distribution of the community Atlas is recommended. Other follow-up includes distribution of the CD to the communities with training to use the CD Atlas.

Recommendation: The Planning Board's Implementation Plan shall describe a process for involving Gwich'in communities and representative organizations in land use planning decision-making processes.

Action: After the approval of the Plan, the Board took the draft Implementation Strategy to the communities for their input. In the draft, the Planning Board outlined how communities will continue to be involved in the implementation of the Plan and the communities voiced support for this process.

RESOURCE DEVELOPMENT:

Recommendation: The Planning Board recommends that the Planning Board with the assistance of the Gwich'in Land and Water Board produce a pamphlet about Gwich'in Land Use Planning and Land Use Permitting to describe steps businesses need to take to conduct land, water and resource activities in the Gwich'in Settlement Area.

Action:

No action has been taken towards the joint production of this pamphlet this reporting period.

Recommendation: The Planning Board recommends the Gwich'in Tribal Council with the assistance of the Gwich'in co-management boards and government groups produce a map series for Gwich'in beneficiaries showing areas of high resource development potential for the settlement area.

Action: The Community Atlas was developed through the integrated GIS project with funding from the Sustainable Community Initiative program by Natural Resources Canada and a software grant offered by ESRI, a GIS software company. It includes much of the information the boards and GTC had at the time on the resources of the area as well as a GIS component. It is designed to help build GIS capacity at the community level so they will be better able to look at resource issues. Tracy Creighton, the GIS technician, will distribute this CD in the communities when she gets settled into her position and familiar with the project.

The letter from Minister Nault to the Planning Board that outlines his commitment to approve the Plan also commits the federal government to studying the resource development potential of the Settlement Area. The C.S. Lord Geosciences Centre completed Phase 1 of this work (an assessment of existing data). The Board does not have a report on this yet. The first field season was completed in the summer. The C.S. Lord Geosciences Centre geologists are also expected to report on progress to the communities at all stages of the assessment.

WATER AND AIR RESOURCES:

Recommendation: The Planning Board recommends that the Cumulative Impact Monitoring Program:

- i) deal with land, water and air quality concerns of all four Settlement Area communities
- ii) involve communities in the actual monitoring of land, water and air resources.

Action: The GTC has been attending meetings regarding CIMP (part 6 of MVRMA). One of the goals of CIMP is to fund and support projects to fill key monitoring gaps. The Planning Board should continue to assess what monitoring is needed for the 5 year review, and make recommendations regarding monitoring gaps as necessary.

The GTC represented the communities on the Cumulative Effects Assessment and Management Framework. Sue McKenzie also attended a couple of these meetings. There have been discussions that CEAMF have regional plans. To date, regional plans of action are being developed for the Slave Geological Province, Deh Cho, and Beaufort-Delta. There would then be territorial co-ordination of the regional assessments. There is no date yet set for a regional assessment to take place.

Action: GTC had a specific management plan developed for the Deep Water Lake watershed (draft March 2001). The Planning Board reviewed the watershed plan. There may be opportunities to identify the watershed within the Frog Creek Special Management zone and evaluate whether additional conditions might be appropriate for the Deep Water Lake watershed.

RENEWABLE RESOURCES:

Recommendation: The Planning Board will review completed wildlife and fish management plans and consider how to integrate these plans with the Gwich'in Land Use Plan.

Action: The Planning Board has not yet reviewed any Management Plans produced by GRRB, Department of Fisheries and Oceans, RWED or other agencies. We need to review the completed Coney Management Plan, the Rat River Biodiversity and Cultural Assessment Report (March 2000), and the Moose management plan (December 2000).

A Grizzly Bear management plan is essentially complete, though this is waiting for final approval from the RWED Minister. The Board should review this management plan for implications on the Land Use Plan.

Recommendation: The Planning Board recommends that wildlife management groups produce plans for Dall's sheep and other wildlife with economic commercial potential.

Action: GRRB, RWED and the communities are working on a Dall's sheep management plan. It is not yet in draft stage. A Porcupine Caribou herd management plan has been completed and should be reviewed by the Planning Board. No other species management plans are being done now.

Recommendation: The Planning Board will review the completed Forest Management Plan and consider how to integrate it with the Gwich'in Land Use Plan.

Action: The Forest Management Plan, due in the fall of 2001, is not yet complete. Concerns have been raised by the GTC over the jurisdiction of the GRRB and RWED to create a management plan that applies to Gwich'in Lands. Legal review was sought. This issue needs to be resolved by the three parties.

POLLUTION AND WASTE MANAGEMENT:

Recommendation: The Planning Board recommends that the Gwich'in Tribal Council, Renewable Resource Councils, Designated Gwich'in Organizations and co-management boards work together to develop "Code of Good Conduct" for the disposal of garbage by all land users.

Recommendation: The Planning Board recommends that the Gwich'in Tribal Council, Renewable Resource Councils, Designated Gwich'in Organizations and co-management boards and appropriate government groups work together to develop a strategy for cleaning up camp sites, hunting and fishing sites, ice road garbage and other areas littered by garbage on the land. This strategy should include education on appropriate disposal methods for all types of garbage.

Action: The Planning Board has not yet initiated discussion on these action items with the other parties. This was slated as one of the projects the trainee would work on. As Julie Ann was just hired, she will need to settle into her position a bit more before starting on this task.

TRANSPORTATION, UTILITIES AND COMMUNICATION:

Recommendation: The Gwich'in Land and Water Board will consider public and community concerns with respect to ferry landings at the Mackenzie and Peel Rivers during the review process for the water licenses associated with the ferry landings.

Recommendation: The Planning Board recommends that the Department of Transportation with the involvement of co-management boards, Department of Fisheries and Oceans and community groups co-ordinate a study to address community concerns with the long term effects on fish and water resources of placing gravel in the rivers every year for ferry landings.

Action: The Gwich'in Land and Water Board approved the terms of reference for the Aquatic Effects Study during the summer of 2000. The study was to look at where the gravel gets carried to when it washes away from the ferry landings, and attempt to determine if this affects fish habitat. Researchers were expected to hire local people to work with them through the summer at the landings. There was also to be information gathered from people in the communities by the researchers. The Department of Transportation were also going to hire engineers to see if it is possible to build permanent landings for the ferry.

This study was submitted with the application for the new water licences for the ferry landings. It reported no significant impacts and the GLWB issued the new licences.

Recommendation: The Planning Board will conduct more detailed land use planning along the Dempster Highway and where new transportation and utility corridors are proposed. Potential corridors include the Mackenzie Highway extension and a Mackenzie pipeline corridor.

Action: Oil and gas producers from Alaska, as well as producers from Calgary, are studying potential pipeline routes through the Gwich'in Settlement Area. The most recent route identified is still not confirmed and a bit coarse. When a final route is identified and a proposal is made, then the Planning Board will know exactly where the route is going to be and can conduct additional planning. The Board will not do any additional planning for either the Mackenzie Highway extension or the pipeline until a route is proposed. The Pipeline group will refine the route after further community consultation, geotechnical, archaeological, and environmental studies.

The Planning Board started producing some more detailed maps for doing planning along the Dempster Highway. However, action on that was halted until the Plan was approved. The Board has also taken no further action with the Tribal Council regarding developing land use and management plans for the Settlement Lands along the highway.

TRANSBOUNDARY AREAS:

Recommendation: The Planning Board will initiate discussions to establish cooperative planning processes. The Board will work with neighbouring groups, including the Yukon Land Use Planning Council, the Sahtu Land Use Planning Board and the Joint Secretariat of the Inuvialuit on transboundary land use planning issues.

Action: The Board has met and corresponded with the Yukon Land Use Planning Council over the past three years to discuss Planning in the Peel River Watershed. The Board provided updates on the Gwich'in Land Use Plan and continued to recommend a planning commission be established for the Peel River watershed as soon as possible. The YLUPC and the YTG have expressed support for the commission and the work to establish it has begun. The Board has been allowed to work with the GTC and make comments on the draft General Terms of Reference for the planning commission for the Peel River Watershed. An outstanding issue that is holding up the appointment of the commission is the approval status of the GTC for the Peel River land use plan.

The Vuntut Planning Commission was established to plan for the north Yukon in 2000. The Commission's area includes the Secondary Use Area. The Planning Board met with the commission in

June 2001 to discuss planning issues and process. The commission was inactive from November 2001 and just recently has begun operating again, so the Board has not taken any actions on this since.

The Sahtu Land Use Planning Board distributed a draft Land Use Plan in January 2002. The Board has submitted comments on the draft plan. In particular, transboundary issues were raised and the Board hopes to begin discussing them in detail when the Sahtu Board has full membership and can begin work again.

Recommendation: The Planning Board will work with local municipalities and the Department of Municipal and Community Affairs on transboundary issues with respect to municipal boundaries.

Action: The Board reviewed and commented on the January 2002 Tsiigehtchic draft community plan. We did not participate in any meetings on this plan. The only issue was a concern regarding the Frog Creek Special Management Zone conditions for waterfowl and a proposed airport. As the airport is not expected to be built any time soon, this can likely be addressed during the five year review of the Plan.

Recommendation: The Planning Board recommends that the Gwich'in Tribal Council and co-management boards work with transboundary groups to monitor activities in the Peel River Watershed in the Yukon Territory and the Mackenzie Valley.

Action: In the Mackenzie Valley, GTC is working on the steering committee to establish the Mackenzie Valley Cumulative Impact Monitoring Program (CIMP). The goal of this program is to monitor and report on changes in the environment. In setting up the program, a regional office may be established to coordinate the monitoring and to communicate about the activities taking place throughout the Valley. The legislation drafted to establish CIMP is part six of the Mackenzie Valley Resource Management Act and has finally been passed. It is important now for DIAND to implement CIMP. This could happen early 2004. The environmental audit described in the program is expected to occur in 2005.

In the Yukon, the GTC are still working as part of an advisory group to draft legislation for the Yukon Development Assessment Process. This legislation will establish a new process for regulating the use of land and water throughout the Yukon. Part of the process includes setting up reporting and communication mechanisms to ensure regional organizations and communities know about the activities taking place in the Peel Watershed.

NON-RENEWABLE RESOURCES

Recommendation: The Planning Board recommends, with the consent of the landowners, that the Department of Indian Affairs and Northern Development and the Department of Resources, Wildlife and Economic Development initiate a review of oil and gas resources of the Gwich'in Settlement Area to promote the economic well being of the Gwich'in.

Recommendation: The Planning Board recommends that the Gwich'in Tribal Council and the Department of Indian Affairs and Northern Development, in conjunction with other government agencies, and in consultation with the mineral industry, initiate a review of the mineral resources of the Gwich'in Settlement Area to promote the economic well being of the Gwich'in.

Action: The letter from Minister Nault to the Planning Board that outlines his commitment to approve the Plan also commits the federal government to studying the resource development potential of the Conservation Zones. Phase 1 of this work (an assessment of existing data) has been completed by the C.S. Lord Geosciences Centre. The Board does not have a report on this yet. The first field season was completed in the summer in the Richardson Mountains. The C.S. Lord Geosciences Centre geologists are also expected to report on progress to the communities at all stages of the assessment. The whole assessment process will take four years and the information will be used in the five year review of the Plan.

Recommendation: The Planning Board recommends that the Gwich'in Tribal Council prepare a sand, gravel and rock (crushed rock and carving stone) management plan for Gwich'in Private Lands in the Gwich'in Settlement Area that would include specific management plans for operating pits.

Action: The Gwich'in Land Administration had begun to prepare management plans for Midway Lake and Frog Creek. They expected both plans to be complete by August 2001, but have not finalised either plan.

GTC circulated the "Willow Creek (site 467) Development and Reclamation" (pit management plan) in 2002. This is the first pit management plan in the GSA, and we commend the GTC for this work. When the pit is no longer needed or usable, it is to be rehabilitated and developed as a recreation site for the community of Aklavik. Willow Creek is in the Porcupine Caribou Special Management Zone, and the pit management plan appears to follow all the conditions. The Planning Board is considering an independent review of this plan, since it is to be a template for Frog Creek and Midway Lake pit management plan. The review would assess methodology, recommendations, and ability to meet Special Management Zone criteria.

The Planning Board will review all management plans and consider incorporating them into the Land Use Plan.

2003-2004 Work Plan

Revisions and progress reporting are in italics.

ONGOING ACTIVITIES	COMPLETED BY
Regulatory Requirements -Assessment of conformity; provide assistance to license applicants. <i>As planned. Have granted an exception for Geotechnical site investigation work related to the pipeline. Met with project consultants several times to discuss. Have also begun discussions for an amendment to the Plan that might be required for pipeline construction.</i>	Ongoing
Detailed Planning -e.g., along the Dempster, in the Campbell Hills; this also refers to adding information from other Boards, such as the Social and Cultural Institute and Renewable Resources Board, to the Plan on an ongoing basis. <i>Have been collecting some information though detailed planning was put on hold while the Plan was in the approval process.</i>	Ongoing
Annual Report <i>Was due in June – delayed because efforts were focussed on approval and implementation of the Plan.</i>	December
Transboundary Planning -Participation in the Yukon, Inuvialuit, Sahtu, and Gwich'in communities land use planning processes. <i>As planned. Most recent activities include communication with YLUPC and review of the Peel River Planning Commission general terms of reference. Will also be providing feedback to the SLUPB on their preliminary draft plan.</i>	Ongoing
Gwich'in Assistant Planner Hiring/Professional Development -Began hiring process in April -training ongoing (courses, conferences, and on the job) <i>Went through hiring process once, but without success. Advertised again in November, successful candidate starts February.</i>	Ongoing
Administration/Board Functions/IRM functions -General office upkeep, meeting with other board executive directors/staff, Planning Board function such as setting up meetings, minutes, appointment of members, staff training time, etc. Board Coordination Meeting around January. <i>As planned. In addition to basic office and Board operation, as part of the steering committee for the Gwich'in Integrated GIS project, participated in the hiring process for a replacement GIS technician to keep the project going. The planner plays a supervisory role in the IGIS project.</i>	Ongoing

Protected Areas Strategy function	Ongoing
<p>-Refers to general updating of progress by GTC regarding PAS; reviewing documents as required, etc. (e.g. communication with the Nagwichoonjik National Historic Site steering committee as they work on the proposed site's management plan.)</p> <p><i>As planned. Had discussion with Tsiigehtchic, the Gwich'in Social and Cultural Institute, and Parks Canada. Met with PAS Implementation Committee in September and PAS secretariat staff and GTC in November.</i></p>	

YEAR 2003/2004 SPECIFIC PROJECTS

GNWT/Federal approvals	August
<p><i>The Plan was approved in August. Tried holding a celebration in Tsiigehtchic later that month but the ceremony was cancelled due to a death in one of the communities. Tried once more in January in Fort McPherson, but had to cancel because the community power station burned. Rescheduled for April 2004. Will utilize 2004-2005 funds</i></p> <p><i>Plan document still at printers, isn't expected to be done until early April.</i></p>	
Mineral/Energy Assessment of Conservation Zones	Ongoing
Functions:	(2002-2005)
<p>- It is expected that effort will be devoted to working the C.S. Lord Geosciences Centre to ensure that the scope of work and information format is appropriate for the planning process and addresses the issues raised in the plan approval process. Effort must also be devoted to:</p> <p>- Communications (letting communities and others know what is happening with the contract; outcome of project)</p> <p>- Planning (integrating information from assessments into the Plan).</p> <p><i>As planned. Communicated with the project geologists over the summer during the field season. the Board is still waiting for the phase one report.</i></p>	
CMR review	Ongoing
<p>-Work with DIAND and lawyers on CMR review; update communities of progress. Legal review undertaken in 4th quarter of 2002-03, but may require additional funds for legal advice/opinion on proposed changes; communication with communities can be associated with the meetings for mineral and energy assessments.</p> <p><i>Haven't received second draft of proposed amendments for comment yet</i></p>	
Pamphlets on Land Use Plan and Permitting Process	Ongoing
<p>-Review draft that has been done; maybe revise with more information (like a brochure). Can be published once Plan is approved.</p> <p><i>Did not get pamphlets printed this year. Will print in 2005.</i></p>	
Pipeline Review	Ongoing
<p>-Initial review of preliminary pipeline information, assuming it will take some time before detailed reviews are necessary. Will likely require the hiring of specialist(s) to</p>	

assist with this review given the scope of the project.

Waiting until have time/resources to begin review and more information is available about the pipeline project (likely when implementation planning complete) Currently no funding allocated specifically to this task as the Board will not be hiring specialists this year. The Board will spend some time discussing the details of what is needed from the review however.

Detailed Implementation Plan

Ongoing

- Produce a draft plan, have it reviewed by lawyer - *March*
 - Take draft detailed implementation plan to communities, governments, and other groups to inform (approval) - *Ongoing*
 - Make changes as necessary to implementation plan - *Ongoing*
 - Print and distribute completed plan - *Ongoing*
-

Financial Statements for 2003-2004

Gwich'in Land Use Planning Board

Financial Statements

March 31, 2004

Gwich'in Land Use Planning Board

Financial Statements

Year ended March 31, 2004

Page

Auditor's Report

Balance Sheet	4
---------------	---

Statement of Revenue and Expenditures	5
---------------------------------------	---

Statement of Fund Balances	6
----------------------------	---

Statement of Cash Flows	7
-------------------------	---

Notes to Financial Statements	8 and 9
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Budget and Variance Report	10
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Auditor's Report

To the Board Members of The Gwich'in Land Use Planning Board

I have examined the Balance Sheet of the Gwich'in Land Use Planning Board as at March 31, 2004 and the Statement of Revenue and Expenditures, Statement of Fund Balances and Statement of Cash Flows for the year then ended. These financial statements are the responsibility of the board and management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Gwich'in Land Use Planning Board as at March 31, 2004 and the results of its operations for the year then ended in accordance with generally accepted accounting principles.

The balance sheet as at March 31, 2003 and the financial statements for the year then ended were audited by another auditor. That auditor expressed an opinion, without reservation, in his report dated June 11, 2003.

Yellowknife, Northwest Territories
June 11, 2004

Charles Jeffery
Charles Jeffery
Chartered Accountant

Gwich'in Land Use Planning Board

Balance Sheet

As at March 31,	2004	2003
	\$	\$
Assets		
Current		
Cash	104,052	7,675
Cost recovery - Department of Indian and Northern Affairs	-	8,346
GST Recoverable	2,435	1,626
	106,487	17,647
Capital assets (Note 2)	8,744	6,223
	115,231	23,870
Liabilities		
Current		
Contribution refundable - Department of Indian and Northern Affairs	10,000	-
Accounts payable and accrued liabilities	32,694	23,648
	42,694	23,648
Net assets		
Investment in capital assets	8,744	6,223
Training funds	20,802	18,481
Unrestricted net assets (deficit)	42,991	(24,482)
	72,537	222
	115,231	23,870

Approved by the Board:

_____, Director

_____, Director

Gwich'in Land Use Planning Board

Statement of Revenue and Expenditures

For the year ended March 31,	2004	2003
	\$	\$
Revenue		
Canada		
Department of Indian and Northern Affairs	251,995	115,481
Cost recovery - Department of Indian and Northern Affairs	-	8,346
Interest	2,321	2,446
Miscellaneous	-	-
	254,316	126,273
Expenditures		
Bank charges and interest	333	3,965
Board meetings	13,720	8,319
Community meetings	10,582	17,834
Government meetings	28,803	4,097
Industry meetings	7,448	-
Mapping and production of reports	5,002	18,737
Office supplies	2,194	2,305
Professional fees	13,247	13,618
Purchases of capital assets charged to operations	4,369	-
Rent	9,991	10,259
Staff hiring and training	2,627	-
Telephone	3,011	3,089
Wages and benefits	73,195	79,328
	174,522	161,551
Excess Revenue over Expenditure (Expenditure over Revenue) in Operations	79,794	(35,278)
Amounts to be returned to Canada under Funding Agreement	(10,000)	-
Excess Revenue over Expenditure (Expenditure over Revenue)	69,794	(35,278)

Gwich'in Land Use Planning Board

Statement of Fund Balances

For the year ended March 31,	2004	2003
	\$	\$
Invested in Capital Assets		
Balance, beginning of year	6,224	8,597
Capital assets acquired - charged to operations	-	-
	6,224	8,597
Amortization of Capital Assets	-	(2,373)
Balance, end of year	6,224	6,224
Training funds		
Balance, beginning of year	18,481	16,035
Interest earned on operating bank balance	2,321	2,446
	20,802	18,481
Expended on approved projects	-	-
Balance, end of year	20,802	18,481
Unrestricted Net Assets (Deficit)		
Balance, beginning of year		
As previously reported	(32,828)	13,242
Prior period adjustment		
DIAND revenue related to 2003 received in 2004	8,346	-
	(24,482)	13,242
Excess revenue (expenditures)	69,794	(35,278)
	45,312	(22,036)
Interest earned appropriated for training funds	(2,321)	(2,446)
Balance, end of year	42,991	(24,482)

Gwich'in Land Use Planning Board

Statement of Cash Flows

For the year ended March 31,	2004	2003
	\$	\$
Cash provided by (used in)		
Operating activities		
Excess revenue (expenditure)	69,794	(35,278)
Add charges, deduct credits within operations which do not involve cash or which are investing activities		
Capital asset purchases charged to operations	4,369	-
Net change in non-cash working capital balances (Note 3)	26,583	(10,448)
Net cash provided by (used in) operations	100,746	(45,726)
Investing activities		
Purchase of computer hardware	(1,204)	-
Purchase of Dell computer	(2,430)	-
Purchase of filing cabinets	(735)	-
Net cash provided by (used in) investing activities	(4,369)	-
Financing activities		
Repayment of unearned contribution	-	(39,000)
Net cash provided by (used in) financing activities	-	(39,000)
Increase (decrease) in cash position	96,377	(84,726)
Cash position at beginning of the year	7,675	92,401
Cash position at end of the year	104,052	7,675

Gwich'in Land Use Planning Board

Notes to Financial Statements

For the year ended March 31, 2004

The Gwich'in Land Use Planning board was created upon the enactment of the Mackenzie Valley Resource Management Act on December 22, 1998.

The objective of the Gwich'in Land Use Planning Board is to conduct land use planning in the Gwich'in Settlement Area. The Board's activities are based on the plan developed by the Mackenzie Delta - Beaufort Sea Regional Land Use Planning Commission. The Board's activities are in accordance with the Basis of Agreement for Land Use Planning in the Northwest Territories - July 28, 1983.

The Gwich'in Land Use Planning Board is a not-for-profit organization and is exempt from income tax under Section 149 of the Income Tax Act.

1 Significant accounting policies

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles. The preparation of financial statements necessarily involves the use of estimates, which have been made using careful judgment. Actual results could differ from these estimates and any differences will be reflected in the financial statements in the period in which they are known. The financial statements have, in the opinion of management, been properly prepared within the reasonable limits of materiality and the framework of the significant accounting policies summarized below.

(a) Fund accounting

Revenue and expenses relating to the operation of the Board are reported in the unrestricted net assets fund.

Investment in capital assets report the net book value of the Capital Assets

Interest income is accumulated in a training fund

(b) Capital assets

Capital assets are recorded at cost less accumulated amortization. Assets acquired are charged to operations. Amortization is provided to reduce the investment account over the expected useful lives of the capital assets. Amortization is recorded using the diminishing balance method at the following rates:

Communications equipment	20%
Warehouse	5%

(c) Unexpended program funding

The Contribution Agreement between The Gwich'in Land Use Planning Board and the Department of Indian and Northern Affairs is defined by the department to be a Flexible Transfer Payment. Under the conditions of a Flexible Transfer Payment, a recipient may retain the unexpended balance of funds provided that the recipient has met its commitments under the contribution agreement and provided that the unexpended balances are to be applied toward the planning and completion of the duties and responsibilities assigned to the recipient. Duties assigned and responsibilities are designated by defined actions and budget items demonstrably in process at the end of any fiscal period.

(d) Financial instruments

Financial instruments consist of cash, accounts receivable, temporary investments, and accounts payable. These financial instruments might expose the Board to interest rate and credit risks. In the opinion of management, the financial statements and accompanying notes contain the relevant information to reasonably assess these risks.

Gwich'in Land Use Planning Board

Notes to Financial Statements

For the year ended March 31,			2004	2003
			\$	\$
2 Capital assets				
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer hardware	42,943	36,109	6,834	3,572
Office equipment	5,930	4,524	1,406	1,022
Display equipment	2,999	2,495	504	629
Computer software	5,464	5,464	-	4,540
	57,336	48,592	8,744	9,763
3 Net Change in Non-Cash Working Capital				
Operating resources provided by:				
Funds repayable to Canada			10,000	-
Increase accounts payable			9,046	-
Recovery of amount receivable from Department of Indian and Northern Affairs			8,346	-
Recovery of GST			-	1,902
			27,392	1,902
Operating resources applied to:				
Increase recoverable from Department of Indian and Northern Affairs			-	(8,346)
Increase GST recoverable			(809)	-
Decrease accounts payable			-	(4,004)
			(809)	(12,350)
			26,583	(10,448)

Gwich'in Land Use Planning Board

Statement of Revenue and Expenditures

	Budget	Actual	Variance
For the year ended March 31,	2004	2004	Favourable (Unfavourable)
	\$	\$	\$
Revenue			
Canada			
Department of Indian and Northern Affairs	251,995	251,995	-
Interest	-	2,321	2,321
Miscellaneous	-	-	-
	251,995	254,316	2,321
Expenditures			
Bank charges and interest	-	333	(333)
Board meetings	29,051	13,720	15,331
Community consultation	14,451	10,582	3,869
Government meetings	26,707	28,803	(2,096)
Industry meetings	3,916	7,448	(3,532)
Mapping and production of reports	46,360	5,002	41,358
Office supplies	2,959	2,194	765
Professional fees	18,730	13,247	5,483
Purchases of capital assets charged to operations	5,805	4,369	1,436
Rent	11,114	9,991	1,123
Staff hiring and training	6,932	2,627	4,305
Telephone	2,886	3,011	(125)
Wages and benefits	83,084	73,195	9,889
	251,995	174,522	77,473
Excess Revenue over Expenditure (Expenditure over Revenue) in Operations		79,794	(75,152)
Amounts to be returned to Canada under Funding Agreement		(10,000)	-
Excess Revenue over Expenditure (Expenditure over Revenue)		69,794	(75,152)