



**2022/23 Budget
2022/2024 Strategic Plan and
Business Plan**

REVISED OCTOBER 2021 AND MARCH 30, 2022
NORTHWEST TERRITORIES SURFACE RIGHTS BOARD
YELLOWKNIFE, NT

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MESSAGE FROM THE CHAIRPERSON

March 30, 2022

The Northwest Territories Surface Rights Board (SRB or Board) is pleased to present its 2022/23 Budget accompanied and support by its 2022/24 Strategic Plan and Business Plan. The Strategic Plan provides the operational context and longer-term view within which forthcoming planned expenditures are allocated. The strategic plan also sets out the SRB's vision, values, goals and purposeful objectives. Finally, the Strategic Plan provides specific prioritized strategies the Board intends to deliver. It is based on an assessment of its relevant operating environment including key challenges and opportunities.

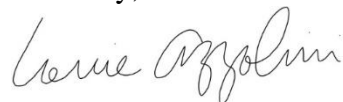
The *Surface Rights Board Act* is an Act of the Northwest Territories Legislative Assembly and came into force on April 1, 2014. The substantive functions of the SRB come into force on April 1, 2016. It provided for the Government of the NWT to appoint five (5) Board members and a chairperson as well as five alternate members. One Board member and one alternate must be a Gwich'in, Inuvialuit, Sahtu and Tłıchǫ resident. The purpose of the SRB is set out in section 8.(1) of the Act; being "to resolve matters in dispute relating to access to Gwich'in lands, Sahtu lands, and Tłıchǫ lands, and the waters overlying those lands, and Inuvialuit lands and non-designated land."

Members of the SRB and respective residential areas are

- Louie Azzolini Chairperson, Mǫwhì Gogha Dè Nı̀tlèè
- Danny Bayha, Sahtu
- Vacant, Gwich'in
- Tyson Pertschy, Inuvialuit
- Mike Vaydik, non-regional
- Ian McCrea, Tłıchǫ
- Harvey Pierott, Sahtu
- Vacant, Gwich'in
- Vacant, Inuvialuit
- Robert Tanche, non-regional

The GNWT Minister of Lands appoints all Members for five-year terms. As required, the SRB is ready and capable of fulfilling its statutory responsibilities recognizing the inherent challenges of maintaining operations readiness.

Sincerely,



Louie Azzolini
Chairperson

MISSION

To fairly resolve disputes regarding access to land in the NWT and waters overlying those lands in the Mackenzie Valley.

The SRB's mission describes its core purpose or "reason for being" and the contribution it makes to society.

VISION

Respected and trusted to resolve land and water access disputes in a fair and timely manner.

The SRB's vision represents the preferred "ultimate" state the Board would like to achieve in the long run. The Vision outlives the current membership's tenure and guides short and intermediate term actions.

VALUES

1. **Fairness** – treating people equitably and impartially through clear, objective, transparent, accessible and reasoned decision-making processes
2. **Respect** – sensitivity to the diversity of the parties to the Board's processes and the peoples of the NWT; and the unique values they attach to lands
3. **Integrity** – honest, ethical and reasonable behaviour
4. **Timeliness** – responsive, effective and efficient resolution of disputes
5. **Professionalism** – being competent and proficient while striving for improvement through continuous review and application of lessons learned

The SRB's values reflect its corporate culture and guide its actions.

ENVIRONMENTAL SCAN

The environmental scan identifies key trends and developments relevant to the SRB's operations and legislative mandate that directly affect its ability to deliver its functions in a fiscally prudent and judicious way.

External Factors

Challenges

- The public and landowners have limited awareness of the SRB.
- The authority of the SRB regarding other boards serving in the Northwest Territories may not be well understood.
- Government regulatory tribunals (of which the NWT SRB is one) have, in varying degrees, a duty to consult and accommodate Aboriginal people as part of a process of fair dealing flowing from section 35(1) of the *Constitution Act* (para. 32).
- No "Application based" funding is available to the SRB to facilitate the resolution of specific disputes associated with an acceptable Application.
- Uncertainty regard the SRB's authority with land claimant organizations due to specific geographic and legislative nuances of each land claim.
- New Surface Rights Board Members face a steep learning curve to achieve and maintain an acceptable state of competence and readiness to resolve disputes.
- Board vacancies may pose a challenge for addressing disputes promptly.

Opportunities

- The SRB has completed its foundational "in-house" work and now there is time to develop its resiliency.
- The GNWT is supportive of the SRB and is aware of its operational challenges and readiness.
- The Nunavut Surface Rights Tribunal and the SRB have agreed to share information and resources that serve a common purpose.
- The GNWT's development of its *Public Land Act Regulations* provides an opportunity to improve broader government awareness of the SRB's roles and responsibilities.

Internal Factors

Strengths

- The SRB has acquired experienced legal counsel and staff to assist with training and on-going operations.
- The SRB has also retained a competent suite of service providers to address financial, bookkeeping, IT and website design needs.
- Regular and Alternate Board members have a relevant and broad base of experience and knowledge.
- Cornerstone documents are now in place and the SRB is operational.

Weaknesses

- The SRB has not received an Application for an Order so it's untried.
- The cost of each future dispute resolution process is unknown.
- There is a general lack of locally available training resources to address the needs of Board members and staff. This often requires the Board to access more expensive training resources from southern Canada.

Relevant Trends

- The economic trend in the NWT is uncertain which suggests land use conflicts requiring dispute resolution are difficult to predict.
- The exponential increase in volume of information available to the public and the rate at which it becomes available has changed with technology.
- Industry is more engaged in securing a social licence for its activities.
- Uncertainty continues regarding settlement of Aboriginal self-government negotiations, settlement of outstanding Aboriginal land claims, and implementation of land use plans.
- Increasing efforts by governments in settled land claim areas to address unauthorized occupancies may result in disputes.

Workload Drivers

- Professional development and administrative requirements (e.g., reporting) must be satisfied.
- As knowledge of the SRB's role and function grows there will inevitably be an application for an Order.
- Professional development is an ongoing work driver.

Issues

- Maintaining a "state of readiness" if there are few or no Applications for many years. This issue may be more problematic when there is turnover in Board membership.
- The lack of clarity of authority between the SRB and authorities in certain land claim agreements may cause process confusion when disputes occur in those areas.
- Ensuring the SRB and land and water regulators have a common understanding regarding the role of the SRB within the NWT resource management regime.
- The lack of awareness of the SRB and its processes among the public, industry, land administrators, land use planning boards, government officials and other relevant individuals.

GOALS

The SRB priorities over the next two years are as follows.

- Ready, competent and timely dispute resolution.
- Respected, trusted and understood by the public and parties to disputes.
- Core capacity and administrative requirements are met.

OBJECTIVES, STRATEGIES, and PRIORITIES

The SRB's objectives are realistic, purposeful statements of what the Board expects to achieve in the short term on the way to accomplishing its goals. Objectives are closely linked to strategies. The SRB's strategies are specific actions that help accomplish an objective in the next one to two years. These are the SRB's strategies organized by goal and objective.

GOAL 1 - READY, COMPETENT & TIMELY DISPUTE RESOLUTION

Objective A – Establish and Continually Improve Dispute Resolution Procedures, Guidelines and Best Practices

- 1 Develop and maintain an integrated hearing process support system consisting of an NWT Surface Rights Law and Policy database electronically linked to the SRB rules of procedure. HIGH PRIORITY
- 2 Develop relationships with similar jurisdictions to benefit from their lessons learned and best practices. MEDIUM PRIORITY
- 3 Develop and implement an operational plan to provide French and Aboriginal language services. LOW PRIORITY

Objective B – Maintain Board competence and proficiency

- 1 Board member and staff professional development and training. HIGH PRIORITY

GOAL 2 - RESPECTED, TRUSTED AND UNDERSTOOD BY THE PUBLIC AND PARTIES TO DISPUTES

Objective A – Improve awareness and understanding of the Board's role and dispute resolution process with relevant organizations and individuals

- 1 Continually improve the Board website – as a public portal for information regarding the Surface Rights Board. HIGH PRIORITY
- 2 Build relationships with governments, resource management and other relevant organizations MEDIUM PRIORITY
- 3 Deliver presentations and information sessions to interested parties regarding the SRB's roles and responsibilities. MEDIUM PRIORITY

GOAL 3 - CORE CAPACITY & ADMINISTRATIVE REQUIREMENTS ARE MET

Objective A – Maintain timely and current Strategic and Business Plans and Reports

- 1 Submit as required by funders: annual business, strategic plan, and budget plus the mid-year report and annual reports. HIGH PRIORITY

Objective B – Conduct efficient day-to-day Board operations

- 1 Maintain Board Coordinator position and ensure general operating requirements are met. HIGH PRIORITY
- 2 Maintain sufficient funds for Board Honorariums and related travel, meals and accommodation. HIGH PRIORITY
- 3 Develop and maintain Board member IT capacity to perform duties and responsibilities. HIGH PRIORITY
- 4 Develop and implement a formal records management system for the storage and retrieval of current and archival records that addresses both paper and digital formats. MEDIUM PRIORITY

Objective C – Establish and maintain clear and comprehensive internal operating procedures

- 1 Maintain on-going currency of the Board's By-laws. HIGH PRIORITY
- 2 Develop and maintain an electronically accessible Board member, Staff and Service Provider orientation/reference manual with supporting guidelines. HIGH PRIORITY
- 3 Maintain the necessary internal operations policies. MEDIUM PRIORITY

Statement of Operations for 2020/21 and Budgets for 2021/22 and 2022/23

NWT Surface Rights Board Statement of Operations for 2020/21 and Budgets for 2021/22 and 2022/23						
	2020/21 Actuals		2021/22 Budget		2022/23 Budget	
	\$		\$		\$	
REVENUE						
GNWT Contribution Agreement		313,189		317,655		328,010
Transferred to Deferred Revenue		(51,117)		0		0
Funds Carried Forward from Prior Year		18,372		0		31,675
Other Sources (Interest etc.)		325		0		0
Total		280,769		317,655		359,685
EXPENSES						
Application Processing				0		0
Advertising and external communications		900		0		0
Board Travel and other costs		2,024		41,450		55,580
Board Honoraria						
Board Meetings and Analytical	41,120		52,300		66,500	
Training and Professional Development	13,309	54,429	12,550	64,850	24,455	90,955
Information technology, computer, and website		995		15,000		11,500
Insurance and miscellaneous		2,008		6,500		6,000
Interest and bank charges		531		1,000		1,000
Office and other supplies		29,723		1,000		3,000
Professional Fees		74,511		76,700		75,600
Rent		51,604		41,655		30,400
Staff Travel		3,423		0		4,950
Telephone, fax, and internet		2,723		4,500		8,700
Wages and Benefits		57,898		65,000		72,000
GRAND TOTAL		280,769		317,655		359,685
ANNUAL SURPLUS (DEFICIT)		-		-		-

2022/23 Budget by Goals and Objectives

Surface Rights Board 2022/23 Budget by Goals & Objectives													
	Totals	Board Travel and Other Costs	Honoraria Meetings and Analytical	Training & PD	Information Technology, computer, and website	Insurance & Miscellaneous	Interest & Banking	Office & Other Supplies	Professional Fees	Rent and Landitorial	Staff Travel	Phone, fax & internet	Wages & Benefits
REVENUE													
GNWT Contribution Agreement	328,010												
Budget Reserve for Processing Applications	-												
Funds Carried Forward from Prior Year	31,675												
Other Sources (interest, etc)	-												
Total	359,685												
EXPENDITURES													
Goal 1 Ready, competent and timely dispute resolution													
<i>Objective 1A – Establish and continually improve dispute resolution procedures, guidelines and best practices</i>													
1A1 - Maintain an integrated hearing process support system	2,000		2,000										
1A2 - Develop relationships with similar jurisdictions	5,500	2,150	1,200								2,150		
1A3 - Reimplement provision of French and Aboriginal language services	-	-											
<i>Objective 1B – Maintain Board competence and proficiency</i>													
1B1 - Board member and staff professional development and training	54,455	8,400		24,455					21,600				
Goal 2 - Respected, trusted and understood by the public and parties to disputes													
<i>Objective 2A – Improve public awareness and understanding of the Board's role and dispute resolution process</i>													
2A1 - Continually improve the Board website	-												
2A2 - Build relationships with resource mgmt and other relevant organizations	7,600	2,800	2,000								2,800		
2A3 - Deliver presentations/information to interested parties re the SRB	2,000		2,000										
Goal 3 - Core capacity and administrative requirements are met													
<i>Objective 3A – Maintain timely and current Strategic Plans, Business Plans, and Reports</i>													
3A1 - Submit as required by funders: annual business, strategic plan, and budget plus the mid-year report and annual reports.	11,900		11,900										
<i>Objective 3B – Conduct efficient day-to-day Board operations</i>													
3B1 - Maintain Executive Director position and ensure general operating requirements are met	179,600				6,500	6,000	1,000	3,000	52,000	30,400		8,700	72,000
3B2 – Board Honoraria, travel, meals, and accommodation	85,630	42,230	43,400										
3B3 - Develop and maintain Board member IT capacity to carry out duties and responsibilities	5,000				5,000								
3B4 - Develop and implement a formal records management system	-												
<i>Objective 3C – Establish and maintain clear and comprehensive operating procedures</i>													
3C1 - Maintain on-going currency of the Board's By-laws	4,000		2,000						2,000				
3C2 - Develop and maintain an electronically accessible orientation/reference manual with supporting guidelines	2,000		2,000										
3C3 - Develop and maintain necessary internal operations policies	-												
TOTAL	359,685	55,580	66,500	24,455	11,500	6,000	1,000	3,000	75,600	30,400	4,950	8,700	72,000

Legend
 High Priority
 Medium Priority
 Low Priority