



## IDENTIFICATION

<b>Department</b>	<b>Position Title</b>	
Environment and Climate Change	Diamond Resource Management Officer III	
<b>Position Number</b>	<b>Community</b>	<b>Division/Region</b>
23-14259	Yellowknife	North Slave

## PURPOSE OF THE POSITION

The Diamond Resource Management Officer III carries out resource management and environmental law enforcement activities mandated by the Department of Environment and Climate Change (ECC) within the North Slave located in the Northwest Territories (NWT) to ensure that activities related to the Diamond mines are carried out in a sustainable manner consistent with applicable legislations and authorizations.

## SCOPE

Located in Yellowknife the Diamond Resource Management Officer (RMO) III reports directly to the Manager, Diamond Resource Management. The RMO III is lead responsible for the inspections and investigations related to spills for one of the four operating diamond mines. Inspections are typically carried out twice per month with an operating budget of \$50K for inspections with in-kind support for travel being provided by the diamond mines

The position supports the management and administration of public lands in the North Slave Region by enforcing acts and regulations, authorizations, policies, guidelines and procedures to ensure regulatory requirements are met related to resource management issues for the North Slave Region. The position regularly interacts with ECC divisions, other government agencies, resource management boards, industry, Independent Environmental Monitoring Agency, Environmental Monitoring Advisory Board, First Nations, special interest groups and the public.

This position works within a legislative framework which includes administering the Commissioner's Land Act and Regulations, Northwest Territories Lands Act and Regulations, Territorial Quarrying Regulations, Area Development Act and Regulations, and Mackenzie Valley Resource Management Act. It also works in a Cabinet approved policy framework by administering the Land Pricing Policy, the Land Lease Only Policy, the Recreational Leasing



Management Framework. It requires knowledge of Lands, Resources, and Self-government Negotiations and Agreements.

As an inspector designated under the above Acts and Regulations, the RMO III implements a law enforcement program to ensure compliance by the various resource users. This includes conducting site inspections to ensure all users of lands are in compliance with various Acts and Regulations related to land use, quarrying, timber harvesting, land dispositions, water use and waste disposal, mining exploration and development and coordinating inspection/investigation activities with other government agencies and conducting investigations of unauthorized land use or water use/waste disposal activities and non-compliance with terms and conditions attached to licenses and permits.

In cases of non-compliance, the RMO III, acting alone, may negotiate compliance to set fair and achievable work deadlines/schedules for corrective actions, giving full consideration to the degree and urgency of the violation, precedents, and established practices of all clients. These may follow in the form of warning letters or orders for either corrective action or stop work orders, or recommend to suspend and/or cancel a license or permit.

The position will conduct in depth investigations into cases of serious non compliance that involves interviewing individuals, taking statements, and collecting legal evidence. After consultation with the Regional Superintendent and the Department of Justice, the Inspector has the authority to proceed with prosecution and develop a court brief. The responsibility for the investigation and prosecution is not shared.

Resource development and land use issues are sensitive and frequently result in conflicts among clients, beneficiaries and the public. Ensuring compliance is important since non-respect of Acts and Regulations, terms and conditions by users could result in severe environmental damage in such a fragile environment. The RMO III recommends appropriate enforcement action in consultation with the Regional Superintendent.

As an inspector appointed under the aforementioned acts and regulations, the RMO III will undertake, on a cost recovery basis, appropriate corrective and remedial action where there is a reluctance or inability by the company to do so of their own accord. This responsibility is shared.

Finally, the position prepares inspection reports, legal documents (warnings, letters of direction), court documents and others to be used by the proponent, the Department, other territorial departments and municipal authorities, environmental groups and the public (provided the information is not classified) in monitoring the development of the region and deciding on proper course of action in specific situations.



## **RESPONSIBILITIES**

1. Provides interpretation and enforcement of environmental acts and regulations authorizations, policies, guidelines and procedures under mandate of the Department of ECC to permittees, licencees, and lessees, other government agencies and other groups in order to clarify intent, explain regulatory requirements, law enforcement and resource management issues.
2. Review of reports generated by clients as part of their compliance obligations.
3. Explains and discusses technical, legislation, operational information and permitting information to clients, other government agencies, Independent Environmental Monitoring Agency, Environmental Monitoring Advisory Board, Aboriginal governments, special interest groups and the public on application, modification, amendment procedures, site specific information, environmental risks, impacts, mitigative measures, good environmental practices and preventive measures to resolve problems with applications and resolve resource development disputes.
4. Provides guidance to clients on land use permit, water licenses and leases applications procedures as well as legislative requirements.
5. Conducts technical assessments of project applications, amendments or modifications as they relate to the environmental and physical characteristics of the development areas to determine probable environmental impacts and conflicts with other users and to provide guidance on the mitigative measures required. The information is used by other territorial government departments and municipal governments and resource management boards to determine whether licenses and permits should be issued, changed, cancelled or closed and what environmental conditions are attached.
6. Conducts and maintains a risk assessment system:
  - Assesses the potential environmental impact of all operations in the district on a case by case basis and developing an inspection plan for each operation to minimize environmental impacts. The information is used by the district Inspectors and the Department to flag high risk operations, work load, track inspection frequencies, costs of inspections, the environmental risk of each file and the history of inspections done on each operation.
  - Outlines impacts of an operation and determines frequency and costs of conducting inspections to monitor compliance and minimize environmental impacts, in accordance with the Operation's Directorate Risk Assessment Program.
7. Schedules and conducts on-site inspections of authorized operations under Department authorities:
  - Evaluates the compliance of the operations to environmental legislation and terms or conditions of the authorities.
  - Ensures compliance to permits, licenses, leases and environmental agreements, monitors operational activities, environmental conditions, effectiveness of mitigative measures and final abandonment.



- Produces inspection reports, compliance reports and enforcement documents (warnings, orders) used by the client, the Department, other Federal and Territorial Departments and Regulatory Boards in order to document the status of the operation.
- Negotiates compliance with the client and provide historical records of the operation. This information is also used by the Independent Environmental Monitoring Agency, Environmental Monitoring Advisory Board, special interest groups and the public to monitor the operation and the Departments environmental management processes.

8. Represents the Department and the Northwest Territories as an Inspector under Northwest Territories water, land and mining acts, regulations and authorities.

9. Conducts investigations of violations of environmental laws under the Department's mandate or non compliance of permits, licenses or lease conditions and includes the collection of evidence (physical, documentary, testimonial) for the preparation of written warnings, orders or court briefs and gives evidence in a court of law.

10. Provides input to the development and maintenance of adaptive environmental policies and procedures for the Northwest Territories.

11. Makes decisions regarding enforcement activities and measures in consultation with the supervisor and the Department of Justice personnel. Responsible and accountable for enforcement decisions related to conducting planned inspections, investigative approach, search and seizure with or without a warrant, approving corrective action plans, issuing verbal or written warnings and directions, preparing court briefs and laying charges.

12. Develops, organizes and maintains comprehensive database on inspection frequency, costs, hazardous spills, unauthorized occupants, waste sites, water sampling data and water license compliance.

13. Develops, organizes and maintains comprehensive databases pertaining to: land use permits, leases and unauthorized occupants.

14. Develops and delivers information and awareness programs (including shows, seminars, displays and training courses) regarding land use and water enforcement to various clients (e.g., traveling and general public, interest groups, Aboriginal Governments, school children, etc.).

15. Represents the department on committees, meetings and inter-departmental task forces.

16. Reviews proposed and existing environmental legislation:

- Makes recommendations for improvements to regional and headquarters staff. Recommendations are made both reactively, in response to request for input at various stages of legislation development, including working drafts, and final drafts and proactively as specific needs or issues arise in the Division;

17. To ensure enforceability problems and concerns are addressed.

18. Operates four- wheel drive vehicles, snow machines, ATVs, boats, computer, navigational, camera, protective and analytical equipment.

19. Implements environmental field studies as designed by other ECC divisions such as baseline data collection of water, soils or plants.

20. Participates in the development and the implementation of regional compliance promotion, enforcement procedures and pollution prevention programs.



21. Collects, evaluates and interprets evidence from investigations of environmental offences, and prepares court briefs containing the evidence gathered for use by the Department of Justice in prosecuting alleged offenders. Presents evidence in court. Following investigations, initiates enforcement actions, warnings, injunctions, initiates prosecution of offenders to the Department of Justice, and recommends appropriate sentences for consideration by the Department.
22. Conducts and produces reports on environmental inspections of activities carried out under the authority of land use permits, quarry permits, land disposition and water licenses, to ensure compliance with the applicable conditions, covenants and Northwest Territories legislation. This information is used by Northwest Territories authorities to minimize environmental damage and violations of environmental legislation and to assist industry with compliance, mitigation, cleanup and reclamation.
23. Assists in the development of contingency plans for the Department which outline and define the responsibilities of various parties in the event of an environmental emergency.
24. Provides input to, briefing notes, Q&A's and other responses to correspondence and inquires received from the public, industry, other territorial government departments and Members of the Legislative Assembly on environmental protection issues for the use by the Minister and senior management. Participates in media interviews.
25. Investigates violations of environmental; collects, analyzes and generates sensitive information from the investigation for use by the Department, other government agencies and the Department of Justice involved in developing case file and proceeding with prosecutions.
26. As a department representative when a case is brought before the courts, does present information and evidence to legal counsel, Judge and jury.
27. Prepares forecasts and makes recommendations to the Manager - Resource Management on budget requirements for inspections, field equipment, computer needs, etc.
28. Develops and implements field studies for the collection of baseline data and establishment of environmental monitoring sites. The information is used by various territorial government departments and municipal governments to increase their knowledge of the NWT and better assess development risks.
29. Provides technical information to the Department on changes to industry field activities, methodologies, environmental impacts, mitigative measures and resource management techniques in maintaining and developing adaptive environmental policies and procedures in the Northwest Territories.
30. Ensures the safety of other fellow Inspectors, Department staff and clients (Aboriginal governments, special interest groups, other agencies) by using the "buddy system", that are not experienced in field operations where serious physical injuries and even death may occur while conducting field inspections in isolated/hazardous areas, in extreme weather conditions and in areas frequented by wildlife (black, grizzly and polar bears) that may pose significant risk to persons. These responsibilities include ensuring appropriate awareness of field activities, safety procedures are followed and hazards are identified and avoided. This activity is ongoing and can last up to several days, approximately forty percent of the



workload.

- 31.** Collects fees on behalf of the Comptroller General for quarry permits issued under the *Territorial Quarry Regulations*.
- 32.** Responsible for the maintenance, care and use of vehicles, skidoos, boats, all terrain vehicles, weapons (shot gun, pepper spray, flares) power tools, ice auger, global positioning system, depth finder, video cameras, digital cameras, 35 mm cameras, radio and satellite phones, camping gear, drum crusher, outboard motors, power plants, snow survey gear, water sampling equipment, safety equipment, personal computer and office equipment. This equipment can be expensive to replace and would be difficult to replace when being used in remote locations.
- 33.** Required to set up, calibrate and maintain data collection equipment such as pH, temperature and conductivity meters, snow survey and water sampling gear. This equipment is difficult to replace when in the field.
- 34.** Responsible for the temporary custody and protection of highly sensitive documents and seized evidence including samples gathered during investigations in the field and transported to secure storage in preparations for DOJ for use in prosecutions. This time sensitive and site specific evidence cannot be replaced. Continuity of evidence must be maintained at all times until their requirement for court purposes so as not to be rendered inadmissible.
- 35.** Creates, uses and maintains data bases in the hard drives and on the server which is utilized by the Department to track activities (risk assessment). This material is difficult to replace.
- 36.** Prepares, maintains and has custody of inspection reports and compliance records in hard copy and electronic format documenting site visits and historical records of operations. The information would be time consuming and difficult to replace.
- 37.** Responsible for the protection of the Northwest Territories' natural environment including the protection of water quality, land resources, fisheries and wildlife habitat, and archaeological cultural and heritage resources through enforcement of legislation and license and permit conditions.
- 38.** Updates and maintains personal professional reference material on mining and oil and gas methodologies, law enforcement and resource management. This material is needed as reference in performing technical advisory functions for clients, the Department and other department agencies. It is accumulated over time and would be time consuming, difficult and costly to replace.
- 39.** Ensures that employees who are using departmental firearms complies with the relevant acts, regulations and policies this includes ensuring that firearms and ammunition are used and stored according to the *Canadian Federal Firearm Regulations*.
- 40.** Conducts spill investigations pursuant to the Northwest Territories Spill Response Plan. Inspector has latitude within the Plan's memorandum of understanding between the various government response agencies. The inspector has complete latitude in directing the responsible party to take the necessary corrective actions to eliminate or reduce the environmental impact of the spill. The responsibility is not shared.
- 41.** Conducts inspections of work done by contractors against the contract agreement and



report cases of non-compliance to the supervisor, with recommended corrective action.

42. On the direction of a court or magistrate, ensures court orders are complied with by individuals or corporations. When such orders are not complied with, further charges, court actions and direct actions are appropriate.

## **WORKING CONDITIONS**

### **Physical Demands**

Regular fieldwork requires significant physical effort in embarking and disembarking boats, planes, helicopters and land vehicles while carrying heavy coolers, outboard motors, generators, boats and sampling gear, snowmobiles and sleds; loading and unloading full drums of fuel into vehicles and aircraft; drilling holes in up to six feet of ice with hand and power augers; climbing in and around sites which are rocky and steep or in deep snow.

### **Environmental Conditions**

Field work requires working outdoors and travelling in extreme weather conditions. There is regular exposure to dust, dirt and oil (oil spills, servicing equipment), toxins and chemicals (tailings ponds, cleanups, storage areas), loud, constant noises and insects. Work occurs in locations which demand you always consider physical safety and requires wearing safety equipment and cold weather protective equipment.

### **Sensory Demands**

No unusual demands.

### **Mental Demands**

Spills of hazardous materials occur at any time and may require response during regular time off. Home phone numbers must be available for spill response.

Resource development and land use issues are sensitive and frequently result in conflicts among clients, beneficiaries, and the public. Psychological and emotional stress may occur when dealing with uncooperative or hostile parties, making court appearances, and other work pressures, such as meeting deadlines, enforcement activities, and responding to public criticism.

Regular fieldwork can disrupt home life and routine.

## **KNOWLEDGE, SKILLS AND ABILITIES**

- Knowledge of the technical aspects of renewable and non-renewable development projects and resource management and law enforcement techniques is critical to be able to identify possible environmental impacts through written information and field inspections and to



make decisions or give direction to prevent or minimize environmental damages resulting from development projects.

- Requires extensive knowledge of investigative techniques and the Charter of Rights and Freedoms, including evidence gathering techniques, executing search warrants, maintaining continuity of evidence, court proceedings, and interviewing and interrogation techniques in dealing with suspects, informants and witnesses.

Specifically related to:

- Assessing technical environmental aspects of lease, land use permit and water licences applications, amendments and modification.
- Determining environmental impacts resulting from a variety of industrial, municipal, commercial and private activities and the mitigative measures required to minimize these impacts.
- Application of the risk assessment system to determine the frequency of inspections needed to ensure compliance to minimize environmental impacts.
- Inspection and investigative methods, environmental audits techniques and negotiating skills to conduct inspections and investigations.
- Human psychology to deal with violators who try to withhold evidence and to diffuse potentially hostile situations; negotiating and conflict resolution skills; interviewing/interrogations techniques in the course of an investigation.
- The gathering and keeping of evidence; of legal research; search and seizure principles and methodology; legal terminology, methods and procedures used to organize and search files and collect pertinent case information for legal counsel.
- Sampling, testing and analyzing soil and water samples requires knowledge of biochemistry, physiochemical properties analysis, scientific information and data analysis and interpretation, environmental compliance assessment, risk assessment, qualitative and quantitative analysis, research report interpretation. This is required for the writing of evaluation, compliance advice or recommendation reports on the data submitted in support of meeting regulatory environmental compliance.
- Ability to use manual and electronic field survey equipment to conduct surveys and record data and to interpret a variety of plans, maps, air photographs, and remote sensing data.
- Ability to create, use and maintain electronic data bases and filing systems for activities.
- Knowledge of and ability to conduct investigations of hazardous materials spills.
- Knowledge of use, handling, containment and disposal of petroleum products, chemical and other toxic wastes.
- Knowledge of and ability to complete computer data entry, manipulation and retrieval techniques for data collection.
- Ability to conduct analysis and prepare reports.
- Ability to perform scheduled services and minor mechanical repairs to equipment where access to services is not available.
- Knowledge of first aid theories, practices and techniques as they relate to the responsibility for the well-being of individuals. Application includes the requirement to be prepared to



deal with physical injury sustained during the course of duty, the defensive use of firearm, pepper spray, accidental shooting, heart attack, boating accident, vehicle crash and falls. The remote nature of the areas worked dictates that alternative professional medical care is rarely a viable option.

- Knowledge of survival techniques, radio use and map reading.
- Knowledge of safe and effective operation of vehicles such as; four-wheel drive vehicles, all-terrain vehicles, boats and skidoos in order to conduct inspections.
- Requires knowledge of safety procedures and operation around both fixed-winged and rotary-winged aircraft. This knowledge is important as transportation to remote sites will primarily be done by these modes of transportation.
- Knowledge of specialized computer technology and software such as Word, Excel, GroupWise, RIMS, Arcview, OziExplorer, internet-based applications and mapping and database systems.
- Knowledge of procedures and practices for writing technical reports to present sound and relevant conclusions based on interpretation of available evidence. This knowledge must be kept current to retain credibility and to protect the interests of all clients.
- Knowledge of overall roles, responsibilities, objectives and mandate of the Land Administration division to avoid duplication with other operational units, obtain information, solve problems, ensure adherence to procedures and to effectively participate in the day to day operations. Examples include the Compliance and Enforcement Policy and NWT Inspector's Manual.
- Knowledge of the Department's mandate, objectives, organizational structure, programs administrative processes, and human and physical resources is required to manage the Department's Resource Management Program in the area of work.
- Knowledge of the roles, responsibilities and contacts in other federal and territorial departments is required to exchange and obtain information of legislative requirements and to provide guidance on applications, amendments and modifications procedures, resource management and enforcement issues.
- Knowledge of RCMP and DOJ to assist Counsel in the conduct of prosecution to obtain the necessary information relating to an information or litigation file.
- Knowledge of activities of resource and other industries and their expectations and working styles is required to exchange and obtain information and to monitor their operations. Knowledge and understanding of Aboriginal government's culture, beliefs, aspirations and politics is required to ensure effective implementation of the resource management program. Knowledge of the requirements and environmental impact of land use and water use/waste disposal operations in the North is required to evaluate potentially hazardous operations. Knowledge of the environmental and physical characteristics of the development areas is required to understand its complexities and fragility.
- Knowledge of the following Acts and Regulations is required to interpret and enforce their provisions and to inspect operations and enforce compliance with regulatory requirements: *Northwest Territories Lands Act and Regulations; NWT Waters Act and Regulations; Canadian*



*Environmental Assessment Act and Regulations; Mackenzie Valley Resource Management Act and Regulations; Canadian Environmental Protection Act and Regulations; Transportation of Dangerous Goods Act; Fisheries Act; NWT Public Health Ordinance; Firearms Act; Isolation Post Regulations; NWT Act; Canadian Charter of Rights and Freedom; Evidence Act; Contraventions Act; Access to Information Act; Privacy Act; Arctic Waters Pollution Prevention Act; NWT Wildlife Act; NWT Forest Management Act; Land Claims Settlement Legislation*

- Effective written and verbal communication skills, including the ability to maintain professional communication in difficult circumstances.
- Problem solving skills to develop solutions to sensitive staff or external problems. These problems can range from personality conflicts to fundamental differences of professional opinion.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion and cultural awareness, as well as safety and sensitivity approaches in the workplace.

**Typically, the above qualifications would be attained by:**

Typically, the above is obtained through the completion of a related Bachelor's degree and 3 years of related experience, including experience in safety, firearms and evidence collection and presentation.

Equivalent combinations of education and experience will be considered.

**ADDITIONAL REQUIREMENTS**

Incumbents must possess a valid class 5 Driver's License and be able to produce a medical clearance to confirm fitness to perform physical requirements of the position.

A Boating License and a Firearms Acquisition Certificate are required within 6 months of hire.

**Position Security (check one)**

No criminal records check required  
 Position of Trust – criminal records check required  
 Highly sensitive position – requires verification of identity and a criminal records check

**French language (check one if applicable)**

French required (must identify required level below)  
Level required for this Designated Position is:  
ORAL EXPRESSION AND COMPREHENSION  
Basic (B)  Intermediate (I)  Advanced (A)   
READING COMPREHENSION:  
Basic (B)  Intermediate (I)  Advanced (A)



**WRITING SKILLS:**

Basic (B)  Intermediate (I)  Advanced (A)   
 French preferred

**Indigenous language:** Select language

Required  
 Preferred