



IDENTIFICATION

Department	Position Title	
Environment and Climate Change	Land Use Advisor	
Position Number	Community	Division/Region
23-14277	Fort Smith	South Slave

PURPOSE OF THE POSITION

The Land Use Advisor (Advisor) provides professional advice, guidance and support in the management and administration of Public Lands to Regional Operations Divisions. The position provides professional advice and guidance regarding legislative and policy procedures related to the management of Public Lands to proponents, Federal Government, First Nations, and external stakeholders, leads in engaging, coordinating, reviewing, and evaluating the acceptance of quarry permit applications and quarry permit final plans in accordance with relevant legislation, policies and/or guidelines, and leads in advising, coordinating, and evaluating the acceptance of reclamation security deposits pursuant to Section 71 of the *Mackenzie Valley Resource Management Act*.

SCOPE

Located in Fort Smith and reporting directly to the Superintendent, Land and Water of the South Slave Region, the Land Use Advisor provides assistance, guidance and support in the land management and administration function of the South Slave Region. The Advisor also supports the Superintendents, Land and Water and staff in the Dehcho Region and the North Slave Region, and functionally oversees work of the Assistant Land Use Administrator in Yellowknife.

The Advisor provides professional guidance, advice and direction related to land management legislation as well as departmental processes and procedures to one support staff, other government departments and external stakeholders. The position is responsible for the initial acceptance, evaluation and administration of land use permits, quarry permits and security deposits pursuant to relevant Acts and Regulations.

Land Management and Administration is considered core public good and critical infrastructure that needs to be effectively and efficiently managed. The importance of land as a core public good is articulated through the Land Use and Sustainability Framework and



Northern Lands - Northern Leadership. Land provides for ecological, spiritual, cultural, recreational and economic goods and services as well as being a predominant and key driver of the Northwest Territories (NWT) Gross Domestic Product (GDP).

The Advisor works within a legislative framework that includes the *Northwest Territories Lands Act and Regulations*, *Commissioner's Land Act and Regulations*, *Planning Act and Regulations*, the *Area Development Act and Regulations*, and the *Mackenzie Valley Resource Management Act and Mackenzie Valley Land Use Regulations*, *Mining Regulations*, as well as the settled Indigenous Lands, Resources and Self-government Agreements within the NWT, Interim Measures Agreements, and the Devolution Final Agreement. The position also works within a Cabinet approved policy framework including the Land Pricing Policy, the Land Lease Only Policy, the Land Use and Sustainability Framework, Northern Lands-Northern Leadership, and the Recreational Leasing Management Framework.

The Land Use Advisor is required to keep fully informed of changing legislation in the form of acts and regulations and to have the ability to interpret any legislative changes correctly so that application within the regional resource management context is fair and consistent. The Advisor must then amend processes and procedures to reflect legislative changes that impact daily tasks.

The Advisor must understand and assimilate legal and frequently complex technical information from a variety of disciplines to participate in environmental assessment, make judgments regarding protection of Indigenous rights, and to provide guidance to enforcement officers concerning administrative compliance options, including how those options relate to departmental policies and programs.

The Land Use Advisor is required to interpret various legislation, Land Claim Agreements and Interim Measures Agreements (IMA's) and provide advice and explanation of legislation, regulations, departmental policy and procedures to other departments, Indigenous groups and private sector proponents related to land use law, surface rights, environmental assessment and operating procedures. Interpretation of the various IMAs is crucial as they dictate the process which must be followed to issue authorizations in their management areas. Pursuant to Section 35 of the *Constitution Act*, the Advisor must identify the requirement for, and coordinate consultation as required, within specific timeframes in accordance with applicable IMA's on specific quarrying and land use projects. The Advisor ensures that the application and resulting operations are approved within regional resource management policies and that correct procedures are followed to ensure fair consistent treatment of all applicants.

The Advisor must critically analyze complex problems concerning land administration such as conflicts between Indigenous rights, and resource rights holders and recommend a course of action to the superintendent.



The position leads in determining the acceptability of reclamation Security Deposits from proponents and recommends to the Superintendent whether the security should be accepted/rejected or modified. This includes determining whether or not a security deposit can be returned at the end of an operation. The posting of security deposits is pursuant to *the Mackenzie Valley Resource Management Act and Regulations*.

RESPONSIBILITIES

1. Provides support and guidance to Regional Offices, stakeholders, Indigenous Organizations, other government departments, Land and Water Boards, settled land claims, and the public regarding land management.

- Provides liaison services, direction and advice regarding legislative, regulatory, and environmental management considerations in the context of day-to-day operational issues.
- Participates on Departmental committees and on project working group teams, on research projects, special studies, analysis of specific policy research and strategic planning issues which involve department-wide input.
- Advises on and develops the optimum approach, ensures integrated and cohesive final reports, and provides analysis, commentary, and recommendations to management.
- Researches files and/or audit inspection reports to ensure that Permittees are in compliance with Acts and Regulations.
- Assists Superintendents and Inspectors with daily management of all files, related to various land authorizations.
- Liaises with the Regional Land and Water Boards on various land use activities.
- Monitors when authorizations are due to expire to ensure the Permittee is in compliance with applicable legislation.
- In collaboration with HQ, develops or modifies forms utilized by the regional offices and Permittees.
- In collaboration with HQ, develops and modifies procedures/worksheets and letter templates for the Regions specific to various authorizations and security deposits.
- Advises of any policy or procedure changes and implements required processes for the Region(s) regarding land management law, principles, and practices as an expert advisor to multi-disciplinary and multi-organizational committees, to ensure that committee recommendations and decisions meet departmental policies and objectives.
- Provides advice regarding land management law, principles, and practices as an expert advisor to multi-disciplinary and multi-organizational committees, to ensure that committee recommendations and decisions meet departmental policies and objectives.
- Establishes and maintains a network of contacts and working relationships with other territorial departments, federal departments and clients and partners.
- Represents the department at meetings with Indigenous groups, other regulators, industry groups and public workshops, providing briefings on department policy, procedures and programs.



2. Takes the Divisional lead role in the acceptance and management of Reclamation Security Deposits to ensure appropriate collection, tracking, safe handling and management of securities posted.

- Provides advice and support to the Securities and Projects Assessment Division related to reclamation Security Deposits and is a core team member on working groups established to develop tools required to manage the Departments Reclamation Security responsibilities (i.e. SAPS)
- Advises and liaises with permittees, staff and any stake holder regarding procedures and the different forms of security acceptable to the Department.
- Determines the acceptability of security deposits and recommends acceptance/rejection/ modification. Securities range from \$5,000 to \$11 Million.
- Ensures that Departmental procedures are followed for the safe handling of all security deposits.
- Leads in monitoring and tracking all securities for the Regions.
- Ensures that all securities are documented and entered into the Departments data base (SharePoint/SAPS) and the Inspectors data base (IRRA).
- Upon notification that a land use permit has been granted final clearance, is the lead for returning/refunding posted securities.

3. Leads acceptance and issuance of quarry permit applications, quarry permits and final plans to ensure necessary administrative tracking of quarry activities in the Regions.

- Audits applications for completeness and recommends whether or not they are acceptable prior to the Inspector reviewing and signing off on the application.
- Coordinates and facilitates appropriate consultation with Indigenous Organizations and Government Agencies on quarry applications within legislated timelines and provisions in Interim Measures Agreements (IMAs).
- Compiles and reviews all comments received on quarry applications ensuring that there are no conflicts prior to recommending a permit be issued.
- Monitors when quarry permits expire and initiates requests for final quarry pit returns on existing quarry authorizations.
- Audits final quarry pit returns ensuring they are accurate in accordance with monthly reports submitted.
- Initiates final closure of permit and determines if a refund is due or additional fees are owed by Permittee.
- Forwards final quarry pit returns to respective Inspector(s) for recommendation of closure.
- Provides support to Finance (HQ) by assisting in providing information related to quarterly quarry reports and annual quarry royalty accrual reporting, as well as works within the Departments financial data base (SAM).



- 4. Provides functional direction and guidance to the Land Use Advisor Assistant located in Yellowknife, for it to fulfill responsibilities and tasks as necessary.**
 - Provides guidance and direction on all aspects of land management to ensure positive work performance.
 - Advises of any modifications or policy changes and implements necessary processes as required.
 - Sets work objectives and priorities for the Land Use Advisor in Yellowknife.
 - Manages daily work related to security deposits, quarry applications and authorizations, land use applications and authorizations, lease applications and authorizations.
 - Encourages personal growth by sharing knowledge and supporting training opportunities.
 - Ensures quality control by reviewing all work completed.
- 5. Leads departmental rollup of comments on Land Use Permit Applications and is the main point of contact with the pertinent Land and Water Board on the Regional review of applications.**
 - Responsible regions include the North Slave, South Slave and Dehcho Regions.
 - Coordinates comments between Commissioners and Territorial Land Administration.

WORKING CONDITIONS

Physical Demands

No unusual demands.

Environmental Conditions

No unusual demands.

Sensory Demands

No unusual demands.

Mental Demands

Position is faced with deadlines and reprioritization, as well as occasional instances of challenging client interactions. At times the incumbent accompanies inspectors on inspections or may travel on other work-related trips.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of relevant Acts & Regulations, policies and legislative framework that includes *the Northwest Territories Lands Act and Regulations, Commissioner's Land Act and Regulations, Planning Act and Regulations, the Area Development Act and Regulations, and the Mackenzie Valley Resource Management Act and Mackenzie Valley*



Land Use Regulations, Mining Regulations, as well as the settled Indigenous Lands, Resources and Self-government Agreements within the NWT, Interim Measures Agreements, and the Devolution Final Agreement in order to ensure accurate and fulsome advice to fulfil operational requirements.

- Knowledge of the Land Pricing Policy, the Land Lease Only Policy, the Land Use and Sustainability Framework, Northern Lands-Northern Leadership, Sustainable Development Policy and the Recreational Leasing Policy to provide advice to clients and departmental representatives to ensure the Department is applying itself consistently and within the spirit of the agreements and policy set out.
- Knowledge of the principles of land management, including integrated land use, and common law.
- Knowledge, training, aptitude and experience in the principals and practices of consultation with Indigenous Organizations and the GNWTs duty to consult on applications related to land tenure and resource authorizations.
- Ability to interpret and communicate responses received from Indigenous Organizations and other government agencies on land use permit applications to Inspectors, Senior Management and Land and Water Boards.
- Knowledge of legal terminology, methods and procedures used in land management to interpret and process information from various sources for preparation of options and recommendations in reports and summaries to Inspectors, the Superintendent, Senior Management, as well as to clients and Land and Water Boards.
- Knowledge of a variety of automated systems and software, including Internet, office applications, databases, land management systems, e-mail and bring forward (BF) systems.
- Ability and skills to set priorities and provide advice and guidance to Staff relating to the management and administration of Government of Northwest Territories (GNWT) Lands.
- Writing skills to write concisely, clearly and persuasively and befitting for various audiences which requires an ability to adapt writing styles and follow guidelines and formats (e.g. ministerial correspondence and communication materials) and to prepare reports and correspondence to be used by senior management and various internal and external clients.
- 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:

The completion a diploma in a related field such as Land Administration, Geography or Survey Science, and a minimum of two (2) years' experience in the land administration and management, including experience engaging in work practices that include consultation and engagement with Indigenous governments and organizations.

Equivalent combinations of education and experience will be considered.

ADDITIONAL REQUIREMENTS

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