

If territorial lands are withdrawn from disposition by the Minister of Indian Affairs and Northern Development, they are also withdrawn for purposes of the *Canada Oil and Gas Act* and are therefore not available for exploration. Although the department has a legislative mandate to impose land-use controls through the *Territorial Lands Act*, its planning mandate is restricted essentially to assessing the probable consequences of permitting a change in land use, a limitation already noted earlier in the report. The authority to attach terms and conditions to leases, licences and easements also provides a means of environmental control. A key body in this process is the intergovernmental Federal-Territorial Lands Advisory Committee which advises DIAND decision-makers on whether surface rights should be granted and often recommends on terms and conditions.

If you are looking at the environment, as you have said, north of 60°, you can forget COGLA. It is not in the picture for that region. It is DIAND who has responsibility there. (Mr. J. Gérin, DOE, Issue 37:68, 16-9-1982)

DIAND holds similar responsibilities for the disposition of offshore lands including the leasing of the sea bottom and the dredging required for artificial island construction.

Inland waters in the NWT and Yukon are protected by the *Northern Inland Waters Act* administered by DIAND. The act provides for the conservation, development and utilization of these waters, and controls the deposit of waste. Water use is regulated through a water licensing system, and licences may contain conditions relating to environmental management. Hearings must normally be held in licence applications by Water Boards set up for this purpose.

Offshore waters used for drilling, navigation and transporting resources and supplies are subject to the *Arctic Waters Pollution Prevention Act* which prohibits unauthorized deposits of waste into arctic waters or on any land where such waste may enter arctic waters and which provides for quasi-criminal sanctions. Administration of the act rests with three federal departments: Indian Affairs and Northern Development for non-shipping activities in arctic waters other than Hudson Bay and Hudson Strait; Energy, Mines and Resources for non-shipping activities in Hudson Bay and Hudson Strait; and Department of Transport for shipping activities in all arctic waters. Pollution prevention certificates constitute proof of compliance with prescribed conditions. At present regulations are aimed mainly at the control and prevention of oil pollution. Developers are liable for clean-up costs.

Other than DIAND, the Department of the Environment is the main agency responsible for environmental protection in the North and it administers about a dozen pieces of legislation relating to pollution control and environmental management north of 60°.

A number of the acts mentioned have limited assessment procedures that form a part of determining whether compliance with standards is achieved. Some of these procedures duplicate the EARP although they are not as comprehensive.

4. The Cabinet Approval Process

Following NEB hearings, the board reports to Cabinet on whether approval of a given proposal should be granted and advises the Minister of Indian Affairs and Northern