

Conservation, Climate Change and Wildfires

[ʔekw'ó heots'edigha go ʔeʔá, ʔehdagókégha,
nek'e areyone gok'erek ó (Tulít'a Got'Iné) / ʔyah
hehkgudi yant'a ʔadèʔagodin, ne ké ʔedeli
(DélIné Got'Iné) / Sahtú ʔekwe ʔeʔá, dırınéné k'e
guluʔagotı, nek'e k'ó yarék'ó (K'áhsho Got'Iné)

Tłegóhłı 2024 Public Listening (Hearing) Session

Hearing Report



Suggested citation:

Sahtú Renewable Resources Board (ʔehdzo Got'Inę Gots'ę Nákedı), Caribou Conservation, Climate Change and Wildfires [ʔekw'ó heots'edıgha go ɔeɔá, ʔehdagókéggha, nek'e areyone gok'erek ó (Tulít'a Got'Inę) / ɔyah hehkgudı yant'a ɔadęɔagodin, ne ké ɔedeli (DélInę Got'Inę) / Sahtú ʔekwe ʔeɔá, dırınéné k'e guluɔagotı, nek'e k'ó yarék'ó (K'áhsho Got'Inę)]: Report on the Tłegóhłı (Norman Wells) Public Listening (Hearing) Session, 2025 SRRB 1, January 15, 2025, Tulít'a, NT.

The ʔehdzo Got'Inę Gots'ę Nákedı (Sahtú Renewable Resources Board) is the co-management board established by the *Sahtú Dene and Métis Comprehensive Land Claim Agreement* of 1993 (*SDMCLCA*) as the main instrument of wildlife and wildlife habitat management in the Sahtú region of the Northwest Territories. Our Dene name means “Helpers of the ʔehdzo Got'Inę, the Trap People.” We work together with ɔehdzo got'Inę (renewable resources councils) in the five communities of the Sahtú region to maintain Dene and Métis harvesting traditions and keep the land and animals healthy for future generations.

This report presents the finding and recommendations of the Board members.
Report Submitted: January 15, 2025

The SRRB was assisted in this public listening session by:
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Tłegóhłı
Public Listening



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January 15, 2025

Delivered via email

Re: SRRB Report on the Tłegóhłı (Norman Wells) 2024 Public Listening Session (PLS): Caribou Conservation, Climate Change and Wildfires

Dear Responsible Ministers:

On behalf of the ᐱᕐᕈᕈᕐ ᑕᑦᕐᕐᕐ ᑕᑦᕐᕐᕐ ᑕᑦᕐᕐᕐ (Sahtú Renewable Resources Board—SRRB), I am sending you our Hearing Report from the Tłegóhłı 2024 ᐱᕐᕈᕈᕐ ᕐᕐᕐᕐᕐᕐᕐ ᑕᑦᕐᕐᕐᕐ (Public Listening Session—PLS): Caribou Conservation, Climate Change and Wildfires held in Norman Wells February 20–22, 2024.

This is the third public listening session in a series of five Sahtú region-wide public hearings on conservation concerns for the caribou ecotypes that inhabit or travel through the Sahtú region. The SRRB began this public listening series in 2019. The SRRB's approach considers both Indigenous knowledge and science about a major conservation theme in each public listening

session. The SRRB carries out this work in fulfillment of its obligations laid out in *the Sahtú Dene and Métis Comprehensive Land Claim Agreement* that was signed in 1993.

This round of the public listening sessions focussed on caribou conservation, ʔehdagókégha/ yant'a ʔadé ʔagodin/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ /ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). Parties with whom the SRRB shares co-management responsibilities joined in this process, including Sahtú Renewable Resource Councils, representatives from the territorial and federal departments, and other concerned parties. The SRRB is making four recommendations that appear in the attachment to this letter, along with the Board's assessment of evidence and reasons. The recommendations provide advice to the Responsible Ministers of the Northwest Territories and Canada, formulated after careful consideration of the record of this public listening session.

We trust that you will find our work to be of interest.

As we fulfil our mandate as the main instrument of wildlife management in the Sahtú Settlement Area, the SRRB looks forward to continuing to work with the Government of the Northwest Territories, Environment and Climate Change (GNWT—ECC), Government of Canada, Environment and Climate Change Canada (GoC—ECCC), other co-management partners and stakeholders in our collaborative efforts to find the most effective ways to address caribou conservation in the Sahtú Settlement Area. The SRRB acknowledges the Northwest Territories Court of Appeal released a ruling on January 7, 2025, in relation to ongoing litigation arising from the first Public Listening Session¹. The Court of Appeal ruling did not form part of the record of the third public listening session. That ruling is not considered within the Board's analysis leading to the preparation of this hearing report.

Máhsı cho,



Donna Schear

Acting Chair, Sahtú Renewable Resources Board

- Attachment: *Tłegóhtı 2024 Public Listening Session (PLS): Caribou Conservation, Climate Change and Wildfires Hearing Report*

¹ See *Colville Lake Renewable Resources Council v Northwest Territories (Minister of Environment and Natural Resources)*, 2025 NWTCA 1

Special Dedication

The topic and timing of the Tłegóhłı 2024 Public Listening Session was powerful and poignant. Its theme—Caribou Conservation, Climate Change and Wildfires—already impacting our changing world, was brought even closer to home by the 2023 and 2024 wildfire seasons.

The development and implementation of the Tłegóhłı 2024 PLS was book-ended on both sides by difficult reminders of ʔehdagókégha/yant'a ʔadé ʔagodın/dırínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). In summer 2023, more than four million hectares of forests burned in the Northwest Territories. During this time, 68 percent of the Northwest Territories population was evacuated due to nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). Summer 2024 saw over one million hectares burn and the three-week evacuation of Fort Good Hope in mid-June.

During this period, there were two devastating deaths of firefighting personnel. Adam Yeadon, a firefighter from Fort Liard, was killed in the line of duty in July 2023. Yellowknife pilot Tom Frith was killed in a helicopter crash in July 2024 while fighting fires outside Fort Good Hope.

This report is dedicated to Adam, Tom and all those involved in fighting nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) in the Sahtú Settlement Area and beyond.

To the front-line workers on the ground and in the air—Máhsı for your commitment and selflessness in keeping the Northwest Territories safe.

To the rarely seen and seldom acknowledged support staff—the camp cooks, radio operators, warehouse workers, finance and human resource employees—Máhsı for being the backbone of firefighting operations and all your hard work.

To the residents of Norman Wells and all communities that housed, helped and fed evacuees, Máhsı for your time, energy and compassion in supporting people when their worlds had been turned upside-down.

To the Sahtú Dene ʔqhdakə and Métis elders and knowledge keepers, Máhsı for your guidance and wisdom. Your knowledge of the land provides direction to a better and safer future.

Executive Summary

The impacts of climate change and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) are being felt globally. Work is being undertaken around the world to mitigate and/or adapt to these impacts, including in the Sahtú Settlement Area. The ʔehdzo Got'Inę Gots'ę Nákedı (Sahtú Renewable Resources Board [SRRB]) in its third of five public listening sessions (PLSs), asked, "What should people's role be in addressing the impacts of climate change and wildfires on caribou?"

Tłegóhtı 2024 PLS follows the work of Colville 2020 PLS, *Sahtú Ragóʔa [Hunting Laws] and Approaches to Wildlife Harvesting* and Délıne 2021 PLS, *Tıch'ádıı hé Gots'edi (Living with Wildlife)—Predators and Competitors*. All three sessions addressed the central question, "What are the most effective ways to conserve caribou?" Two future sessions are being planned and will be held in Tulıt'a and Fort Good Hope. They will look at landscapes and the mixed economy with a caribou conservation lens.

The Board carries out this work as the main instrument of wildlife management in the Sahtú pursuant to the *Sahtú Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA)*.

During the Tłegóhtı 2024 PLS, the SRRB received submissions of evidence and arguments from registered parties, as well as comments from members of the public, about the effects of ʔehdagókégha/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) on the land and water, on people and caribou. The SRRB also heard parties' views about how to respond to these changes.

Much of the evidence the Board heard was consistent and persuasive: ʔehdagókégha/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) cause significant effects in the Sahtú Settlement Area, as they do elsewhere in the Northwest Territories. Changing water levels, variable precipitation, ice-on-snow events, melting permafrost, and larger, frequent and severe nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) cause significant impacts to the land and water, people and caribou.

Some submissions were not consistent. The parties' views differed about whether and how to respond to ʔehdagókégha/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) as they impact caribou conservation. The Board heard disagreement between parties about the territorial government's approach to fighting nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). The Board also heard submissions on community and government perspectives about trust and communication issues affecting wildlife co-management. The Board is again calling on co-management partners to do more to foster positive long-term relationships based on trust and effective communication.

As witnessed by the past two wildfire seasons in the Northwest Territories, there is a pressing need for increased cooperation, more effective communication and re-establishing trusting relationships. This report lays out the areas of divergence between parties, including fire retardants, values-at-risk and actioning a wildland fire.

The Board chose to provide advice in the form of recommendations about how it thinks the Government of Northwest Territories (GNWT) and the Government of Canada (GoC) could work with Sahtú communities to address how ʔehdagókégħa/yant’a ʔadé ʔagodɪn/dɪrɪné k’e guluʔagotɪ (climate change) and nek’e areyone gok’erek ǵ /ne k’ə ʔedelɪ/nek’e k’ǵ yarék’ǵ (wildfires) affect caribou conservation in the Sahtú. Most importantly, **it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires (Recommendation 1.1)**. The Board also makes three other recommendations about: **community engagement on the values-at-risk system (Recommendation 2.1); recording, monitoring and communicating about fire retardants (Recommendation 2.2); and the accessibility of sǒba (funding) (Recommendation 2.3)**.

Another part of the 2024 Tǔgǒhǔ PLS was the SRRB’s continued work on Hǵdó Gogħa Sǔnégǒts’ǵá (Planning for the Future—PFF), the Board’s framework for Sahtú communities’ conservation plans. Each public listening, past and future, covers hot topics relevant to PFF plans and provides information useful to conservation planning. This hearing report addresses the Board’s guidance and explains what the Board will look for when it reviews submissions of written PFF plans.

The SRRB looks forward to continuing to work with all parties on this critical endeavour to identify the most effective ways to conserve caribou.

Table 1: 2024 Tłegóhłj PLS Findings and Recommendations

Findings	Recommendations
Part I: What are the impacts of climate change and wildfires on habitat, people and caribou?	
Impacts of Wildfire on Caribou Habitat	
Finding 1.1 Fire is a natural part of the environment and helps maintain balance in the forest, but recent fires are bigger, hotter and harder to control, and fire seasons are longer than in the past.	Recommendation 1.1 The Board advises it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires.
Impacts of Climate Change and Wildfires on People	
Finding 1.2 People’s health is impacted by the smoke from wildfires.	Recommendation 1.1 The Board advises it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires.
Finding 1.3 Unpredictable weather and seasons, changes on the land, the effects of wildfires and smoke make it more challenging to access the land.	Recommendation 1.1 The Board advises it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires.
Finding 1.4 Climate change and wildfires affect food insecurity due to changes in the quality, quantity and location of species used for subsistence.	Recommendation 1.1 The Board advises it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires.
Finding 1.5 Caribou and caribou habitat are impacted by changes to the land and water that humans cannot control, including climate change and wildfires, which impact people who rely on caribou for Dene béré (country food) systems, and to pass on Dene ts’ijl (way of life).	Recommendation 1.1 The Board advises it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires.

Findings	Recommendations
Part II: What mitigation and adaptation should occur for climate change and wildfires related to caribou conservation and people?	
Trust and Communication	
Finding 2.1 Ongoing trust and communication issues between communities and government are interfering with the Board’s role as main instrument and obstructing effective co-management.	

Wildfire Mitigation	
	<p>Recommendation 2.1 The Board recommends the GNWT—ECC conduct meaningful engagement with Sahtú communities on the values-at-risk (VaR) system, to both (a) inform communities how VaR are identified/prioritized and (b) receive feedback about how the process can better incorporate communities’ concerns and Sahtú Dene and Métis perspectives.</p>
	<p>Recommendation 2.2 The Board recommends the GNWT—ECC (a) maintain public records of the use of fire retardants in the Sahtú Settlement Area, including type, location and quantities applied, (b) make these public records available before the end of the fiscal year in which the retardant was applied, (c) monitor and report annually on environmental impacts from fire retardant, in addition to fire suppression, over five years or longer if requested by communities/Renewable Resources Councils (RRCs) following application, and (d) provide plain language documentation about the information requested in (a), (b) and (c) to better communicate this information to Sahtú Dene and Métis participants.</p>
	<p>Recommendation 2.3 The Board recommends the GNWT—ECC and the GoC—ECCC make climate change and wildfire funding, including for monitoring, education and preparedness, more accessible to communities.</p>

Terminology and Concepts

Where practical, this report uses Dene terms and concepts that arose during the Tłegóhłı 2024 PLS. Dene kədá (glossary) varies within and among communities, reflecting both the ecological and cultural diversity of the Sahtú region. The terminology used in this report uses the Dene term followed by an English translation in parenthesis as is possible.

For example, the terminology used to refer to caribou is based on the community, caribou ecotype and the place in which caribou are found. Tqdzı́ (boreal caribou) and Shúhta goʔepé (northern mountain caribou) are common terms in the three main dialects.

However, barren-ground caribou in the Sahtú are referred to by different terms that reflect the three main dialects of the region. K'ásho Got'ıne of Fort Good Hope and Dehlà Got'ıne of Colville Lake refer to barren-ground caribou as ʔədə. Shúhta Got'ıne (Mountain Dene/Tulít'a dialect) call this ecotype nódele. In Délıne Got'ıne, they are known as ʔekwé.

As laid out in the glossary below (Table 2), more than 23 terms in the various Sahtú dialects and language of Indigenous parties are used in this report. Rather than standardize terms and spellings, the report adopts the dialect or dialects of the speaker, author, or community's contribution in each context. Terms in different dialects are presented in Table 2 with reference to the dialect in parenthesis.

The Board would like to acknowledge the work of the translators at the hearing along with those that attended the Language Workshop. Their efforts help in many ways; ensuring ʔqhdakə (elders) are heard and understood along with helping to keep language strong and vital.

Table 2: Dene Kədá—Glossary

Please note, this glossary is not intended to be comprehensive. There are many other Dene terms not listed here. The Board did its best to capture those used to share submissions as part of the hearing.

Term	Meaning
Ası́ godı́ hé Dene ts'ı́ı́ hé	All living things and Dene way of being or “biocultural diversity”
Béré	Country food
Dene ts'ı́ı́	Dene way of life
Ekwə	Caribou (Tı́ı́chq)
Godı́ Kehtsı́	Ethical space
Hı́dó Gogha Sėnégots'ı́á	Planning for the Future, acronym PFF
Kq	Fire

Term	Meaning
łets'i/Leh/łeh	Smoke (Tulít'a Got'Inę / K'áhsho Got'Inę /DélInę Got'Inę)
łe/Lá	Ashes (Tulít'a Got'Inę / K'áhsho Got'Inę and DélInę Got'Inę)
Náowerę	Knowledge
Nek'e areyone gok'erek ǵ /Ne K'ə ʔedeli/Nek'e K'ǵ Yarék'ǵ	Wildfires (Tulít'a Got'Inę /K'áhsho Got'Inę/ DélInę Got'Inę)
Shúhta goǵepę	Northern mountain caribou
Sǵba	Funding
Tǵdzi	Boreal caribou (Tulít'a Got'Inę/DélInę Got'Inę)
Ts'ǵǵi	Way of life
Zhahtsélé	Freezing rain
ʔedets'ęk'áokerewe	Self-regulation
ʔehdagókégha/ yant'a ʔadę ʔagodın/dırınéné k'e guluǵagotı	Climate Change (Tulít'a Got'Inę/K'áhsho Got'Inę/DélInę Got'Inę)
nǵdele/ǵadə/ ǵekwę	Barren-ground caribou (Tulít'a Got'Inę/K'áhsho Got'Inę/DélInę Got'Inę)
ʔǵhdakə	Elders
ǵeǵá	Law
ǵəǵıré	Muskox
ǵłts'é	Moose

This report reflects concepts the Board has come to recognize as important to its work in co-management (see Table 3). Some of these important concepts come from Dene language/dialects and the Board has heard concerns about some literal translations instead of translations that express more accurate meaning of these Dene concepts. The Board anticipates more work on Dene translations and terminology because the intent is to properly acknowledge the importance of these concepts.

Table 3: Important Concepts

Concept	Explanation
Administrative Notice	The way for an administrative tribunal like the SRRB to acknowledge certain facts that are beyond dispute, or uncontroverted, as part of the evidence in a proceeding.

Biocultural Approach	The Board takes a biocultural approach to evidence and making decisions because it considers the interdependence and connection of wildlife and wildlife habitat health, and Dene and Métis land-based ways of life to ensure conservation measures advance the goal of biocultural diversity. As part of its biocultural approach, the Board prefers evidence that accounts for biological and cultural impacts.
Asǰǰ godí hé Dene ts'ǰǰ hé (biocultural diversity)	This means considering the health of wildlife and wildlife habitat with the well-being of Sahtú Dene and Metis ways of life as interdependent and connected. Biocultural diversity is (or should be) a goal of conservation.
Dene ts'ǰǰ	The phrase “Dene ts'ǰǰ” can be interpreted as Dene ways of life. It refers to what it means to be Dene, our identity, and our ways of being – the whole concept of what being Dene (our identity) means to our grandparents – as well as more diverse lifestyles that reflect aspects of our current reality. Dene ts'ǰǰ also encompasses unique Indigenous aspects of Métis identities and ways of life, with great respect for the historical and ongoing relationships between Dene and Métis in our communities.
Godí Kehtsǰ (ethical space)	Coming together of diverse perspectives or recognizing different ways of knowing as valid. In co-management, science and Indigenous knowledge systems come together through collaborative systems of accountability to make decisions.
Hot Topic	A single caribou conservation issue or theme encompassing multiple herds and ecotypes. The term “hot topic” comes from the <i>Taking Care of Caribou</i> management plan, which says some of the topics are controversial and where finding agreement between different perspectives can be challenging.
ǰedets'ék'áokerewe (self-regulation)	In Dene ǰedá (law) people and wildlife are called upon to respect each other's autonomy as a basis for social cohesion and survival in a harsh environment through ǰedets'ék'áokerewe (self-regulation).

Table 4: List of Acronyms

ACCWM	Advisory Committee for Cooperation in Wildlife Management
CLRRC	Behdzi Ahda ǰehdzo Got'ǰnǰ (Colville Lake Renewable Resources Council)
DRRC	Délǰnǰ Renewable Resources Council
FGH RRC	Fort Good Hope Renewable Resources Council
GNWT—ECC	Government of Northwest Territories—Environment and Climate Change

GoC—ECCC	Government of Canada—Environment and Climate Change Canada
GoC—NR Can	Government of Canada—Natural Resources Canada
NWRRC	Norman Wells Renewable Resources Council
PFF	Hį́dó Gogha Sę́négots'į́á (Planning for the Future)
PLS	ʔełets'ėhkwe Godı (Public Listening Session)
RRC	ʔehdzo Got'įne (Renewable Resource Council)
SDMCLCA	<i>Sahtú Dene and Métis Comprehensive Land Claim Agreement</i>
SRRB	ʔehdzo Got'įne Gots'ė Nákedı (Sahtú Renewable Resources Board)
TRRC	Tulít'a Renewable Resources Council
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

English language. I watch it. I listen to it. And it sometime makes me wonder.
 Its all has different departments. The Dene's doesn't—doesn't work that way.
 Everything's connected. What we talk about, it's just like a plate full of grocery in front of us.
 — Leon Andrew

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Introduction

- [1] ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne K’ə ʔedelı/nek’e k’ǵ yarék’ǵ’s (wildfires) are causing significant effects in the Sahtú region, impacting wildlife, wildlife habitat, land, water and the Indigenous people who live there. This report documents the analysis, findings and recommendations of the ʔehdzo Got’ıne Gots’é Nákedı (Sahtú Renewable Resources Board—SRRB), based on the submissions and the record from the Tłegóhı (Norman Wells) 2024 Public Listening Session (PLS). The in-person portion of the 2024 Tłegóhı PLS was held in Tłegóhı (Norman Wells) from February 20 to February 22, 2024, and was co-hosted by the Norman Wells Renewable Resources Council. Written submissions received between November 15, 2023 to March 18, 2024, were also part of the record. The 2024 Tłegóhı PLS focused on a central question: “What should people’s role be in addressing the impacts of climate change and wildfires on caribou?” It was the third of a five-part ʔełets’éhkwe Godı (PLS) series to answer the question: “What are the most effective ways to conserve caribou?”
- [2] As part of the 2024 Tłegóhı PLS, the SRRB also continued work on Hıdó Gogha Sénégots’ıá (Planning for the Future), the Board’s framework for community conservation planning in the Sahtú Settlement Area. Each public listening session, past and future, covers hot topics relevant to Planning for the Future and provides information useful to conservation planning. This hearing report specifically addresses the Board’s guidance and explains what the Board will look for when it reviews submissions of written PFF plans.
- [3] This report is structured into three sections:
- **Part I: Impacts of Climate Change and Wildfires** addresses parties’ submissions about the effects of ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and wildfire on caribou, caribou habitat, land, water and people.
 - **Part II: Adaptation and Mitigation for Climate Change and Wildfires** considers parties’ views about how to respond to ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and wildfires.
 - **Part III: Guidance for Hıdó Gogha Sénégots’ıá (Planning for the Future)** addresses the parties’ submissions about the Board’s Hıdó Gogha Sénégots’ıá guidance and explains what the Board will look for when it reviews submissions of Hıdó Gogha Sénégots’ıá written plans.

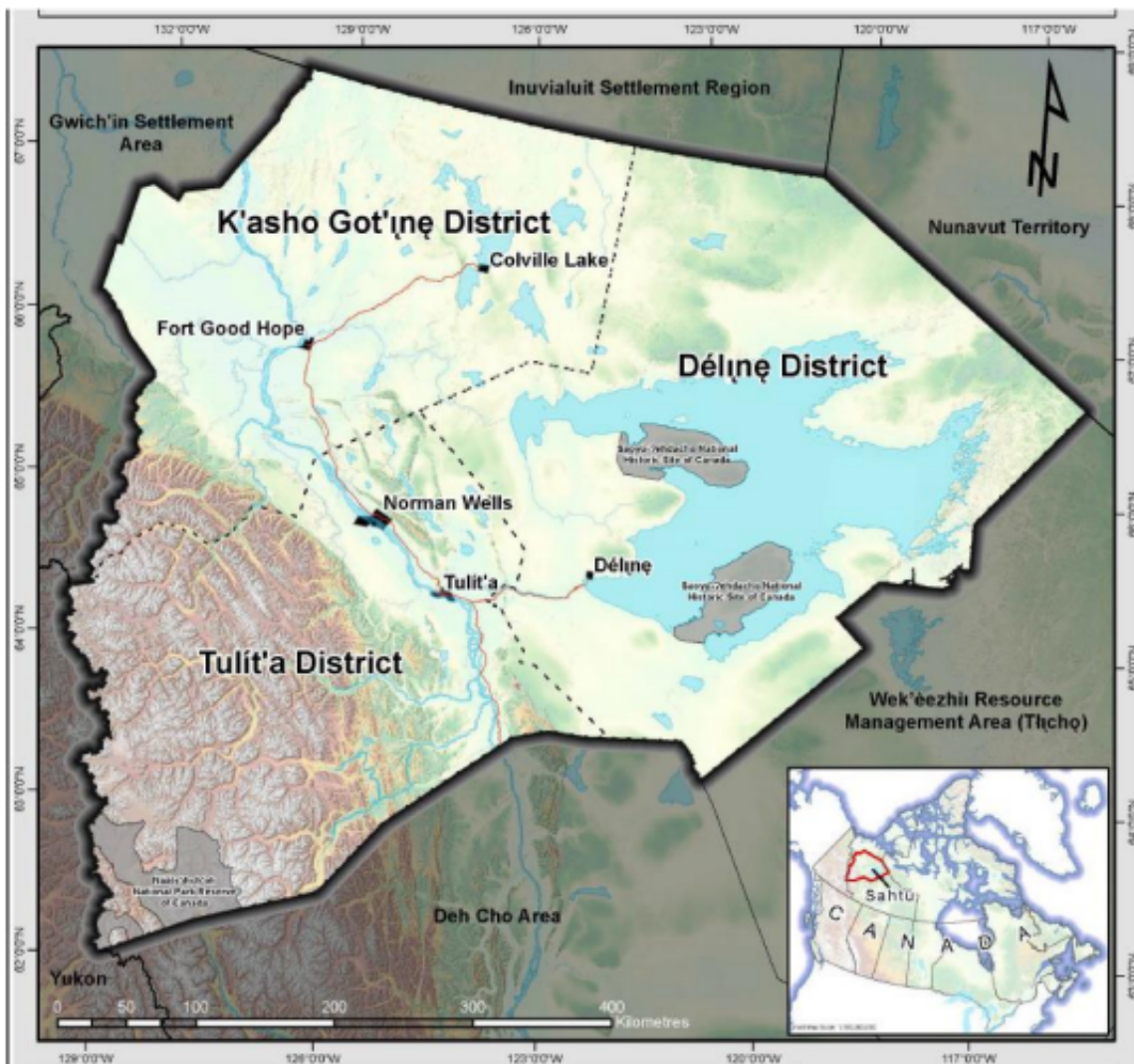
SRRB Jurisdiction

- [4] The SRRB is a co-management body established by the *Sahtú Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA)* as the main instrument of wildlife management in the Sahtú Settlement Area (see Figure 1).² Chapter 13 (“Wildlife Harvesting and Management”) and Chapter 14 (“Forestry”) of the *SDMCLCA*

² *SDMCLCA*, s. 13.8.1

grant the SRRB powers to fulfill its role as main instrument.³ The Board has, among other powers, the ability to hold public hearings,⁴ make decisions⁵ and give advice in the form of recommendations on topics that affect wildlife and wildlife habitat.⁶

Figure 1: Map of the Sahtú Settlement Area



Credit: Sahtú Land Use Planning Board

³ These powers include: the power to hold hearings (s. 13.8.21(a)); the power to make rules respecting the conduct of hearings (s. 13.8.18); the powers of a commissioner (s. 13.8.19, see also *Inquiries Act*, RS 1985, c. I-1; the power to limit the quantity of harvest (s. 13.8.36(a)); the power to establish policies and propose regulations in respect of harvesting of wildlife by any person, including any class of persons, commercial harvesting of wildlife, and commercial activities related to wildlife (s. 13.8.32); the power to approve management plans for wildlife and wildlife habitat, including conservation areas and territorial/national parks (s. 13.8.23(c)); powers related to designating conservation areas, species at risk, and reviewing matters related to wildlife management referred by the Government of the Northwest Territories or the Government of Canada (ss. 13.8.23(d) and (h)).

⁴ *SDMCLCA*, s. 13.8.21(a)

⁵ *SDMCLCA*, s. 13.8.23

⁶ *SDMCLCA*, s. 13.8.32, 13.8.36(a)

- [5] The SRRB’s exercise of its powers and authority, as well as the management of wildlife in the Sahtú Settlement Area, must occur according to the *SDMCLCA*, including the objectives in Chapter 1 and Chapter 13 of the *SDMCLCA*.⁷
- [6] When the Board exercises its power to hold hearings, as it does in the public listening sessions, it does so as a kind of administrative tribunal. In this capacity, the Board assesses the parties’ evidence and legal arguments. This hearing report of the Tłegóhı̄ 2024 PLS documents the information and evidence from all parties about the impacts of ʔehdagókégħa/yant’a ʔadé ʔagodın/dırínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ó /ne k’ə ʔedeli/nek’e k’ó yarék’ó (wildfires) on caribou, caribou habitat, land, water and people.⁸ Where appropriate—for example, to resolve conflicting evidence—the Board makes findings of fact based on the best available evidence from the record, with careful consideration to Sahtú community knowledge and practice, and scientific knowledge.
- [7] After considering the evidence and argument on the record, including any findings of fact, the Board can make recommendations and decisions. When the SRRB makes a recommendation, it is providing advice to government or other parties with whom it shares co-management duties.⁹ When the SRRB makes a decision, it is exercising powers under its land claim authority to direct action intended to have legal effect.¹⁰ The Board forwards its hearing report to the responsible minister according to the iterative decision-making process set out in the land claim.¹¹ Any proposed variation or replacement is sent back to the Board by the minister with written reasons. Where necessary, the Board then makes final decisions, which the minister may then accept, vary, or set aside and replace.¹²

PLS Series

- [8] The PLS series is the SRRB’s response to conservation concerns—including territorial and federal species at risk designations—about the caribou ecotypes that inhabit or travel through the Sahtú region.¹³ These concerns motivated the SRRB to call a series of five public hearings¹⁴ in the form of a PLS series to address “What are the most effective ways to conserve caribou?” Each PLS is a public hearing and is organized around one of five hot-topic themes related to caribou conservation.¹⁵

⁷ *SDMCLCA*, ss. 1.1.1, 13.1.1, and 13.8.1(c)

⁸ The *SDMCLCA* defines “impacts on the environment” as including “effects on air, land and water quality, on wildlife and wildlife harvesting, on the social and cultural environment and on heritage resources”. *SDMCLCA*, s. 2.1.1

⁹ *SDMCLCA*, ss. 13.8.32, 13.8.36

¹⁰ *SDMCLCA* 13.8.23 or other duties or powers given to it elsewhere in the agreement.

¹¹ *SDMCLCA*, ss. 13.3.1, 13.8.24(a), 13.8.25

¹² *SDMCLCA*, ss. 13.8.27, 13.8.28

¹³ ʔekwé̄ (barren-ground caribou) are designated as threatened; tódzı (boreal caribou) are designated as threatened; and shúhta goʔepé̄ (northern mountain caribou) are designated as special concern.

¹⁴ *SDMCLCA*, s. 13.8.21

¹⁵ *Taking Care of Caribou* describes “hot topics” as follows: “Some of the topics are controversial and finding agreement between different perspectives can be challenging.” Advisory Committee for Cooperation on Wildlife Management, *Taking Care of Caribou: the Cape Bathurst, Bluenose-West, and Bluenose-East Barren-ground Caribou Herds Management Plan, Amended: Dec. 1, 2021*, pg. 5.

- [9] The PLS series is designed to depart from the established approach to wildlife co-management hearings for caribou, which typically focus on the impacts of harvesting and total allowable harvest issues on a herd-by-herd basis.¹⁶ This makes it challenging to account for other impacts on caribou—such as ʔehdagókégħa/yant’a ʔadé ʔagodín/dirínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’ə ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires). The SRRB envisioned the PLS series as a way to address themes that affect all ecotypes of caribou in the Sahtú Settlement Area. This approach was inspired by the introduction of hot topics¹⁷ during the development of the *Taking Care of Caribou* management plan prepared by the Advisory Committee for Cooperation in Wildlife Management (ACCWM) and by issues identified during the 2016 Bluenose East ʔekwé Hearing in Déljñę.¹⁸
- [10] The 2020 PLS, focused on *Sahtú Ragóʔa (Hunting Laws) and Approaches to Wildlife Harvesting* and was co-hosted with the Colville Lake Renewable Resources Council (2020 Colville Lake PLS). The Board found precautionary conservation measures were required for all three caribou ecotypes in the Sahtú region, and legislation measures were also required to conserve Dene ts’ijlį (way of life), including Dene béré (country food) systems.¹⁹ The Board also made decisions and recommendations about harvest regulation, an important aspect of caribou conservation. Some of these decisions and recommendations remain unresolved or are subject to ongoing litigation²⁰.
- [11] The 2021 PLS focused on *Tjįch’ádıı hé Gots’edi (Living with Wildlife)—Predators and Competitors* and was co-hosted virtually with the Déljñę Renewable Resources Council (2021 Déljñę PLS). The Board found the overall relationship between the health of caribou populations and competitor species, including ʔəjiré (muskox) and ʔıts’é (moose), was not well established. The Board also found inconclusive evidence that a GNWT wolf management intervention program outside the Sahtú Settlement Area was effective in improving caribou health and population levels.²¹ The Board takes administrative notice of the findings and conclusions arising from the first two public listening sessions in the 2024 Tłęgóħł PLS.

Procedural History

¹⁶ These limits on Indigenous harvesting rights must satisfy conditions under the land claim that they are required for conservation, and only to the extent necessary to achieve conservation. Where Indigenous rights are restricted by the government, the limitation must satisfy a concept known in law as justified infringement, which these conditions reflect.

¹⁷ The term “hot topic” comes from *Taking Care of Caribou*, where a “Hot Topic Box” is used to summarize differing points of view about topics that are controversial and where finding agreement between different perspectives can be challenging. See Advisory Committee for Cooperation on Wildlife Management, *Taking Care of Caribou*, pg. 5.

¹⁸ Letter from Minister for Environment and Natural Resources Robert McLeod to the Sahtú Renewable Resources Board, February 22, 2017, available on the SRRB Public Hearing Registry for the 2016 Bluenose-East ʔekwé Hearing.

¹⁹ ʔehdzo Got’jñę Gots’é Nákedi (Sahtú Renewable Resources Board), *Sahtú Ragóʔa (Hunting Law) and Approaches to Wildlife Harvesting: Report on the Colville 2020 Public Listening (Hearing) Session*, SRRB PLS 1, October 30, 2020, Tuliit’a, NT, pg. 20.

²⁰ The Board also made decisions and recommendations about harvest regulation, an important aspect of caribou conservation. Some of these decisions and recommendations remain unresolved or are subject to ongoing litigation

²¹ ʔehdzo Got’jñę Gots’é Nákedi (Sahtú Renewable Resources Board), *ʔetets’ewéħkwę Godı (Living with Wildlife) – Predators and Competitors: Report on the Déljñę 2021 Public Listening (Hearing) Session*, SRRB PLS 2, May 2, 2023, Tuliit’a, NT, pg. 48.

[12] Pursuant to its “Rules for Hearings”,²² which guide each PLS, the SRRB gave notice of the Tłegóhı 2024 PLS on September 11, 2023, see Appendix 2. The notice set out the issues²³ and presented the timeline for the PLS.

[13] Eight groups registered as parties. Registered parties were able to participate in three rounds of information requests by submitting questions and responses, making submissions in writing before and after the in-person proceeding, and presenting orally during the in-person proceeding. During the in-person proceeding, registered parties were able to ask questions after each presentation and provide closing remarks. Renewable Resources Councils (RRCs) were registered parties with witness panels comprised of members of the RRCs and, in some cases, other community members and representatives of other community groups. In this report, the RRC is often referred to by the name of its community.

[14] Parties are listed below in order of their presentation during the in-person portion of the PLS. More information about the members of the witness panels for each party can be found in Appendix 3: Registered Parties.

- Norman Wells ʔehdzo Got’ıne (Renewable Resources Council)
- Délıne ʔehdzo Got’ıne (Délıne Renewable Resources Council)
- Tulıt’a ʔehdzo Got’ıne (Tulıt’a Renewable Resources Council)
- Behdızı Ahda ʔehdzo Got’ıne (Colville Lake Renewable Resources Council)
- Fort Good Hope ʔehdzo Got’ıne (Fort Good Hope Renewable Resources Council)
- Tłıchq Ndek’áowo (Tłıchq Government)
- Government of the Northwest Territories, Department of Environment and Climate Change (GNWT—ECC)
- Government of Canada, Environment and Climate Change Canada (GoC—ECCC)/Natural Resources Canada

[15] Following the SRRB’s decision in the 2020 Colville Lake PLS to invite youth to play a meaningful role in the PLS series,²⁴ the SRRB invited youth to the Community Preparation Workshop in November and included questions addressed to youth in Information Request Round 1 (IR Round 1). However, it was up to individual communities and RRCs to decide their level of participation. For this PLS, the SRRB contracted Black Spruce Education to facilitate youth engagement in Sahtú communities, which included community meetings in Norman Wells and in Délıne, for youth to share their perspectives on the hearing issues. The youth presentation during the PLS was as an independent caucus. Youth were not a registered party; but were rather a caucus, a group of people with common interests pooling their knowledge.

[16] As part of the PLS, the SRRB engaged a traditional and community knowledge advisor (Janet Winbourne) and two science advisors (Colin McDonald and Lorne Gould) to prepare written toolkits and oral

²² ʔehdzo Got’ıne Gots’ę Nákedı (Sahtú Renewable Resources Board) “Rules for Hearings”, October 15, 2019 edition.

²³ The notice also indicated that the Board would not be considering deferred issues from the 2020 Colville Lake PLS.

²⁴ Letter from Minister of Environment and Natural Resources Shane Thompson to the SRRB, January 29, 2021, pg. 3.

presentations related to the issues.²⁵ Technical advisors were recognized as experts in their field, had editorial autonomy over their presentations, and were compensated on a fixed fee. Their evidence was disclosed to parties, who were able to ask questions and respond to the science advisors’ evidence.

- [17] In the months prior to the in-person portion of the PLS, the SRRB facilitated three rounds of information requests (IRs) and received submissions to gather parties’ evidence and arguments on the issues. The SRRB also organized three workshops in conjunction with the PLS.
- [18] The SRRB provided sôba (funding) to RRCs to hold community-specific workshops in each community. SRRB staff were invited to, and attended, workshops in Déljné and Tulít’a to assist with IR (Information Request) responding, asking or information gathering.
- [19] Members of the public were also welcome to attend the PLS. The Board heard from Lucy Jackson from Fort Good Hope and from Cassandra Blondin-Burt when members of the public were invited to speak.

Table 5: 2024 Tłegóhtł PLS Timeline

Date	Activity
September 11, 2023	PLS Notice and Invitation to Participate issued
October 3, 2023	First pre-session teleconference
October 24–26, 2023	Hı́dó Gogha Sė́nė́gots’ı́łá (Planning for the Future – PFF) Content Workshop in Norman Wells with four representatives, including youth, from each Sahtú community, and representatives from GNWT—ECC in attendance on the third day
October 27, 2023	Deadline for Party Registration
November 3, 2023	Notice of Registered Parties
November 7–9, 2023	Community Workshop in Norman Wells to explain and help prepare for the PLS, with representatives from each community and GNWT—ECC
November 15–December 8, 2023	Information Request 1 issued and deadline
January 2–January 30, 2024	Information Request 2 issued and deadline
February 6, 2024	Second pre-session teleconference

²⁵ See SRRB “Appendix 1: Rules for Hearings”, Rule 12.17. Janet Winbourne was the SRRB’s traditional and community knowledge advisor, and Colin McDonald and Lorne Gould were the SRRB’s science advisors.

February 9, 2024	Community Workshop in Norman Wells with a group of Dene ʔohdakə (elders), to discuss Hjdó Gogha Sĕnégots'ígá (Planning for the Future) concepts and terminology
February 16, 2024	Written submissions
February 20–22, 2024	In-person portion of the PLS
February 26–March 11, 2024	Information Request 3 issued and deadline

[20] The full record of the 2024 Tłegóhtł PLS is available on the SRRB Public Hearing Registry (Public Registry).²⁶ This includes: notices; information requests and party responses; presentations and submissions from parties; relevant documents related to caribou, ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotł (climate change) and sóba (funding); toolkits, transcripts, audio recordings, graphic recordings, and reports from workshops. The SRRB continued its practice of utilizing graphic recordings as part of the PLS to capture the proceedings in real-time and in plain view of all present. The graphic recordings can be found in Appendix 4: Graphic Recordings—Summaries of Presentations.

[21] The SRRB received a written motion from Fort Good Hope ʔehdzo Got'łnĕ (Renewable Resources Council [FGH RRC]) on April 12, 2024, to remove GNWT—ECC submissions from the record on the basis that the SRRB's management of the deadline extension for final arguments and responses to Information Requests Round 3 was not procedurally fair. After inviting and receiving submissions on this issue, the Board provided its decision and reasons for denying the motion on May 24, 2024. The motion, response to the motion, the SRRB decision and reasons are available on the Public Hearing Registry for the 2024 Tłegóhtł PLS.

[22] The SRRB closed the record for the 2024 Tłegóhtł PLS on June 7, 2024.

The Board's Biocultural Approach and Recognizing Different Ways of Knowing

[23] Since the 2016 Bluenose East ʔákwe Hearing, the SRRB uses the term biocultural diversity in its activities, including the PLS, to reflect the Dene phrase asłł godí hé Dene ts'łłł hé (all living things and Dene ways of being). The Board has chosen to conduct its activities that affect Sahtú Dene and Métis in a way that accounts for asłł godí hé Dene ts'łłł hé (all living things and Dene ways of being), which the Board refers to as its biocultural approach. The SRRB applies a biocultural approach when it reviews evidence to ensure it accounts for the interdependence and connection of caribou population health and Sahtú Dene and Métis land-based ways of life.²⁷ As part of its biocultural approach, the Board prefers evidence that accounts for biological and cultural impacts.

[24] Conservation measures under the *SDMCLCA* can have both biological and cultural implications. Taking a biocultural approach to caribou conservation is a form of respect for the harvesting and conservation customs and practices of Sahtú Dene and Métis, consistent with the objectives of the “Wildlife Harvesting

²⁶ The Public Hearing Registry for SRRB hearings may be found at www.srrb.nt.ca under the “About Us” tab.

²⁷ *Sahtú Ragóʔa (Hunting Law): Report on the Colville 2020 Public Listening*, pg. 8.

and Management” chapter in the *SDMCLCA*.²⁸ A biocultural approach is also aligned with the definition of an impact on the environment in the *SDMCLCA*, which includes effects on wildlife and wildlife harvest, as well as on the social and cultural environment.²⁹ In addition to enshrining a biocultural approach as a principle of Hı́dó Gogha Sė́nė́gots’ı́á (Planning for the Future), the SRRB applied a biocultural approach to analyzing and evaluating the evidence in the 2024 Tłegóhı́ PLS. Biocultural diversity and the Board’s biocultural approach help explain why the Board is addressing the impacts of ʔehdagókė́gha/yant’a ʔadė́ ʔagodı́n/dirınénė́ k’e guluʔagotı́ (climate change) and nek’e areyone gok’erek ǵ’ne k’ə ʔedeli/nek’e k’ǵyarė́k’ǵ (wildfires) on people in addition to direct impacts of ʔehdagókė́gha/yant’a ʔadė́ ʔagodı́n/dirınénė́ k’e guluʔagotı́ (climate change) and nek’e areyone gok’erek ǵ’ne k’ə ʔedeli/nek’e k’ǵyarė́k’ǵ (wildfires) on caribou and caribou habitat in this PLS.

[25] It is also the Board’s position that bringing together diverse perspectives from Indigenous and science worldviews in a fair way is a necessary condition for meaningful Sahtú Dene and Métis participation in conservation efforts with governments.³⁰ The PLS series is intended to facilitate Sahtú Dene and Métis participation and is modelled on the concept of godı́ kehtsı́ (translated as “ethical space”). The Board believes it may be difficult for people to understand knowledge that draws on a different worldview than their own. Godı́ kehtsı́ (ethical space) helps consider different perspectives by looking at knowledge within its context. The Board recognizes a PLS imposes a degree of formality and procedures that do not always align with Sahtú Dene and Métis culture. However, the Board cannot make good findings, recommendations, and decisions without Sahtú Dene and Métis knowledge. In the first PLS, the SRRB “determined that accommodations are required to allow parties to document and present evidence”.³¹ For this reason, the SRRB’s “Rules for Hearings” (Appendix 1: Rules for Hearings) promote flexibility. As well, the SRRB gathers evidence for the PLS in various ways, including ʔǵhdakə (elders’) workshops, community workshops, written submissions and oral submissions.³²

²⁸ *SDMCLCA*, s. 13.1.1(d)

²⁹ *SMDCLCA*, s. 2.1.1

³⁰ *SDMCLCA*, s. 13.1.1(c); Sahtú Renewable Resources Board (ʔehdzo Got’ı́nė́ Gots’ė́ Nákedı́), *Sahtú Ragóʔa (Hunting Law) and Approaches to Wildlife Harvesting: Colville 2020 Public Listening (Hearing) Session Second Report Summary*, March 30, 2021, Tulit’a, NT, p. 17.

³¹ *Sahtú Ragóʔa: Colville 2020 Public Listening Session Second Report Summary*, pg.17.

³² SRRB, “Appendix 1: Rules for Hearings”, specifically Rules 3.4, 3.7 and 12.20.

Part I: What are the impacts of climate change and wildfire on habitat, people and caribou?

Key Issues and Overview

[26] Part I is organized into sections that address impacts of (1) ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) on habitat, (2) ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) on people, and (3) ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) on caribou.

Evidence, Analysis, Findings and Recommendations

[27] ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) are causing serious impacts to the environment in the Sahtú Settlement Area. Throughout the 2024 Tłegóhtł PLS, the Board heard evidence about the impacts of ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) on the land. These impacts can be compounding. Warmer weather and new, unpredictable weather patterns or events are changing caribou habitat. Melting permafrost may contribute to drier conditions and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) seem harder to control. Caribou avoid nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) and they affect migration. While some impacts of ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) are direct, observable effects on caribou, such as increases rain-on-snow events that make it harder for caribou to travel and forage, most are not discernable from other changes occurring on the land. However, the SRRB understands ecosystems are complex. The Board’s biocultural approach reflects that in Dene/Métis náowerə (knowledge), all things living (including humans) and nonliving things, are interconnected, and play an important role in maintaining balance.³³

[28] The Board also heard about how ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) impact people in the Sahtú region. The Board heard unpredictable weather, łets’i/leh/łeh (smoke) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e k’ǵ yarék’ǵ (wildfires) make it harder and riskier for people to go out on the land. The biocultural approach adopted by the SRRB considers caribou health and the well-being of Indigenous peoples and ways of life to be interconnected.³⁴ The Board is concerned impacts from ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotí (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedelí/nek’e

³³ ʔetets’ewéhkwe Godí (Living with Wildlife) Report on the Déljne 2021 Public Listening, pgs. 21–22.

³⁴ Sahtú Ragóʔa (Hunting Law): Report on the Colville 2020 Public Listening, Annex E, “The Conservation Picture: Caribou”, pg. 148.

k'ó yarék'ó (wildfires) make it harder and riskier for people to go out on the land. The Board knows that less access to the land can make it harder to access Dene béré (country food) and to pass on Dene ts'įlį (way of life). The Board has previously acknowledged strong Dene ts'įlį (way of life) is a primary factor in supporting caribou conservation.³⁵ Dene ts'įlį (way of life) promotes respectful harvesting and conduct toward caribou, and recognizes people and caribou are interconnected in a biocultural way.

[29] There may be changes to the land and water in areas not specifically known to be caribou habitat, but those changes may affect how caribou and people use the land and inform conservation actions.

[30] Because so much uncertainty remains, the Board is unable to take positions of certainty about how ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ó/ne k'á ʔedelı/nek'e k'ó yarék'ó (wildfires) impact the land, or how they will continue to affect the land, water, wildlife and people in the Sahtú region. The Board is also aware of the disparity between parties' resources and their capacity to collect, prepare and present evidence on the impacts of ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ó/ne k'á ʔedelı/nek'e k'ó yarék'ó (wildfires). The Board notes some community parties indicated a need for more resources to effectively monitor effects on the land,³⁶ which is addressed more fully in Part II.

[31] Within its analysis of impacts, the Board tried to be sensitive to, and acknowledges that, under Dene ʔeʔá (law) it is disrespectful and wrong to interfere with caribou, or to speak about them.³⁷ The concept ʔedets'ék'áokerewe (self-regulation), reflects Dene ʔeʔa (law) about people and wildlife respecting each other's autonomy as a basis for social cohesion and survival in a harsh environment—caribou take care of themselves. In this report, the important concept of ʔedets'ék'áokerewe (self-regulation) is relevant because wildlife and wildlife habitat cannot be controlled like human behaviour.

[32] The Board knows communities and governments make decisions and take action to help care for the land and wildlife. Following consideration of the submissions and record of the 2024 Tłegóhłı PLS, the Board confirms there is no doubt that ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ó/ne k'á ʔedelı/nek'e k'ó yarék'ó (wildfires) are relevant to questions of caribou conservation and wildlife management generally. This conclusion justifies making Recommendation 1.1, which is detailed further on, about how essential it is that future conservation decisions account for the impacts of ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ó/ne k'á ʔedelı/nek'e k'ó yarék'ó (wildfires) on caribou.

Impacts of Climate Change on Caribou Habitat

[33] The Board heard persuasive and consistent evidence that temperatures are rising in the Sahtú. Several parties indicated temperatures are warmer in the Sahtú than in the past. One of the SRRB's science technical

³⁵ *Sahtú Ragóʔa (Hunting Law): Report on the Colville 2020 Public Listening*, pg. 9.

³⁶ Délinę ʔehdzo Got'ınę, Final Submission, Tłegóhłı (Norman Wells) ʔeʔets'éhkwę Godı Public Listening Session (PLS), March 11, 2024, pg. 2, SRRB Public Hearing Registry for the Tłegóhłı 2024 Public Listening.

³⁷ The Board acknowledges the PLS series involves discussions about caribou despite Dene ʔeʔá (law) that we should not talk about caribou.

advisors noted the Arctic is warming at more than twice the rate of the rest of Canada.³⁸ GNWT—ECC cited *Canada's Changing Climate Report*, which estimates the annual average temperature for the Canadian North increased by 2.3°C between 1948 and 2016.³⁹ GNWT—ECC also noted that while temperatures have increased year-round, temperatures have increased more in winter.⁴⁰ GNWT—ECC reported warming temperatures were one of the most common concerns heard during discussions with individual harvesters, land users, communities and other co-management partners.⁴¹

[34] Communities also provided evidence about hotter temperatures in the Sahtú region. Norman Wells noted hotter temperatures, and many things are dryer than normal.⁴² Déljné noted weather used to be colder and “now it feels like spring in December”.⁴³

[35] The Board heard persuasive and consistent evidence that plant and animal species in the NWT are moving and being observed in new areas, that some species are moving into the NWT from Alberta, and some species are moving out of the NWT to Alberta. Parties reported observing species like wild boars and some plants moving into the NWT from Alberta. Déljné reported seeing an unfamiliar large bird, similar to a blue heron or whooping crane, which would seem to be further north than its usual range.⁴⁴ The circumpolar species ɔ́jire (muskox) have also been observed in Alberta.⁴⁵ Within the NWT, the Tłjchq Ndek'áowo (Government) submitted that the bald eagle's distribution has been extending further north into the barrenlands.⁴⁶ Similarly, Norman Wells reported increased sightings of magpies.⁴⁷ The *2030 NWT Climate Change Strategic Framework*, which the GNWT—ECC submitted as part of its response to Information Request 1 (IR Round 1) and Information Request 2 (IR Round 2), recognizes many species are moving northward due to ɔ́hdagókégħa/yant'a ɔ́adé ɔ́agodin/dirinéné k'e guluɔ́agotı (climate change).⁴⁸

[36] The Board heard persuasive and consistent evidence that indicates the type, timing and amount of precipitation is less predictable. Both government and community parties reported the type, timing and amount of precipitation is less predictable than in the past. Déljné and Norman Wells both indicated rain in the winter is more common.⁴⁹ Tulít'a noted there is usually rain in May, but there is now rain in September⁵⁰

³⁸ Colin McDonald, “The Effects of Climate Change and Wildfire on Caribou in the Sahtú Western Science Perspective”, SRRB Public Hearing Registry for the Tłegóhłı 2024 Public Listening, pgs. 2, 4.

³⁹ GNWT—ECC, Information Request (IR) Round 2, Tłegóhłı 2024 Public Listening Session (PLS), SRRB Public Hearing Registry for the Tłegóhłı 2024 Public Listening, pg. 4, citing Bush, E. and Lemmen, D.S, editors, *Canada's Changing Climate Report* (Government of Canada, 2019) pg. 116.

⁴⁰ GNWT—ECC, IR Round 2, Tłegóhłı 2024 PLS, SRRB Public Hearing Registry, pg. 4, citing Bush, E. and Lemmen, D.S, editors, *Canada's Changing Climate Report*, pg. 116.

⁴¹ GNWT—ECC, IR Round 2, Tłegóhłı 2024 PLS, January 31, 2024, pg. 12, SRRB Public Hearing Registry.

⁴² Norman Wells ɔ́hdzo Got'ıne, Information Requests (IR) Round 1, Tłegóhłı 2024 PLS, February 16, 2024, pg. 3, SRRB Public Hearing Registry.

⁴³ Déljné Got'ıne, IR Round 1, Tłegóhłı 2024 PLS, December 12, 2023, pg. 2, SRRB Public Hearing Registry.

⁴⁴ Déljné Got'ıne, IR Round 2, Tłegóhłı 2024 PLS, January 30, 2023, pg. 4, SRRB Public Hearing Registry.

⁴⁵ Leon Andrew, “Transcript of the Tłegóhłı (Norman Wells) 2024 Public Listening Session” (PLS), February 20, 2024, pg. 42.

⁴⁶ Tłjchq Government, IR Round 2, Tłegóhłı 2024 PLS, February 9, 2024, pg. 7, SRRB Public Hearing Registry.

⁴⁷ Jasmine Plummer, “Transcript of the Tłegóhłı 2024 PLS”, February 20, 2024, pg. 42.

⁴⁸ *2030 NWT Climate Change Strategic Framework*, Government of the Northwest Territories, pg. 6.

⁴⁹ Déljné Got'ıne, IR Round 1, Tłegóhłı 2024 PLS, December 12, 2023, pg. 2.

Norman Wells ɔ́hdzo Got'ıne, IR Round 1, Tłegóhłı 2024 PLS, February 16, 2024, pg. 3.

⁵⁰ Tulít'a ɔ́hdzo Got'ıne, IR Round 1, Tłegóhłı 2024 PLS, December 15, 2023, pg. 2.

and noted the amount of rain was changing and there is now not enough for things to grow.⁵¹ Though they didn't specify which year, the Tłıchq Ndek'àowo (Government) reported a rain event in January.⁵² GNWT—ECC explained their forecasts for Norman Wells (2051 to 2080 [under the highest emissions scenario—RCP8.5]) indicate continued change in the amount, type and timing of precipitation. GNWT—ECC expects approximately 7 cm more precipitation annually throughout the year,⁵³ more precipitation falling as rain than snow in the fall and spring, and more mid-winter rainfall events.⁵⁴ GNWT—ECC also submitted historic data (1951–1980 and 1981–2010) from Norman Wells Airport to illustrate the changing amounts and timing of precipitation.

[37] The Board heard persuasive and consistent evidence water levels vary greatly from year to year in the Sahtú and on neighboring Tłıchq lands. Several parties indicated dropping water levels on regional waterbodies, including the Mackenzie River and Great Bear Lake.⁵⁵ Délıne noted water levels on Great Bear Lake are dropping and have been doing so for three to four years, although they observed levels on Great Bear River don't seem to have changed.⁵⁶ Délıne provided their view that lower water levels on Great Bear Lake were due to permafrost melting.⁵⁷ Norman Wells also reported lower water levels⁵⁸ with a lot of slumping on the river banks and small lakes draining into the river.⁵⁹ Norman Wells reported one lake had low levels, but another Sahtú lake was normal.⁶⁰

[38] Parties did not provide evidence about historic water levels in the Sahtú region, so it is not possible to determine whether there are long-term changes to water levels in the Sahtú. However, the SRRB's traditional and community knowledge advisor referred to observations from 2021–2022, where Délıne community members had indicated an increase in water levels.⁶¹ This is consistent with the GNWT—ECC's submission that water levels on the Mackenzie River south of Fort Good Hope have changed from extremely low to extremely high to extremely low in the past five years.⁶² The GNWT—ECC submitted they expect water levels on the Mackenzie River will become more variable with increased variability in precipitation.⁶³

[39] The Board heard persuasive and consistent evidence that changing conditions, including variable precipitation and melting permafrost are contributing to variations in levels of dryness. Several communities expressed concern about dry conditions on the land. Parties recalled observations of lakes getting smaller, drought or drought-like conditions, predictions for continued change in precipitation, and some places being

⁵¹ Tulít'a ʔehdzo Got'ıne, IR Round 1, Tłegóhı 2024 PLS, December 15, 2023, pg. 3, SRRB Public Hearing Registry.

⁵² Stephanie Behrens, Tłıchq Government, "Transcript of the Tłegó hı 2024 PLS", February 21, 2024, pg. 291.

⁵³ GNWT—ECC, IR Round 1, Tłegóhı 2024 PLS, December 8, 2023, pg. 7.

⁵⁴ GNWT—ECC, IR Round 1, Tłegóhı 2024 PLS, December 8, 2023, pg. 7.

⁵⁵ Délıne Got'ıne IR Round 2, Tłegóhı 2024 PLS, January 30, 2024, pg. 2, SRRB Public Hearing Registry.

⁵⁶ Délıne Got'ıne, IR Round 1, Tłegóhı 2024 PLS, December 12, 2023, pg. 2.

Tulít'a Got'ıne IR Round 1, Tłegóhı 2024 PLS, December 15, 2023, p. 4.

Norman Wells Got'ıne IR Round 1, Tłegóhı 2024 PLS, February 16, 2024, pg. 5.

⁵⁷ Délıne Renewable Resources Council, "Transcript of the Tłegóhı 2024 PLS", February 20, 2024, pg. 100.

⁵⁸ Jasmine Plummer, "Transcript of the Tłegóhı 2024 PLS", February 20, 2024, pg. 37.

⁵⁹ Norman Wells Got'ıne, IR Round 1, Tłegóhı 2024 PLS, February 16, 2024, pg. 2.

⁶⁰ Norman Wells Got'ıne IR Round 1, Tłegóhı 2024 PLS, February 16, 2024, pg. 5.

⁶¹ Janet Winbourne, "Sahtu Knowledge of Wildfire and Climate Change Impacts on Caribou", p. 5, Toolkits, SRRB Public Hearing Registry.

⁶² GNWT—ECC, Written Submission for Tłegóhı 2024 PLS, February 16, 2024, pg. 11, SRRB Public Hearing Registry.

⁶³ GNWT—ECC, IR Round 1, Tłegóhı 2024 PLS, December 8, 2023, pg. 7.

drier.⁶⁴ Norman Wells and Tulít'a commented lakes and land are "so dry".⁶⁵ Tłıchq̓ elder Joseph Judas said the "...vegetation is very dry to the point of where they're sounding like potato chips".⁶⁶

[40] The Board also heard evidence some areas of the Sahtú were dryer than others. While there was limited information about this directly from Sahtú communities, the SRRB's traditional and community knowledge advisor identified research that parts of the Sahtú reported drier ground with permafrost melt, while others reported swampier ground.⁶⁷ The same technical advisor provided submissions that the land around Déljıne̅ seems to be drying out and experiencing changes in wildfire regimes, and the land around Colville Lake seems to be getting wetter due to melting permafrost and changing waterways.⁶⁸ Varying conditions were also observed in the Tłıchq̓ region, where dry crusty ekwò (caribou) foraging was observed in 2016–2017, but there was a change to cold wet weather in 2018.⁶⁹

[41] Déljıne̅ and Norman Wells submitted melting permafrost affects water levels. A witness on the Déljıne̅ panel made submissions about participating in research about ice thickness and ʔehdagókégha/yant'a ʔadé ʔagodin/dirinéné k'e guluʔagotı (climate change). This research combined scientific observations about temperatures around Great Bear Lake with ʔq̓hdakə (elder) knowledge about permafrost to consider impacts to the water levels on Great Bear Lake. Water that would have been run-off and flowed over permafrost may now be going into the ground as a result of permafrost melting.⁷⁰ Norman Wells commented permafrost could be melting in the hills that feed the Keele River and so perhaps this is why the land is so dry.⁷¹

[42] The Board heard persuasive and consistent evidence permafrost is melting and slumping on the land and into the water. GNWT—ECC noted thawing permafrost can affect drainage, leaching, ground water flow, and carbon storage. It can also influence expansion or drainage of lakes and/or wetlands causing deposition of sediments into lakes and streams and degrading vegetation.⁷² Communities also spoke directly about melting permafrost and its environmental impacts. Norman Wells observed slumping on riverbanks.⁷³ Fort Good Hope ʔq̓hdakə (elder) Frank T'Seleie said, "...[A]long the river you can see more and more slumps

⁶⁴ Tulít'a Got'ıne̅, IR Round 1, Tłegóhı 2024 PLS, December 15, 2023, pg. 3, SRRB Public Hearing Registry. Stephanie Behrens, Tłıchq̓ Government, "Transcript of the Tłegó hı 2024 PLS", February 21, 2024, pg. 288; GNWT—ECC, IR Round 1, Tłegóhı 2024 PLS, December 8, 2023, pg. 1;

Norman Wells Got'ıne̅, IR Round 1, Tłegóhı 2024 PLS, February 16, 2024, pg. 5.

⁶⁵ Tulít'a Got'ıne̅, IR Round 1, Tłegóhı 2024 PLS, December 15, 2023, pg. 3;

Norman Wells Got'ıne̅ IR Round 2, Tłegóhı 2024 PLS, February 16, 2024, pg.2, SRRB Public Hearing Registry.

⁶⁶ Stephanie Behrens quoting Jonas Judas, Tłıchq̓ Government, "Transcript of the Tłegó hı 2024 PLS," February 21, 2024, pg. 289.

⁶⁷ Janet Winbourne, "Transcript of the Tłegó hı 2024 PLS", February 20, 2024, pg. 128.

⁶⁸ Janet Winbourne, "Traditional and Community Knowledge Literary Review", p. i, SRRB Public Hearing Registry.

⁶⁹ Tłıchq̓ Government, IR Round 2, Tłegóhı 2024 PLS, January 30, 2024, pg. 8.

⁷⁰ Déljıne̅ Renewable Resources Council, "Transcript of the Tłegóhı 2024 PLS", February 20, 2024, pg. 100.

⁷¹ Norman Wells Got'ıne̅, IR Round 1, Tłegóhı 2024 PLS, February 16, 2024, pg. 2.

⁷² GNWT—ECC IR Round 2, Tłegóhı 2024 PLS, January 31, 2024, pg. 7;

Singer, Claire, and Catharine Lee, *NWT Climate Change Vulnerability Assessment Species at Risk* (Environment and Natural Resources, Government of the Northwest Territories, October 2021) pg. 31.

⁷³ Norman Wells Got'ıne̅, IR Round 1, Tłegóhı 2024 PLS, February 16, 2024, pg. 2.

coming off the banks on the river.... Now the permafrost is... is melting, so the banks are falling in and the rivers are straightening it out and cutting through points".⁷⁴

[43] Délįnę noted residents are also worried melting permafrost will impact fires. In a response provided as part of IR Round 1, Délįnę wrote:

A long time ago, before dirínéné k'e guluᗫagotı (climate change), there was a lot of permafrost and that helped put fires out. Big fires are not something we hear about having happened around Délįnę in the past. When we are out picking berries, we do see lightning strikes hit the land, but it does not burn because of permafrost. Some ᗫhdakə [elders] remembered in the past there was a fire north of Délįnę and the community walked over to put it out. But by the time they got there, it had put itself out. In the past, when it rained, it rained a lot and that would make water levels go up and help stop fires.⁷⁵

[44] The Board heard a lot of evidence that ᗫhdagókégha/yant'a ᗫadé ᗫagodın/dirínéné k'e guluᗫagotı (climate change) is affecting the land and water in the Sahtú region. They heard about variability from year to year and location to location. The Board heard parties may have different explanations for the cause of observed impacts ᗫhdagókégha/yant'a ᗫadé ᗫagodın/dirínéné k'e guluᗫagotı (climate change). They also heard parties' observations about the actual impacts of ᗫhdagókégha/yant'a ᗫadé ᗫagodın/dirínéné k'e guluᗫagotı (climate change) in the Sahtú region that were very consistent.

Impacts of Wildfires on Caribou Habitat

[45] **[Finding 1.1] Fire is a natural part of the environment and helps maintain balance in the forest, but recent fires are bigger, hotter and harder to control, and fire seasons are longer than in the past.** The Board heard persuasive and consistent evidence about the intensity of nek'e areyone gok'erek ó/ne k'ə ᗫedeli/nek'e k'ó yarék'ó (wildfires), particularly after the 2023 fire season. Some parties noted fire is a natural part of the ecosystem and is necessary for forest health and growth.⁷⁶ Tulít'a said recent, more intense fires are unnatural, unpredictable and different from the past; they are bigger, hotter and harder to control.⁷⁷ Frederick Andrew Jr., Tulít'a RRC, said "...[fires] are harder to control now. And they pose greater threat than ever before".⁷⁸

[46] Norman Wells referred to underground fires (zombie fires) that burn through the winter.⁷⁹ Tıchqó elder Joseph Judas noted concerns that fires might ignite as soon as the spring runoff is over.⁸⁰ GNWT—ECC has predicted ᗫhdagókégha/yant'a ᗫadé ᗫagodın/dirínéné k'e guluᗫagotı (climate change) will result in an increase in the frequency and intensity of fires due to hotter, drier summers, which would result in a longer

⁷⁴ Frank T'Seleie, "Transcript of the Tłegóhtı 2024 PLS", pg. 181, February 21, 2024.

⁷⁵ Délįnę Got'įnę, IR Round 1, Tłegóhtı 2024 PLS, December 12, 2023, pgs. 7–8, SRRB Public Hearing Registry.

⁷⁶ James Hodson, "Transcript of the Tłegóhtı 2024 PLS", February 21, 2024, pg. 227;

Frederick Andrew Jr., "Transcript of the Tłegóhtı 2024 PLS," February 20, 2024, pg. 70–71;

Tıchqó Government, IR Round 2, Tłegóhtı 2024 PLS, February 9, 2024, pg. 5, SRRB Public Hearing Registry.

⁷⁷ Frederick Andrew Jr., "Transcript of the Tłegóhtı 2024 PLS", February 20, 2024, pg. 71.

⁷⁸ Frederick Andrew Jr., "Transcript of the Tłegóhtı 2024 PLS", February 20, 2024, pg. 71.

⁷⁹ Norman Wells Got'įnę, IR Round 1, Tłegóhtı 2024 PLS, February 16, 2024, pg. 15.

⁸⁰ Joseph Judas, "Transcript of the Tłegóhtı 2024 PLS", February 20, 2024, pg. 84.

fire season.⁸¹ Jason Currie with GNWT—ECC fire operations indicated they are seeing this already, that “...fire seasons were typically two and a half months, but in 2023, the fire season was six months long”.⁸² This prompted him to ask, “...do we have a kó (fire) season now or if we just have a fire [year-round] here?”⁸³

[47] Not all communities have the same experience with fires,⁸⁴ but the Board understood parties generally agreed that fires are becoming more intense, and wildlife and people are increasingly at risk.

[48] The Board heard persuasive and consistent evidence that communities are concerned ashes from nek’e areyone gok’erek ǵ/ne k’ə ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) impact the land and water. The Board heard wildfire ash can travel a long way contaminating the water, as well as impacting plants and food for birds and other animals.⁸⁵ Frederick Andrew Jr., Tulít’a RRC, observed the caribou struggle to survive among the ʔe (ashes), which affects Dene people who rely on caribou, béré (food) security, culture, identity and spiritual connection.⁸⁶ Frederick Andrew Jr. said, “...our own existence as Dene people is under threat. This once dependable source of food (béré) has been turned into source of uncertainty and despair”.⁸⁷ Tłıchǵ elder Joseph Judas said, “...ashes are not good for fish”.⁸⁸

[49] GoC—ECCC acknowledged communities’ concerns about ash, though they also recognize there are negative impacts for a landscape with too little fire.⁸⁹

[50] GoC—ECCC noted nek’e areyone gok’erek ǵ/ne k’ə ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) can cause soil structure to collapse and wildfire ash can clog pore space, which further prevents water infiltration and increase water running across the soil instead of into it.⁹⁰ GNWT—ECC does not directly assess or monitor the effects of ash on wildlife because they monitor caribou at a population level. GNWT—ECC explained boreal caribou may avoid places with ʔets’i/Leh/ʔeh (smoke) and vegetation that is burned or covered in ash, and considered that kó (fire) and ash could displace the three caribou ecotypes.⁹¹ GNWT—ECC recognized ashes can act as a fertilizer and reduce soil acidity, which can help the boreal forest regenerate. They also noted that nek’e areyone gok’erek ǵ/ne k’ə ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) have the potential to impact water quality in lakes and streams.⁹² GNWT—ECC indicated increased soil erosion and levels of ash and debris may lead to increases in nitrate, ammonia, phosphate, total suspended solids, turbidity, and some metals like iron and manganese in the water.⁹³ Routine monitoring for these parameters is undertaken

⁸¹ Heather Sayine-Crawford, “Transcript of the Tłegóhłı 2024 PLS”, February 21, 2024, pg. 226.

⁸² Jason Currie, GNWT—ECC, “Transcript of the Tłegóhłı 2024 PLS”, February 20, 2024, pg. 33.

⁸³ Jason Currie, GNWT—ECC, “Transcript of the Tłegóhłı 2024 PLS”, February 20, 2024, pg. 33.

⁸⁴ Délıne Got’ıne, IR Round 1, Tłegóhłı 2024 PLS, December 8, 2023, pgs. 7, 9, SRRB Public Hearing Registry.

⁸⁵ Délıne Got’ıne, IR Round 2, Tłegóhłı 2024 PLS, January 30, 2024, pg. 5, SRRB Public Hearing Registry;

Frederick Andrew Jr., “Transcript of the Tłegóhłı 2024 PLS”, February 20, 2024, pg. 71;

Leon Modeste, “Transcript of the Tłegóhłı 2024 PLS”, February 21, 2024, pg. 216.

⁸⁶ Frederick Andrew Jr., “Transcript of the Tłegóhłı 2024 PLS”, February 20, 2024, pg. 71.

⁸⁷ Frederick Andrew Jr., “Transcript of the Tłegóhłı 2024 PLS”, February 20, 2024, pg. 71.

⁸⁸ Joseph Judas, “Transcript of the Tłegóhłı 2024 PLS”, February 21, 2024, pg. 245.

⁸⁹ ECCC, IR Round 3, Tłegóhłı 2024 PLS, March 18, 2024, pg. 2, SRRB Public Hearing Registry.

⁹⁰ ECCC, IR Round 3, Tłegóhłı 2024 PLS, March 18, 2024, pg. 2.

⁹¹ GNWT—ECC, IR Round 3, Tłegóhłı 2024 PLS, March 22, 2024, pg. 2.

⁹² GNWT—ECC, IR Round 3, Tłegóhłı 2024 PLS, March 22, 2024, pg. 2.

⁹³ GNWT—ECC, IR Round 3, Tłegóhłı 2024 PLS, March 22, 2024, pg. 2, SRRB Public Hearing Registry.

across the territory and focuses on monitoring cumulative impacts relevant to land- and water-use decisions.

- [51] Currently, the Board heard the way forest fires affect water quality is not well understood. In the 2021, work was done by Rádeyǫ́kóé and GoC—ECCC in the Sahtú in Tu’ude Niline Tuyeta to assess how forest fires affect wetland water quality.⁹⁴ Early findings show the wetlands in Ts’ude Niline Tuyeta hold clean water with low levels of contaminants, and that differences in water quality conditions are likely related to forest fire history.
- [52] The Board heard persuasive and consistent evidence indicating that vegetation regenerates after a forest kó (fire), but it is unclear how long it takes for vegetation, particularly lichen, to regenerate sufficiently in the Sahtú region to sustain caribou populations. In IR Round 3, the Board asked parties how long it takes for the land to regenerate to sustain caribou after a wildfire. Fort Good Hope responded they had no specific data on the time required for land to regenerate to sustain caribou after a wildfire.⁹⁵ Tulit’a submitted lichen recovers faster from ɔǰire (muskox) eating it than kó (fire) destroying it.⁹⁶ Norman Wells indicated lichen can grow about 1 mm per year, but there are many factors impacting how quickly an area regenerates after a kó (fire).⁹⁷ Colin McDonald, SRRB’s science advisor, reported it can take lichen decades to recover, specifying reindeer lichen can take up to 150 years to reach the point of supporting caribou.⁹⁸
- [53] GNWT—ECC submissions cited studies that included sites in the Sahtú region, but GNWT—ECC’s evidence did not directly address how long vegetation takes to recover in the Sahtú region. GNWT—ECC detailed different stages of vegetation recovery after a wildfire.⁹⁹ GNWT—ECC submitted tǔdzı (boreal caribou’s) summer food, including grasses, forbs, and deciduous shrub species, which recover quickly after a kó (fire) and reach peak abundance 25 to 40 years after a kó (fire).¹⁰⁰ However, winter foods, including terrestrial lichen species, take longer to recover and do not start to increase substantially until about 40 years after kó (fire). Forest stands in the Taiga Plains ecoregion need about 75 years for lichen biomass to reach 50 percent of the peak biomass observed in older stands.¹⁰¹ GNWT—ECC submitted lichens are generally more abundant in bogs and upland black spruce and forests than other forest types.¹⁰² Lichens were observed to be rare in deciduous stands. GNWT—ECC submissions also indicated that tǔdzı (boreal caribou), in the neighbouring Tǫ́chǫ́ Region:

...actually picked younger burn areas, less than ten years old, or older burns more, than 30 years old, but they generally avoided the burns that were 11 to 30 years old. They selected the recent fires the most during the season when there wasn’t snow, so during calving, summer and into

⁹⁴ *NWT Environmental Research Bulletin 2021*, Vol. 5, Issue 22 as cited GNWT—ECC, IR Round 3, Tǫ́gǫ́hǫ́ 2024 PLS, March 22, 2024, pg. 2.

⁹⁵ Fort Good Hope Got’jñę, IR Round 3, Tǫ́gǫ́hǫ́ 2024 PLS, March 7, 2024, pg. 1.

⁹⁶ Tulit’a Got’jñę, IR Round 1, Tǫ́gǫ́hǫ́ 2024 PLS, December 15, 2023, pg. 7, SRRB Public Hearing Registry.

⁹⁷ Norman Wells Got’jñę, IR Round 3, Tǫ́gǫ́hǫ́ 2024 PLS, March 26, 2024, pg. 1.

⁹⁸ Colin McDonald, “The Effects of Climate Change and Wildfire on Caribou in the Sahtú Western Science Perspective,” pg. 8, SRRB Public Hearing Registry.

⁹⁹ GNWT—ECC, IR Round 2, Tǫ́gǫ́hǫ́ 2024 PLS, January 31, 2024, pg. 16, SRRB Public Hearing Registry.

¹⁰⁰ GNWT—ECC, IR Round 2, Tǫ́gǫ́hǫ́ 2024 PLS, January 31, 2024, pg. 15.

¹⁰¹ GNWT—ECC, IR Round 2, Tǫ́gǫ́hǫ́ 2024 PLS, January 31, 2024, pg. 16.

¹⁰² GNWT—ECC, IR Round 2, Tǫ́gǫ́hǫ́ 2024 PLS, January 31, 2024, pg. 16.

the fall; but then in the winter, they switched towards avoiding those recent fires and really concentrating on areas that haven't burned in at least the last 40 years.¹⁰³

[54] In its response to Information Request Round 2 (IR Response 2), GNWT—ECC suggested: “overall nek’e areyone gok’erek ǵ/ne k’ə ʔedelı/nek’e k’ǵ yarék’ǵ (wildfires) seem to have a smaller impact on boreal caribou population trends than do human disturbances such as roads, seismic lines and forestry cut blocks”.¹⁰⁴ GNWT—ECC explained this conclusion was based on a 2020 ECCC study that examined caribou monitoring data from across Canada (including the NWT) and looked at how much of the variation in calf recruitment and adult female survival could be explained by kǵ (fire), by human disturbance or both factors combined.¹⁰⁵ The study concluded human disturbances were three to four times more important than effects of nek’e areyone gok’erek ǵ/ne k’ə ʔedelı/nek’e k’ǵ yarék’ǵ (wildfires).

[55] A Community PLS Preparation Workshop was held in November 2023 to prepare parties for the session. This included a presentation from Dr. Jennifer Baltzer about potential impacts of ʔehdagókégħa/yant’a ʔadé ʔagodı/dırınéné k’e guluʔagotı (climate change) on wildfire regime and in turn on caribou in the southern part of the NWT after the 2014 kǵ (fire) season.¹⁰⁶ The research group looked at vegetation post-fire regrowth, impacts of kǵ (fire) on wildlife, particularly caribou, time for caribou habitat to recover, and whether the recovery process can be accelerated. The main results of this research included:

- Changes to the forest composition, including shifts from black spruce dominance in 40 percent of Dehcho sites to more aspen and jack pine, and a similar but less prominent shift (in 30 percent of sites) in Akaitcho and Tłıchǵ regions to more paper birch;
- Sites with shifting composition are less likely to host lichen, which caribou need for forage, and which may make those sites more appealing to competitors, like ʔıts’é (moose), or predators;
- Changes may be driven by how deep the fires burn (severity), which can change the soil composition, or how frequently the areas burn again (kǵ [fire] return interval);
- For lichen to recover, it starts to regrow 0 to 29 years after kǵ (fire), but doesn’t become abundant until about 71 years later, and it takes at least 50 years for lichen to return to the point caribou will graze it successfully. This result varied across the NWT and recovery was slower in the Sahtú; and
- Caribou avoid burned areas for about as long as it takes for lichen to recover.

[56] The evidence the Board reviewed demonstrates it takes lichen a long time to recover, but there does not seem to be a consistent time frame for recovery. Furthermore, the Board is not prepared to conclude nek’e areyone gok’erek ǵ/ne k’ə ʔedelı/nek’e k’ǵ yarék’ǵ (wildfires) have lesser impact on boreal caribou populations than human disturbances.

¹⁰³ James Hodson, GNWT—ECC, “Transcript of the Tłegó hı 2024 PLS”, pg. 229.

¹⁰⁴ GNWT—ECC, IR Round 2, January 31, 2024, pg. 23, Tłegóhı 2024 PLS, SRRB Public Hearing Registry.

¹⁰⁵ “Transcript of the Tłegó hı 2024 PLS”, pgs. 270–271; also GNWT—ECC, IR Round 2, pg. 25, Tłegóhı 2024 PLS.

¹⁰⁶ “Preparation Workshop for the 2024 Tłegóhı Public Listening Session on Climate Change and Wildfire”, November 7–9, 2023 pg. 6, SRRB Public Hearing Registry. The presentation referred to was by Dr. Jennifer Baltzer, a professor and Canada Research Chair in Forests and Global Change at Wilfred Laurier University.

Impacts of Climate Change and Wildfires on Caribou

[57] The Board heard persuasive and consistent evidence rain-on-snow and freeze-thaw events are leading to crusting on snow, which make it harder for caribou to access food. GNWT—ECC reported these events could lead to increased energy use for caribou to access food.¹⁰⁷ In the recovery strategies for both t̄qdz̄i (boreal) and ʔekw̄é/ʔədə/n̄q̄dele (barren-ground caribou), GNWT—ECC cited freeze-thaw events might make it more difficult for caribou to travel, forage, and avoid predators.¹⁰⁸ ¹⁰⁹ Janet Winbourne, the SRRB’s traditional and community knowledge advisor, submitted information from the Advisory Committee for Cooperation in Wildlife Management (ACCWM), which indicated crusting on snow caused chafing on caribou legs.¹¹⁰ Community parties also indicated they have observed ice-on-snow events more frequently and reported snow-ice change is impacting how caribou travel and access food in winter.¹¹¹ For example, Délj̄ne RRC stated:

We are seeing more zhahts̄élé (freezing rain) than before. This impacts the ʔekw̄é (caribou) It also makes it harder for ʔekw̄é to find food. For example, this fall the ground was frozen and hard. Then it snowed and the ground was covered in snow. Then we had a freezing rain (zhahts̄élé), which made the snow wet and icy. Then it froze again so all of that rain and snow turned to a hard layer of ice. That hard layer of ice is still there between the ground and the snow. We are worried about how the ʔekw̄é will be able to find food this winter under this hard layer of ice. It will be hard for the ʔekw̄é to find food under this hard layer. It will mean they have to work harder to eat, which will tire them out. Also, if ʔekw̄é (caribou) have to travel long ways on icy ground, their legs will be impacted. They will get tired and be less healthy.¹¹²

[58] The Board heard evidence that warmer weather and changes in precipitation can affect the nutritional value of the food available to caribou. GNWT—ECC forecast ʔehdagókégha/ yant’a ʔadé ʔagod̄in/d̄ir̄inéné k’e guluʔagot̄i (climate change) may result in more food and time to forage for caribou, but there could be negative effects if woody shrubs that are harder for caribou to digest replace higher-quality summer forage, e.g. lichen.¹¹³ T̄l̄ch̄q̄ Ndek’àoowo (Government) explained drought conditions on T̄l̄ch̄q̄ lands are reducing the quality and quantity of forage plants, lowering nutritional value of the food and may reduce or slow the

¹⁰⁷ GNWT—ECC, IR Round 1, T̄f̄eḡóh̄l̄ 2024 PLS, December 8, 2023, pg. 2, SRRB Public Hearing Registry.

¹⁰⁸ Conference of Management Authorities, 2017, *Recovery Strategy for the Boreal Caribou (Rangifer tarandus caribou) in the Northwest Territories, Species at Risk (NWT) Act Management Plan and Recovery Strategy Series* (Environment and Natural Resources, Government of the Northwest Territories, Yellowknife, NT) pg. 18.

¹⁰⁹ Conference of Management Authorities, 2020, *Recovery Strategy for Barren-ground Caribou (Rangifer tarandus groenlandicus) in the Northwest Territories, Species at Risk (NWT) Act Management Plan and Recovery Strategy Series* (Environment and Natural Resources, Government of the Northwest Territories, NT) pg. 34.

¹¹⁰ Janet Winbourne, “Traditional and Community Knowledge Literature Review for the T̄f̄eḡóh̄l̄ 2024 PLS”, December 15, 2023, pg. 8, SRRB Public Hearing Registry.

¹¹¹ Délj̄ne Got’j̄ne, IR Round 1, T̄f̄eḡóh̄l̄ 2024 PLS, December 12, 2023, pg. 2, SRRB Public Hearing Registry for the T̄f̄eḡóh̄l̄ 2024 Public Listening;

Délj̄ne ʔekw̄é Working Group (DEWG) 2021, “Traditional and Community Knowledge Literature Review for the T̄f̄eḡóh̄l̄ 2024 PLS”, December 27, 2023, pg. 45, SRRB Public Hearing Registry;

Stephanie Behrens, “Transcript of the T̄f̄eḡóh̄l̄ 2024 PLS”, February 21, 2024, pg. 293;

Norman Wells Got’j̄ne, IR Round 1, T̄f̄eḡóh̄l̄ 2024 PLS, February 16, 2024, pg. 3.

¹¹² Délj̄ne Got’j̄ne, IR Round 1, T̄f̄eḡóh̄l̄ 2024 PLS, December 12, 2023, pg. 2.

¹¹³ Kevin Chan, “Transcript of the T̄f̄eḡóh̄l̄ 2024 PLS,” February 21, 2024, p. 232.

rate of caribou fat gain and negatively affect overall body condition.¹¹⁴ The SRRB’s traditional and community knowledge advisor referenced research about increased rain in November impacting t̄odzi (boreal caribou) food sources and accessibility to food.¹¹⁵

- [59] The Board heard evidence ʔehdagókégħa/yant’a ʔadé ʔagodĩn/dĩrinéné k’e guluʔagotı (climate change) may make caribou more vulnerable to insect harassment. The Board heard insect harassment can negatively impact caribou body condition because it can reduce the amount of time caribou spend eating.¹¹⁶ The Board also heard evidence that insect activity is tied to weather and changes annually. The T̄łchq̄ Ndek’naowo (Government) outlined the relationship between insect activity and its impact on caribou is dynamic, not straightforward, and tied to weather. It is expected to change with the changing climate “...as temperatures increase, so does insect harassment”.¹¹⁷
- [60] The T̄łchq̄ Ndek’naowo (Government) indicated the number of insects varies from year to year, with high insect harassment in the summers of 2016 and 2017 when it was warm and dry, and low levels of biting insects in the summers of 2020 and 2021 when it was cool with strong winds.¹¹⁸ GNWT—ECC stated insect activity depends on weather.¹¹⁹ Délj̄ne noted fewer mosquitos in the past few summers.¹²⁰
- [61] The Board heard concerns warming weather may contribute to increases in insects, parasites and diseases that affect caribou. GNWT—ECC and the Board’s traditional and community knowledge advisor noted as permanent ice patches melt there is less relief from insect harassment.¹²¹ Shúhta goʔepé (northern mountain caribou) rely on these ice patches for relief from insect harassment.¹²² Norman Wells expressed concern about increasing temperatures leading to an increase in viruses that may affect caribou and ticks. The Board heard evidence about ticks being found more often on ʔıts’é (moose), but it did not hear the same about caribou.¹²³
- [62] The Board heard persuasive and consistent evidence that ʔehdagókégħa/yant’a ʔadé ʔagodĩn/dĩrinéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’a ʔedeli/nek’e k’ǵ yarék’q̄ (wildfires) are making it harder for caribou to travel and they are not seen in their usual places. The Board heard substantial evidence about disturbances that may be causing caribou to move within areas they are usually found. Tulít’a and Norman Wells submitted caribou have moved further away due to fires and suggest that is due

¹¹⁴ T̄łchq̄, IR Round 2, T̄łgóh̄ł 2024 PLS, February 9, 2024, pg. 9, SRRB Public Hearing Registry.

¹¹⁵ Janet Winbourne, “Traditional and Community Knowledge Literature Review for the T̄łgóh̄ł 2024 PLS”, December 15, 2023, pgs. 45–46, SRRB Public Hearing Registry.

¹¹⁶ GNWT—ECC, IR Round 1, T̄łgóh̄ł 2024 PLS, SRRB Public Hearing Registry, pg. 2; Janet Winbourne, “Traditional and Community Knowledge Literature Review for the T̄łgóh̄ł 2024 PLS,” December 15, 2023, pgs. 1, 6, 8, 46, 47.

¹¹⁷ T̄łchq̄, IR Round 2, T̄łgóh̄ł 2024 PLS, February 9, 2024, pgs. 8–10.

¹¹⁸ T̄łchq̄, IR Round 2, T̄łgóh̄ł 2024 PLS, February 9, 2024, pgs. 8–10.

¹¹⁹ Kevin Chan, “Transcript of the T̄łgó h̄ł 2024 PLS”, February 21, 2024, pg. 72.

¹²⁰ Délj̄ne Got’j̄ne, IR Round 2, T̄łgóh̄ł 2024 PLS, February 9, 2024, pg. 6.

¹²¹ Janet Winbourne, “Transcript of the T̄łgóh̄ł 2024 PLS”, February 20, 2024, pg. 129, and Kevin Chan, “Transcript of the T̄łgóh̄ł 2024 PLS”, February 21, 2024, pg. 73.

¹²² Kevin Chan, “Transcript of the T̄łgóh̄ł 2024 PLS”, February 21, 2024, pg. 230.

¹²³ Norman Wells Got’j̄ne, IR Round 2, T̄łgóh̄ł 2024 PLS, February 9, 2024, pg. 2; Tulít’a, IR Round 2, T̄łgóh̄ł 2024 PLS, pg. 4.

to fear or the destruction of their habitat.¹²⁴ Tulít'a also noted shúhta goᗑepé (northern mountain caribou) no longer hang out in the Caribou Flats area, although they noted this may be due to too much human activity.¹²⁵ The SRRB's traditional and community knowledge advisor reported community perspectives from studies she had conducted that shúhta goᗑepé (northern mountain caribou) may be moving to the front range where there is more wind to decrease insect harassment.¹²⁶ The Tłıchq Ndek'àowo (Government) submitted low water levels have been creating rocky shorelines making it difficult for the caribou to travel in the Wek'èezhii Region.¹²⁷ GNWT—ECC indicated rain in the winter covers vegetation with ice, which makes it harder for caribou to travel and could make it easier for wolves to travel, i.e. caribou being more vulnerable to predation.¹²⁸ GNWT—ECC also indicated they expect many animals to move north as vegetation changes due to warming temperatures.¹²⁹

Impacts of Climate Change and Wildfires on People

- [63] **[Finding 1.2] People's health is impacted by the smoke from wildfires.** Communities reported first-hand impacts of łets'i/leh/łeh (smoke) on residents, including that people don't go outside because of the łets'i/leh/łeh (smoke) and it is particularly hard on ᗑhdakə (elders) and those with respiratory problems.¹³⁰ In addition to respiratory issues, the łets'i/leh/łeh (smoke) in Norman Wells also caused headaches and migraines.¹³¹
- [64] **[Finding 1.3] Unpredictable weather and seasons, changes on the land, and the effects of wildfires and smoke make it more challenging to access the land.** The Board heard evidence that thinner ice and changing ice conditions, variable water levels and trails impacted by permafrost melt make it more challenging, and sometimes more dangerous, to access the land. Déljneᗑ expressed concerns about ice conditions, indicating it takes longer to form and can be thinner, which makes it riskier to go out onto the ice.¹³² Déljneᗑ also submitted ᗑehdagókégha/yant'a ᗑadé ᗑagodın/dırınéné k'e guluᗑagotı (climate change) is changing the timing of the seasons, which impacts where, when and how they can harvest.¹³³ Tulít'a said they need to plan differently now because the ice disappears more quickly and travelling by boat brings concerns about getting stuck on sandbars because of low water levels.¹³⁴ Tulít'a also noted melting permafrost means it takes longer to travel due to rerouting around melting landslides.¹³⁵ Norman Wells explained overflows that

¹²⁴ Frederick Andrew Jr., "Transcript of the Tłegóhłı 2024 PLS", February 2024, pgs. 71–72;

Jasmine Plummer, "Transcript of the Tłegóhłı 2024 PLS", February 20, 2024, pg. 38.

¹²⁵ Leon Andrew, "Transcript of the Tłegóhłı 2024 PLS", February 20, 2024, pg. 89.

¹²⁶ Janet Winbourne, "Transcript of the Tłegóhłı 2024 PLS", February 20, 2024, pg. 189.

¹²⁷ Stephanie Behrens, "Transcript of the Tłegóhłı 2024 PLS", February 21, 2024, pg. 289.

¹²⁸ Kevin Chan, "Transcript of the Tłegóhłı 2024 PLS", February 21, 2024, pg. 233.

¹²⁹ GNWT—ECC, IR Round 1, Tłegóhłı 2024 PLS, December 8, 2023, pg. 7, SRRB Public Hearing Registry.

¹³⁰ Tulít'a Got'jneᗑ, IR Round 2, Tłegóhłı 2024 PLS, January 30, 2024, pg. 2, SRRB Public Hearing Registry;

Shawn Grandjambe, "Transcript of the Tłegóhłı 2024 PLS", February 20, 2024, pg. 22;

Norman Wells Got'jneᗑ, IR Round 1, Tłegóhłı 2024 PLS, February 16, 2024, pg. 4.

¹³¹ Norman Wells Got'jneᗑ, IR Round 1, Tłegóhłı 2024 PLS, February 16, 2024, pg. 4.

¹³² Déljneᗑ Got'jneᗑ, IR Round 1, Tłegóhłı 2024 PLS, December 12, 2023, pg. 4.

¹³³ Déljneᗑ Got'jneᗑ, Written Submission of the Tłegóhłı 2024 PLS, February 16, 2024, pg. 4.

¹³⁴ Tulít'a Got'jneᗑ, IR Round 1, Tłegóhłı 2024 PLS, December 15, 2023, pg. 4.

¹³⁵ Tulít'a Got'jneᗑ, IR Round 2, Tłegóhłı 2024 PLS, January 30, 2024, pg. 2, SRRB Public Hearing Registry.

cut off access to hunting grounds make it dangerous to travel.¹³⁶ Fort Good Hope informed the Board lower water levels had cut off access to a hunting area.¹³⁷ GNWT—ECC reported communities raised concerns about the impacts of unpredictable weather in the 2018 Climate Change Forum.¹³⁸ The Tłıchq Ndek'òowo (Government) also raised concerns that unpredictable weather makes it harder to rely on traditional knowledge about where and when it is safe to travel. With respect to nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires), the Board heard people don't go outside as much when smoke is thick, and Norman Wells said it was hard to travel with thick smoke.¹³⁹ Tulít'a explained traditional trails disappeared and needed to be cut again due to fallen trees from fires.¹⁴⁰ The Tłıchq Ndek'òowo (Government) indicated they cancelled their Ekati camp because of being unable to land a plane safely with heavy smoke.¹⁴¹

[65] The Board takes administrative notice it has previously recognized the importance of being able to access the land. In particular, it is necessary for communities to be able to go out on the land for important cultural activities and to teach youth. In Public Listening Session 1 (PLS 1), the Board found “youth education, well-being, and participation in on-the-land and governance processes [is] an important indicator of the resilience and even resurgence of Dene ts'ıljı’.”¹⁴² The Board also recognized strong Dene ts'ıljı (way of life) is a primary factors in caribou conservation.¹⁴³ These previous conclusions support the Board’s understanding that impacts on people from challenges accessing the land have an effect on caribou conservation.

[66] **[Finding 1.4] Climate change and wildfires affect food insecurity due to changes in the quality, quantity and location of species used for subsistence.** The Board heard ʔehdagókégħa/yant'a ʔadé ʔagodın/dırínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires) decrease food security because of changes to Dene béré (country food) and because it is harder, riskier, and more expensive for communities to go on the land to harvest. Community parties reported concerns that warmer weather is changing the quantity and quality of Dene béré (country food) they harvest. Norman Wells reported berries are less plentiful.¹⁴⁴ Tulít'a submitted small game like rabbits and birds are hard to come by.¹⁴⁵ Délıne explained fish are getting softer as the water warms, which means the meat is not as good.¹⁴⁶ The Tłıchq Ndek'òowo (Government) reported seeing smaller berries that are ripening earlier, and fewer mushrooms.¹⁴⁷ In addition to being harder to move on the land due to unpredictable weather and the effects of nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires), the Board also heard impacts of ʔehdagókégħa/yant'a ʔadé ʔagodın/dırínéné k'e guluʔagotı (climate change) can make it more expensive

¹³⁶ Norman Wells Got'ıne, IR Round 1, Tłęgóhı 2024 PLS, February 16, 2024, pg. 3, SRRB Public Hearing Registry.

¹³⁷ Frank T'Seleie, “Transcript of the Tłęgóhı 2024 PLS”, February 21, 2024, pg. 189.

¹³⁸ GNWT—ECC, IR Round 2, Tłęgóhı 2024 PLS, January 31, 2024, pg. 5.

¹³⁹ Tulít'a Got'ıne, IR Round 2, Tłęgóhı 2024 PLS, January 30, 2024, pg. 2;

Norman Wells Got'ıne, IR Round 1, Tłęgóhı 2024 PLS, February 16, 2024, pg. 2.

¹⁴⁰ Tulít'a Got'ıne, IR Round 2, Tłęgóhı 2024 PLS, January 30, 2024, pg. 2.

¹⁴¹ Stephanie Behrens, “Transcript of the Tłęgóhı 2024 PLS”, February 21, 2024, pg. 285.

¹⁴² *Sahtú Ragóga (Hunting Law): Report on the Colville 2020 Public Listening*, Finding 1.4, pg. 22.

¹⁴³ *Sahtú Ragóga (Hunting Law): Report on the Colville 2020 Public Listening*, pg. 9.

¹⁴⁴ Jasmine Plummer, “Transcript of the Tłęgóhı 2024 PLS”, February 20, 2024, pg. 51.

¹⁴⁵ Leon Andrew, “Transcript of the Tłęgóhı 2024 PLS”, February 21, 2024, pg. 87.

¹⁴⁶ Danny Gaudet, “Transcript of the Tłęgóhı 2024 PLS”, February 20, 2024, pg. 101.

¹⁴⁷ Stephanie Behrens, “Transcript of the Tłęgóhı 2024 PLS”, February 21, 2024, pg. 289.

to harvest or secure food. For example, Délı̨nę indicated communities must travel farther to harvest because caribou are not where they have been in the past, making it more expensive.¹⁴⁸ However, replacing caribou with other meat sources, including store-bought meat, is also really expensive.¹⁴⁹ The Board heard people are struggling because they don't have enough money to replace the caribou with store-bought meat, which some consider to be less nutritious than Dene béré (country food).¹⁵⁰ Fred Andrew Jr., Tulit'a RRC, said:

...[T]he impact of wildlife on the Indigenous food (béré) security goes beyond the laws of a single species. The destruction of forests disrupt[s] entire ecosystem[s]. The [indiscernible] lands, animals, and resources that have sustained our community for a generation and leaving Dene people with a few option[s] and diminishing our ability to feed ourself and our families. We cannot ignore economic pull of this crisis...¹⁵¹

[67] The Board heard concerns about less access to Dene béré (country food) eroding Dene cultural identity and ts'ı̨l (way of life). Alfred Taniton said in the past children were raised without store-bought food.¹⁵² Frederick Andrew Jr., Tulit'a RRC, also said, "The dwindling herd mean[s] diminishing food [béré] security, economic hardship, and erosion of the cultural identity of our people who have already faced centuries of exploitation and neglect".¹⁵³

[68] These concerns reflect the interdependent relationship between people and caribou. As Frederick Andrew Jr., Tulit'a RRC, explained:

All the wildlife and my people, all the ways of life (gots'edı̨ k'ə) is deeply connected with the land and the animal that inhabit it, these ancient forests and mountain as we once did. And the caribou struggle to survive among the ashes (te/lá), so too do we, the Dene people who rely on them. We rely on the caribou, food security, culture, identity, spiritual connection. The wildlife [sic] destroyed caribou habitat and reduced the number of our own existence as Dene people is under threat. This once dependable source of country food (béré) has been turned into [a] source of uncertainty and despair.¹⁵⁴

[69] GNWT—ECC indicated food security is a priority, and they recognize challenges communities face as the Dene béré (country food) system is affected by ʔehdagókégha/yant'a ʔadé ʔagodı̨n/dı̨rı̨néne k'e guluʔagotı̨ (climate change). GNWT—ECC noted they work with Indigenous governments and Indigenous organizations to promote alternative sources of Dene béré (country food) and provide services as well as support for traditional economies and land-based learning.¹⁵⁵ In their response to IR Round 1, GNWT—ECC included several weblinks to programs that support food security. The GNWT—ECC *Sustainable Livelihoods Action Plan* identifies resources and activities that support means of living in a way that is adaptable and resilient,

¹⁴⁸ Danny Gaudet, "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024, pg. 115.

¹⁴⁹ Frederick Andrew Jr., "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024, pg. 72.

¹⁵⁰ Danny Gaudet, "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024; pg. 113;

Frederick Andrew Jr., "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024, pg. 72.

¹⁵¹ Frederick Andrew Jr., "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024, pg. 72.

¹⁵² Alfred Taniton, "Transcript of the Tłegóhı̨ 2024 PLS", February 22, 2024, pg. 400.

¹⁵³ Frederick Andrew Jr., "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024, pg. 72.

¹⁵⁴ Frederick Andrew Jr., "Transcript of the Tłegóhı̨ 2024 PLS", February 20, 2024, pg. 71.

¹⁵⁵ GNWT—ECC, IR Round 1, Tłegóhı̨ 2024 PLS, December 8, 2024, pgs. 4–5, SRRB Public Hearing Registry.

including objectives specifically on food security.¹⁵⁶ For example, Objective 4.1 in the *Sustainable Livelihoods Action Plan* is about strengthening partnerships to support country food-related research, including ʔehdagókégħa/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) impacts to community food security.¹⁵⁷ GNWT—ECC also provided a link to the *2030 NWT Climate Change Strategic Framework*, which defines food security as having “reliable access to affordable, sufficient and nutritious food”. This report also indicates ʔehdagókégħa/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) may decrease food security “for Indigenous people who can no longer safely access béré (country food) sources due to increasingly unpredictable lake and river conditions”.¹⁵⁸

[70] The Board takes administrative notice of evidence from previous PLSs. In PLS 1 and PLS 2, the SRRB heard about the importance of Dene béré (country food), how Dene béré helps maintain Dene gots’edı k’á (way of life) and how it supports food security. In PLS 1, parties submitted extensive evidence about the importance of Dene béré (country food) systems. The Board heard food security was impacted by a loss of on-the-land skills and by reduced caribou availability.¹⁵⁹ In Finding 1.1 of PLS 1, the SRRB found “precautionary conservation measures are required for all three caribou ecotypes in the Sahtú, and measures are also required to conserve Dene gots’edı k’á (way of life), including Dene béré (country food)”. The Board also promoted communities addressing food security in conservation plans by promoting diversified or alternative harvest.¹⁶⁰ In Public Listening Session 2 (PLS 2), the Board made a recommendation “communities, with support from the federal and territorial governments and other co-management partners, invite people from places with ongoing experience of relationships with ʔəjıre (muskox) to Sahtú communities to teach skills in harvesting and preparing ʔəjıre (muskox)”.¹⁶¹

[71] The Board understands ʔehdagókégħa/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) are not the only factors that affect Dene béré (country food) systems and decrease food security, and these issues may arise in future public listening sessions. However, given ʔehdagókégħa/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) affect Dene béré (country food) and food security in multiple ways, the Board emphasizes this is an important factor to account for when making conservation decisions. Access to Dene béré (country food) systems are vital to knowledge transfer and the education of youth which sustain Dene ts’ııı (way of life), a primary factor contributing to caribou conservation.

[72] The Board heard consistent submissions from Indigenous knowledge, community knowledge and practice, and scientific knowledge, that ʔehdagókégħa/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) are impacting the caribou, people

¹⁵⁶ *Sustainable Livelihoods Action Plan 2019–2023* cited in GNWT—ECC, IR Round 1, Tłegóhtı 2024 PLS, December 8, 2023, pg. 5, SRRB Public Hearing Registry.

¹⁵⁷ *Sustainable Livelihoods Action Plan 2019–2023* cited in GNWT—ECC, IR Round 1, Tłegóhtı 2024 PLS, December 8, 2023, pg. 5.

¹⁵⁸ *2030 NWT Climate Change Strategic Framework* cited in GNWT—ECC, IR Round 1, Tłegóhtı 2024 PLS, December 8, 2023, pg. 5, SRRB Public Hearing Registry.

¹⁵⁹ *Sahtú Ragóǵa (Hunting Law): Report on the Colville 2020 Public Listening Session*, pg. 70.

¹⁶⁰ *Sahtú Ragóǵa (Hunting Law): Report on the Colville 2020 Public Listening Session*, pg. 70.

¹⁶¹ ʔehdzo Got’ıne Gots’ǵ Nákedı (Sahtú Renewable Resources Board), *ʔetets’ewéhkwe Godı (Living with Wildlife): Report on the Délıne 2021 Public Listening (Hearing) Session*, pg. 49.

and the land. Some of these impacts are more direct and observable, like warming temperatures, increasing insect harassment, food availability and changing water levels. Other impacts are indirect and more complex, such as the concerns that expression and transmission of Dene ts'įlį (way of life) is negatively affected by ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). This in turn effects caribou because the health of Sahtú Dene and Métis ways of life and the health of caribou populations are interdependent. This evidence supports the finding that:

[Finding 1.5] Caribou and caribou habitat are impacted by changes to the land and water humans cannot control, including climate change and wildfires, which impacts people who rely on caribou for Dene béré (country food) systems, and to pass on Dene ts'įlį (way of life).

[73] The various and complex impacts of ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) on the land and water, caribou and people justify the Board's recommendation¹⁶² that these impacts have to be accounted for when making conservation decisions about caribou.

[Recommendation 1.1] The Board advises it is essential that future decisions about caribou conservation measures account for the impacts of climate change and wildfires.

Part II: What mitigation and adaptation should occur for climate change and wildfires related to caribou conservation and people?

Key Issues and Overview

[74] This section addresses (1) the Board's concerns about the relationship and communication between co-management partners, (2) RRCs' concerns about the GNWT—ECC's response to nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires), (3) parties' submissions about whether and how to mitigate (or reduce the impacts of) and adapt to ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) as it relates to caribou conservation, (4) how Hįdó Gogħa Sėnégots'įǵá (Planning for the Future) may help Sahtú communities address and respond to ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires), and (5) sǵba (funding) opportunities related to ʔehdagókégħa/yant'a ʔadé ʔagodın/dırınéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfire) adaptation and mitigation.¹⁶³

¹⁶² *SDMCLCA*, s. 13.8.36(a)

¹⁶³ SRRB, IR Round 2, Tłegóħłı 2024 PLS January 2, 2024, pg. 3.

- [75] The Board listened carefully and reviewed the record to consider its response to issues about mitigation and adaptation. Mitigation, in the context of this report, is action taken to limit the prevalence or impact of nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires), or action to limit the impacts of ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change). Adaptation is about actions from people to adjust and help wildlife and the land adjust to the current and future effects of ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change).
- [76] The Board recognizes government's jurisdiction over firefighting.¹⁶⁴ As it understands its jurisdiction and relative expertise, the Board seeks to focus its attention on matters that are appropriate for it to raise. Despite government's jurisdiction over firefighting, it is important to consider impacts from ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) within the Board's jurisdiction. Applying the Board's biocultural approach, the GNWT's choices regarding firefighting affect people, caribou and caribou habitat. The Board also has a role in forestry and forestry management,¹⁶⁵ which is clearly affected by wildfire management. The Board heard the GNWT was conducting an after-action review of the 2023 kǵ (fire) season, which affected Sahtú communities in large part due to the evacuation of Yellowknife where much of the GNWT operates. The Board nonetheless commends its recommendations in this report to the GNWT along with the findings of other evaluations.
- [77] In this section of the hearing report, the Board is conveying what it heard from Sahtú communities during the 2024 Tǵegǵhǵ PLS to help show their concerns were taken seriously and to provide GNWT—ECC with some perspective on how these issues affect caribou conservation and communities' trust. While the Board noted generally consistent evidence from parties about the impacts of ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires), there was more disagreement about how people should address the impacts of ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) on caribou. The SRRB also asked parties how Hǵdó Gogħa Sénéǵots'ǵá (Planning for the Future) could help them address and respond to ʔeh dagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). The Board heard submissions on the importance of being able to adapt to changes on the land, and the importance of passing on knowledge and Dene ts'ǵǵı (way of life) to younger generations. Reflecting on the record of the 2024 Tǵegǵhǵ PLS and perspectives shared about what to do in response to ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires), the Board is also choosing to address communication and trust issues between co-management partners, which is affecting their ability to work together to respond to ʔehdagókégħa/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires), and to achieve the objectives of the *SDMCLCA*.

¹⁶⁴ *SDMCLCA*, s. 14.1.11

¹⁶⁵ *SDMCLCA*, ss. 14.1.9, 14.1.10

[78] The Board understands ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’a ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) are extremely challenging issues that have serious impacts on Sahtú communities. While the Board cannot direct how co-management partners respond to ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’a ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires), and cannot fix the relationship between co-management partners, it can provide advice from its perspective as the main instrument of wildlife management the Sahtú region.

Relationship between Co-management Partners

[79] The Board is responsible for facilitating co-management, which in this case includes convening the PLS and considering Hı́dó Gogha Sénégots’ı́á (Planning for the Future). The Board noted that there were again submissions on communication and trust issues between co-management partners. While these issues are not new, they make it difficult for co-management partners to work together, particularly to respond to challenges faced by ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’a ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires), and more generally to advance caribou conservation and implement wildlife co-management in the Sahtú.

[80] In this PLS, the Board heard submissions that communications could still be improved and noted specific instances where communication could be more effective. For example, as outlined in more detail below, GNWT—ECC submissions during the PLS about the potential risks of kǵ (fire) retardants could have been more consistent and straightforward. The Board also heard submissions from communities that government communication about issues like sǵba (funding) is unclear, confusing and requires resources (such as time and personnel) to keep up with and understand.

[81] In Information Request Round 2 (IR Round 2), the Board asked GNWT—ECC how it communicates information about ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) to communities. GNWT—ECC said that they share information in various ways, including during workshops, meetings, letters, webinars, and training. They also indicated they are open to hearing opportunities to share information on ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change).¹⁶⁶ In IR Round 2, the SRRB also asked communities how governments and other agencies can best communicate information to communities about ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change), changes to the land and changes to the animals. In addition to face-to-face meetings, community responses included:

- Using conventional forms of communication, like posters, radio and newsletters, but also videoconferencing;¹⁶⁷
- Preparation meetings to help people be ready to provide input at future meetings;¹⁶⁸

¹⁶⁶ GNWT—ECC, IR Round 2, Tłégóhtı 2024 PLS, January 31, 2024, pgs. 2–3, SRRB Public Hearing Registry.

¹⁶⁷ Tulıt’a, IR Round 2, Tłégóhtı 2024 PLS, January 30, 2024, pg. 1.

¹⁶⁸ Délıne, IR Round 2, Tłégóhtı 2024, January 30, pg. 1.

- ʔqhdakə (elders) can find it challenging to fully participate in big meetings, so one-on-one meetings with translation or visits to ʔqhdakə (elders’) homes would be helpful.¹⁶⁹
- Outside governments do not know the community, don’t speak the language, and should let the community decide how to best communicate to its own people;¹⁷⁰ and
- Having a liaison in each community would be useful.¹⁷¹

[82] The Board also heard Renewable Resources Councils are overwhelmed with information, which is exacerbated by resource constraints. A representative of Norman Wells RRC noted:

There is an overabundance of valuable information about climate change (ʔehdagókégħa), changes to the land and changes to the animals; however sharing and communicating this information is lacking and frustrating on all levels. [...] Co-management boards, different levels of [government] and other agencies play a significant role in how information is collected, stored and shared. It can be very overwhelming trying to keep up with the exchange of information, how best to use the information and where to get the information. The RRCs are underfunded and don’t presently have the capacity to keep up in the information race.¹⁷²

[83] The Board noted expressions of concern from communities about GNWT firefighting operations. One community representative reported feeling abandoned during the 2023 kó (fire) season:

The role of the GNWT should be to provide resources and to help coordinate between the communities when it is required. But we have seen what happens when a big emergency happens in Yellowknife. Like with the evacuation last summer. We were left on our own. We did what we could with what we had. It taught us that we should never be in a position where we have to rely on the GNWT or the plans that the GNWT has made when it comes to those things that are [...] essential for our people.¹⁷³

[84] Community concerns like these are being used to explain parties’ motivation to limit their participation in the Board’s PLS. Colville Lake RRC declined to share information about ʔehdagókégħa/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ó’ne k’a ʔedeli/nek’e k’ó’yarék’q (wildfires) during the PLS, stating that they do not trust that information they pass on to governments will benefit Sahtú people. They said, “We have no trust, no confidence that the GNWT will use any of this information to help our people. Instead, we are concerned that they will use it to find a reason to tell us what we can and cannot do.”¹⁷⁴

[85] These concerns and communication issues, identified earlier in this section and described below, are contributing to a sense of mistrust towards the government and frustration with the land claim. The Board heard criticisms about the land claim associated with the exercise of government’s ultimate jurisdiction:

¹⁶⁹ Déljñe, IR Round 2, Tłegóhłı 2024, January 30, pg. 1, SRRB Public Hearing Registry.

¹⁷⁰ Colville Lake, IR Round 2, Tłegóhłı 2024 PLS, January 31, 2024, pg. 1.

¹⁷¹ Tulít’a, IR Round 2, Tłegóhłı 2024, pg. 1.

¹⁷² Norman Wells, IR Round 2, Tłegóhłı 2024, pg. 1.

¹⁷³ Joseph Kochon, Colville Lake RRC, “Transcript of the Tłegóhłı 2024 PLS”, February 21, 2024, pg. 203.

¹⁷⁴ Joseph Kochon, “Transcript of the Tłegóhłı 2024 PLS”, February 21, 2024, pg. 202.

The Land Claim was supposed to help our people. [...] We don't have the ultimate say to anything. The Federal Government has the say on that. We should try to correct that together somehow. All the Land Claim organization, we should help one another to correct that.¹⁷⁵

- [86] Board also heard statements that the *SDMCLCA* was based on colonial views that affect communities' experience of direct and meaningful participation in decision-making about wildlife.

[The] Land Claim Agreement is really based on outdated colonial thinking from a hundred years ago. It's founded on things like extinguishment of rights and title. And that's something that we have to deal with when we are trying to get control over what happens on our land.¹⁷⁶

We know just like you, we know our land, we know our animals. That's the way that we are, Dene people. The stories that we share, it's all our—come from our ʔqhdakə (elders). Our ʔqhdakə (elder) stories is very powerful. People that make laws for you, it's not right. Sometimes— maybe they think it's right and maybe it's okay, but—but they—the people, the community members should have the last say. [...] Now we're sitting here with resource people from ENR and ECC, and there's something wrong with the system. It's not right. By right, it's up to us to make the final decision. The non-Dene people, they're new to our nations. You know, they colonize us just recently. Before that, we were self-governing and self-supporting nation. And what you just said, like the final decision has to be made by us. Not the Minister. It's not right that the Minister, Territorial Government Minister, has the final say. That's not right. This is our land. This is where we live on our land. So, by right, we should have the last say and the final say.¹⁷⁷

- [87] The Board noted a representative of the GNWT—ECC, commenting on communication in the co-management working relationship, was more comfortable with the status quo and said, "We may not always see eye to eye, but I think it's important to talk, to listen to each other, to hear each other's perspectives, so that we can come together".¹⁷⁸

- [88] The contrast between perspectives from communities and government on communication and trust is making it more challenging for the Board to do its work under the *SDMCLCA*. Effective communication is necessary for effective co-management. Miscommunication can contribute to a lack of trust and misunderstanding between co-management partners.

- [89] The Board has addressed trust and working relationships in the past. In the *2016 Bluenose East ʔekwé (Caribou) Hearing*, the Board noted there was a lack of trust among Dene and Métis participants towards outside authority and indicated this lack of trust was "grounded in a strong fear that Aboriginal rights, hard-won though the *SMDCLCA*, might be infringed upon".¹⁷⁹ In the 2020 PLS, the Board again heard the

¹⁷⁵ Frank Andrew, Tulit'a RRC, "Transcript of the Tłegóhtj 2024 PLS", February 20, 2024, pg. 63.

¹⁷⁶ Daniel T'Seleie, Fort Good Hope RRC, "Transcript of the Tłegóhtj 2024 PLS", February 21, 2024, pg. 170.

¹⁷⁷ Frederick Andrew Jr., Tulit'a RRC, "Transcript of the Tłegóhtj 2024 PLS," February 21, 2024, pg. 305.

¹⁷⁸ Heather Sayine-Crawford, GNWT—ECC, "Transcript of the Tłegóhtj 2024 PLS", February 21, 2024, pg. 220.

¹⁷⁹ *2016 Bluenose East ʔekwé Hearing*, pg. 33.

importance of establishing trust with communities as it was expressed, “You have to earn the trust with the people. And a lot of times, when they get information, it’s used against you. And that’s the reason why a lot of people didn’t really want to give their information.”¹⁸⁰

[90] In the 2021 Déljné PLS, the Board sought to promote good working relationships between co-management partners, and made recommendations to help foster mutual understanding and stronger working relationships through GNWT—ECC attendance and participation at community camps.¹⁸¹ In the 2024 Tłegóhł PLS, the Board is again concerned trust and communication between co-management partners needs attention.

[Finding 2.1] Trust and communication difficulties between communities and government is interfering with the Board’s role as main instrument and obstructing effective co-management.

The *SDMCLCA* sets out the basis for wildlife co-management in the Sahtú region, establishes the Board as the main instrument of that system, and was signed by the Government of Canada, the Government of the Northwest Territories, and the Sahtú Dene and Métis. It was negotiated to meet specific objectives, including recognizing and encouraging the ways of life of Sahtú Dene and Métis, which is based on their relationship with the land, and providing the right to participate in wildlife and conservation decision-making in a direct and meaningful way. Modern treaties like the *SDMCLCA* are an “attempt to further the objective of reconciliation, not only by addressing grievances over land claims, but by creating the legal basis to foster a positive long-term relationship between Aboriginal and non-Aboriginal communities”.¹⁸² This kind of relationship requires “work and good-will on both sides for its success”.¹⁸³ The Board takes these kinds of statements to inform its approach to wildlife co-management and fulfilling its mandate: co-management needs good relationships based on trust and effective communication to work. The Board has a history of making statements about this in the past. The Tłegóhł PLS highlights the Board’s continuing concern about these issues and the Board’s desire to see positive relationships. The Tłegóhł PLS did not resolve concerns about these issues. Finding 2.1 is a finding of fact because the negative effects from trust and communication difficulties have reached a point where the Board is documenting it in this way.

[91] It is not clear to the Board whether the challenges in co-management arise from the implementation of the land claim, from the text of the land claim itself, or some combination of both. The Board did not invite specific submissions on these issues; however, these sentiments are affecting the Board’s work facilitating co-management, convening the PLS and considering Hįdó Gogha Sėnégots’įá (Planning for the Future).

¹⁸⁰ Chief Wilbert Kochon, Colville RRC, *Sahtú Ragóga (Hunting Law): Report on the Colville 2020 Public Listening*, pg. 30.

¹⁸¹ *ȷetets’ewėhkwe Godı (Living with Wildlife): Report on the Déljné 2021 Public Listening*, May 2, 2023, pgs. 19 and 45. The Board recommended that communities invite co-management partners, and ECC increase financial resources including for its own personnel, to attend and participate in community camps (Recommendations 1.1 and 1.2). The minister varied the SRRB’s recommendation to add that ECC would “... continue to seek opportunities to increase financial resources”, which he maintained as his final response. See Letter from Minister of Environment and Climate Change Shane Thompson to the SRRB, August 16, 2023. The Board does not know the current status of measures taken in response to the varied recommendations.

¹⁸² *Beckman v. Little Salmon/Carmacks First Nation*, 2010 SCC 53, paragraph 10.

¹⁸³ *Beckman v Little Salmon/Carmacks First Nation*, paragraph 37.

[92] As the Board is not a party to the land claim, it cannot change the land claim. The Board is unable to resolve communication or trust issues between co-management partners regarding the land claim. However, co-management partners will struggle to meet the objectives of the land claim if participants are frustrated with implementation that they consider betrays the spirit and intent of the agreement. The Board continues to encourage co-management partners to do more to work together to foster positive long-term relationships based on trust and effective communication.

[93] The Board appreciates the sincere efforts of co-management partners as we work together, and commits itself to considering the following steps:

1. Follow up on SRRB decisions or recommendations made in past hearings;
2. Explore the potential for Board sponsored on-the-land activities in a future PLS to help foster mutual understanding and relationships; and
3. Assess causes of trust and communication issues, including but not limited to, inviting submissions from parties about implementation or specific terms of the land claim.¹⁸⁴

Response to Wildfires

[94] The Board noted stark contrasts between the GNWT—ECC and Sahtú communities' positions on the best approaches to fighting nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires). Sahtú communities reported watching cabins used for hunting, fishing and other harvesting, traditional trails and caribou habitat burn in the 2023 kǵ (fire) season, while GNWT—ECC explained their priorities and resource constraints when determining how to respond to nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires).

[95] GNWT—ECC explained they respond to and assess every wildfire but do not fight or suppress all nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires).¹⁸⁵ The assessment determines whether a kǵ (fire) should be monitored or actively managed. The decision to actively manage a kǵ (fire) is in part, determined by values-at-risk (VaR) in the area. This system helps the GNWT—ECC prioritize how and where to allocate resources during a wildfire response. According to the GNWT—ECC, the first priority under the VaR system is the protection of human life and safety, followed by property and key infrastructure, and then natural resources, including key caribou habitat or culturally important areas. Other means of assessing whether to fight a kǵ (fire) include available resources, wildfire environment, forecasted weather, and other current nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) across the NWT.¹⁸⁶

[96] When there is a new kǵ (fire), GNWT—ECC assesses whether the kǵ (fire) should be simply monitored, addressed to protect values-at-risk (VaR), or suppressed. When a wildfire does not threaten public safety, property, or other VaR, the kǵ (fire) may only be monitored, rather than actively fought, to allow for the

¹⁸⁴ *SDMCLCA*, s. 13.8.36(b)

¹⁸⁵ GNWT—ECC, IR Round 2, Tłegóhłı 2024 PLS, January 31, 2024, pg. 17, SRRB Public Hearing Registry.

¹⁸⁶ Heather Sayine-Crawford, "Transcript of the Tłegóhłı 2024 PLS", February 21, 2024, pgs. 222–223.

ecological benefits of kó (fire).¹⁸⁷ In cases where property is at risk, GNWT—ECC may opt for a modified response depending on the circumstances.¹⁸⁸ For example, where a cabin is at risk, sprinklers may be set up or an ignition operation may be conducted to protect that cabin, while not fully suppressing the kó (fire) itself.¹⁸⁹

[97] Sahtú community parties believe the GNWT—ECC could better respond to nek'e areyone gok'erek ó /ne k'ə ʔedel/nek'e k'ó yarék'ó (wildfires). Some requested GNWT—ECC provide them with the resources to fight fires themselves. The GNWT—ECC is concerned that providing equipment directly to communities could be dangerous to responders and civilians.¹⁹⁰ Norman Wells suggested previous systems of actioning the fires as soon as they started seemed to work better than today.¹⁹¹ Frank Andrew, Tulít'a RRC, submitted some of today's fires are so dangerous they should be fought right away and new strategies are needed:

It's really fast. I mean fast, fast. Doesn't wait for you. It's small. Next thing you know it's big, big right away. So only if we start attacking it right away, I think things are going to change, maybe. So, I'm hoping government will see it as a new day.¹⁹²

[98] Frederick Andrew Jr., Tulít'a RRC, continued the conversation:

The government must adapt and develop new strategies to fight this kó (fire). If we are not going to stand any chance of preserving our way of life, they must invest in early detection systems and fight kó (fire)—firefighting equipment and commit to fighting all fires before they become unstoppable and unpredictable. They must take into account our community concern, knowledge, and priority, and directly involve us in their decision.¹⁹³

[99] Danny Gaudet, Déljñę RRC, stated:

We need to change how we approach fires as a policy and say basically, you know, as soon as a kó (fire) is identified near a community, near cabins, or cabin grounds, all that kind of stuff, it should be put out immediately. I don't know why we sit around and wait.¹⁹⁴

[100] The Board also heard concerns from the communities related to the VaR system. Jeff Walker, GNWT—ECC, submitted their work with communities to assess VaR for a given region. They look at the known risks, make assessments with cabin owners and engage communities to find resources needed to protect cabins.¹⁹⁵

[101] The Wildlife and Forest Management divisions have also been working with Indigenous governments in the North Slave, South Slave and Dehcho regions on plans to protect caribou habitat by identifying key caribou

¹⁸⁷ GNWT—ECC, IR Round 2, Tłęgóhł 2024 Public Listening Session, January 31, 2024, pg. 17.

¹⁸⁸ Heather Sayine-Crawford, "Transcript of the Tłęgóhł 2024 PLS", February 21, 2024, pgs. 222–223.

¹⁸⁹ Heather Sayine-Crawford, "Transcript of the Tłęgóhł 2024 PLS", February 21, 2024, pgs. 222–223.

¹⁹⁰ Jeffrey Walker, "Transcript of the Tłęgóhł 2024 PLS", February 21, 2024, pg. 250.

¹⁹¹ Lisa McDonald, "Transcript of the Tłęgóhł 2024 PLS", February 20, 2024, pg. 54.

¹⁹² Frank Andrew, "Transcript of the Tłęgóhł 2024 PLS", February 20, 2024, pg. 65.

¹⁹³ Frederick Andrew Jr., "Transcript of the Tłęgóhł 2024 PLS", February 20, 2024, pgs. 72–73.

¹⁹⁴ Danny Gaudet, "Transcript of the Tłęgóhł 2024 PLS", February 20, 2024, pgs. 103–104.

¹⁹⁵ Jeff Walker, "Transcript of the Tłęgóhł 2024 PLS", February 21, 2024, pg. 258.

habitat as VaR.¹⁹⁶ Stephanie Behrens, Tłı̄chǫ Ndek'àowo (Government), referred to their work with the GNWT—ECC to identify critical ekwò (caribou) habitat to use in North Slave communities' wildfire management.¹⁹⁷

[102] Yet many communities in the Sahtú region reported they do not trust the government's management of nek'e areyone gok'erek ǫ/ne k'ə ʔedeli/nek'e k'ǫ yarék'ǫ (wildfires). Colville Lake does not trust that information given to GNWT—ECC will help their people.¹⁹⁸ This is relevant because without trust and cooperation, the VaR process will not work. Furthermore, it is not clear that communities find the VaR process accessible.

[103] The use of kǫ (fire) retardants is another aspect of firefighting where the Board found disagreements between the GNWT—ECC and communities. While the Board noted there was inconclusive evidence kǫ (fire) retardants are harmful to people, caribou and the land, communities remain concerned about the impacts of retardants. The Board heard concerns raised by communities about the use of kǫ (fire) retardants, about how kǫ (fire) retardants affect wildlife, streams and waters, about uncertainty whether there are side effects or about whether there are contaminants affecting Dene béré (country foods).¹⁹⁹ Norman Wells took the position the use of retardants should be monitored and data on the use of retardants should be collected and shared with the communities.²⁰⁰ In their response to IR Round 2, GNWT—ECC said retardants are used selectively on approximately a quarter of all fires that receive some type of action and “retardants are considered safe for use and have minor effects on the environment... [as they] normally consist of ammonium sulphates, which are also used in agricultural fertilizers.”²⁰¹

[104] GNWT—ECC also submitted kǫ (fire) retardants are considered to have minor effects on the environment, although fertilizer-like components may lead to the growth of algae in watersheds if they are applied near water.²⁰² GNWT—ECC reported pilots do their best to avoid applying retardants near waterways.²⁰³ However, GNWT—ECC could not provide details about where air tankers dropped retardants, how much was dropped, and the composition of the retardant used in the Sahtú over the years.²⁰⁴

[105] While the Board notes it did not receive enough information to make a conclusion about the prolonged long-term effects of kǫ (fire) retardants, the GNWT—ECC did provide contradictory confusing information about their safety.

¹⁹⁶ James Hodson, “Transcript of the Tłęǫǫhłı̄ 2024 PLS”, February 21, 2024, pg. 227.

¹⁹⁷ Stephanie Behrens, “Transcript of the Tłęǫǫhłı̄ 2024 PLS”, February 22, 2024, pg. 295; ECC, IR Round 3, Tłęǫǫhłı̄ 2024 PLS, March 18, 2024, pg. 3, SRRB Public Hearing Registry.

¹⁹⁸ See Colville Lake RRC, IR Round 2, pgs. 1, 2, or Colville Lake RRC (Joseph Kochon), “Transcript of the Tłęǫǫhłı̄ 2024 PLS”, February 21, 2024, pg. 202;

¹⁹⁹ Lucy Jackson, “Transcript of the Tłęǫǫhłı̄ 2024 PLS”, February, pgs. 386–387.

²⁰⁰ Norman Wells Got'ı̄ne, IR Round 2, Tłęǫǫhłı̄ 2024 PLS, February 16, 2024, pg.3, SRRB Public Hearing Registry.

²⁰¹ GNWT—ECC, IR Round 2, Tłęǫǫhłı̄ 2024 PLS, January 31, 2024, pg. 18.

²⁰² GNWT—ECC, IR Round 2, pg. 18.

²⁰³ GNWT—ECC, IR Round 2, pg. 18.

²⁰⁴ Walker, Jeff, E-mail message to Catarina Owen re: SRRB question kǫ (fire) retardant, February 27, 2024, pg. 2.

[106] GNWT—ECC noted supplier data and safety data sheets (MSDS) are available on their website.²⁰⁵ After the in-person portion of the PLS, GNWT—ECC filed information on kó (fire) retardants with the Board for posting on the public hearing registry. Included was: (1) a listing of products evaluated, qualified and approved for use by the Canadian Interagency Forest Fire Centre (CIFFC); and (2) safety data sheets from that list for the two fire retardants GNWT—ECC are currently using. These indicated the chemical composition, suggested use, and precautions for safe handling and storage for the long-term and short-term fire retardants used in the Sahtú region.²⁰⁶ GNWT—ECC indicated none of the raw materials used in the production of fire retardants are listed on the Canadian “List of Toxic Substances”. They continued that aerial fire retardants used in the Sahtú region do not pose a significant risk to health. Furthermore, they are not known to cause cancer and are not known or suspected to be a risk to pregnant or breastfeeding women; and do not contain heavy metals.²⁰⁷ GNWT—ECC’s submissions indicate aerial fire retardants may cause skin or eye irritation with prolonged contact.²⁰⁸ The GNWT—ECC submissions also include recommended steps to remove or dispose of aerial fire retardants including:

- Disposing of garden produce and drinking water that has been contaminated,
- Avoiding harvesting Dene béré (country foods) for consumption (such as berries, mushrooms, or herbs) that have been contaminated,
- Thoroughly rinsing and cleaning cisterns or drinking water sources to remove fire retardants,
- Thoroughly rinsing and cleaning surfaces that drain into drinking water sources, and
- Cleaning sandboxes, outdoor toys and pools where children might inadvertently ingest residual fire retardants.²⁰⁹

[107] The Board took note that Sahtú communities expressed concerns about the GNWT—ECC’s response to nek’e areyone gok’erek q’/ne k’ə ʔedeli/nek’e k’q’yarék’q (wildfires). The Board believes the effectiveness of communication may contribute to these views. To illustrate this, communication about the potential risks posed by fire retardants during the PLS could have been more consistent and straightforward. The initial GNWT—ECC response to communities’ concerns about the safety of fire retardants during the in-person portion of the PLS was to suggest community members look up technical safety data sheets online (which seem unlikely to be available in Dene kədə́, or North Slavey). In a follow-up written response, the GNWT—ECC cautioned people against eating béré (country food) contaminated by fire retardants.²¹⁰

[108] The Board notes the impacts of fire retardants are not clearly explained, there is insufficient information about where fire retardants are used in the Sahtú region and there is no apparent plan to monitor sites where fire retardants have been used, now or in the future. Therefore, the Board is not prepared to determine if fire retardants harm wildlife habitat and the environment. The Board does consider Sahtú communities have justification to be concerned about the impacts of ash, fire retardants and ʔets’i/leh/ʔeh

²⁰⁵ Jeff Walker, “Transcript of the ʔlegó hʔ 2024 PLS”, February 22, 2024, pg. 282.

²⁰⁶ PHOS-CHECK®LC95A/PHOS-CHECK®LC95A-MV; Perimeter Solutions: Kamloops, B.C., 11-16-22, SDS-PHOS-CHEK-LC95A-PHOS-CHEK-LC95A-MV-Solution-Version-1.1-OSHA-US-WHMIS-CA-EN-1.pdf (perimeter-solutions.com).

²⁰⁷ Walker, Jeff, E-mail message to Catarina Owen re: SRRB question kó (fire) retardant, February 27, 2024, pg. 2.

²⁰⁸ Walker, Jeff, E-mail message to Catarina Owen re: SRRB question kó (fire) retardant, February 27, 2024, pg. 2.

²⁰⁹ Walker, Jeff, E-mail message to Catarina Owen re: SRRB question kó (fire) retardant, February 27, 2024, pg. 3.

²¹⁰ Walker, Jeff, E-mail message to Catarina Owen re: SRRB question kó (fire) retardant, February 27, 2024, pg. 3.

(smoke) on their health, caribou, other wildlife and the land. There are concerns that these impacts are serious and impacts of fire retardants are a result of choices made on when to start fighting nek'e areyone gok'erek q /ne k'a ʔedeli/nek'e k'q yarék'q (wildfires).

[109] In light of the seriousness of the 2023 and 2024 wildfire seasons and indications that future fire seasons will also be serious, the Board is providing advice to GNWT—ECC about mitigating wildfire impacts on people, caribou, other wildlife and the land.²¹¹ The Board understands that the GNWT after-action review of the 2023 fire season was concluded since the PLS in-person portion took place.

[Recommendation 2.1] The Board recommends the GNWT—ECC conduct meaningful engagement with Sahtú communities on the values-at-risk (VaR) process to both (a) inform communities how VaR are identified/prioritized and (b) receive feedback about how the process can be better incorporate communities' concerns, as well as Sahtú Dene and Métis perspectives.

[Recommendation 2.2] The Board recommends the GNWT—ECC (a) maintain public records of the use of fire retardants in the Sahtú Settlement Area, including type, location and quantities applied, (b) make these public records available before the end of the fiscal year in which the retardant was applied, (c) monitor and report annually on environmental impacts from fire retardant, in addition to fire suppression, over five (5) years or longer if requested by communities/RRCs following application, and (d) provide plain language documentation about the information requested in (a), (b), and (c) to better communicate this information to Sahtú Dene and Métis participants.

Climate Change Adaptation and Mitigation

[110] ʔehdagókégha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) is real and a matter of national and global concern.²¹² The Board understands that to address the ʔehdagókégha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) is to significantly reduce greenhouse gas emissions.²¹³ Governments have greater capacity and the necessary legal authority to reduce greenhouse gas emissions that Sahtú communities or Renewable Resources Councils do not have. GoC—ECCC submitted the Government of Canada is working to implement various strategies to reduce, or mitigate, Canada's greenhouse gas emissions. The *2030 Emissions Reduction Plan: Clean Air, Strong Economy* aims to reduce Canada's net greenhouse gas emissions by 40 to 45 percent from 2005 levels by 2030, which GoC—ECCC stated will help Canada achieve its goal of net zero greenhouse gas emissions by 2050.²¹⁴ With respect to adaptation, GoC—ECCC presented the *National Adaptation Strategy*, which includes a commitment to advancing Indigenous climate leadership. GoC—ECCC also explained that the federal government's *United*

²¹¹ *SDMCLCA*, s. 13.8.36(a)

²¹² *References re Greenhouse Gas Pollution Pricing Act*, 2021 SCC 11, paragraphs 2, 4.

²¹³ *References re Greenhouse Gas Pollution Pricing Act*, 2021 SCC 11, paragraph 2.

²¹⁴ ECCC, IR Round 1, Tłegóhłı 2024 PLS, January 31, 2024, pg. 5, SRRB Public Hearing Registry.

Nations Declaration on the Rights of Indigenous Peoples Act Action Plan includes a measure regarding advancing Indigenous climate leadership.²¹⁵

[111] GNWT—ECC made submissions that reducing carbon emissions are fundamental in addressing, or mitigating, ʔehdagókéggha/yant’a ʔadé ʔagodín/dirinéné k’e guluʔagotı (climate change).²¹⁶ GNWT—ECC provided a copy of the *2030 NWT Climate Change Strategic Framework* as part of its response to explain how it is mitigating ʔehdagókéggha/yant’a ʔadé ʔagodín/dirinéné k’e guluʔagotı (climate change). The first goal of the GNWT strategic framework is to transition to a lower carbon economy.²¹⁷ With respect to adaptation, GNWT—ECC submitted its *Sustainable Livelihoods—Action Plan 2019–2023* which it indicates was developed with engagement from Indigenous governments, Indigenous organizations, communities, renewable resource boards and councils, hunter and trapper committees, and residents in the NWT. GNWT—ECC also submitted the *NWT Cumulative Impact Monitoring Program (NWT CIMP) Action Plan 2021–2025*, which is intended to collect information to support resource management decision-making and sustainable development.

[112] Sahtú community submissions looked to ʔedets’ék’áokerewe (self-regulation) and the role of humans in adapting alongside caribou to changes in climate. ʔedets’ék’áokerewe (self-regulation), an important concept in the SRRB’s work, refers to Dene ʔeʔá (law) that wildlife and people should respect the other’s autonomy. Humans should not interfere with ʔakwę and need to leave ʔakwę alone.

[113] Déljnę indicated, “...we can work to protect the lands, waters and plants. This will help the ʔakwę when they come back. But we should not be interfering with the ʔakwę”.²¹⁸

[114] Norman Wells expressed a corresponding sentiment that they do not “...believe that we should help caribou adapt to changes in the climate because we are the problem. They have no choice but to try and adapt to the situation that they have not created”.²¹⁹

[115] In their final arguments, Déljnę outlined the view people cannot control ʔehdagókéggha/yant’a ʔadé ʔagodín/dirinéné k’e guluʔagotı (climate change), nek’e areyone gok’erek ǵ /ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires) or caribou, and “We need to focus on looking at what we can do as humans”.²²⁰

[116] Tulít’a submitted humans have a role in helping caribou adapt to changes in the climate, but they are not sure what and said “...we can’t manage the animals”.²²¹

[117] Colville Lake explained how their ts’iduweh ʔeʔa (ancient laws) must be followed for the people of Colville Lake and the animals to maintain a good relationship.²²² They explained it is inappropriate to discuss things

²¹⁵ ECC, “Transcript of the Tłegóhtı 2024 PLS”, pg. 325.

²¹⁶ GNWT—ECC, Response to IR Round 1, Tłegóhtı 2024 PLS, pg. 4, SRRB Public Hearing Registry.

²¹⁷ GNWT—ECC, Response to IR Round 1, pg. 4.

²¹⁸ Déljnę, IR Round 2, Tłegóhtı 2024 PLS, January 30, 2024, pg. 2, SRRB Public Hearing Registry.

²¹⁹ Norman Wells, IR Round 2, Tłegóhtı 2024 PLS, February 16, 2024, pg. 2.

²²⁰ Déljnę, Final Argument, March 12, 2024, pg. 1.

²²¹ Tulít’a, IR Round 2, Tłegóhtı 2024 PLS, January 30, 2024, pg. 2.

²²² Colville Lake, IR Round 1, Tłegóhtı 2024 PLS, December 13, 2023, pg. 1.

over which we have no control, including what happens with the climate, with fires, or with caribou. According to Colville Lake, these things should not be discussed because humans cannot control them. Colville Lake also submitted that communities cannot change what happens on the land, but they can, with adequate resources, adapt to changes on the land.²²³ Norman Wells RRC noted humans are the root cause of ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change), and humans should not help caribou adapt to changes in the climate because “...we [humans] are the problem. They have no choice but to try and adapt to situations that [...] they have not created”.²²⁴

Hjđó Gogha Sėnégots’ıá (Planning for the Future) and Climate Change and Wildfires

[118] The SRRB asked parties how Hjđó Gogha Sėnégots’ıá can help respond to ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires). The Board heard indications Hjđó Gogha Sėnégots’ıá could be a way to help communities respond to changes they cannot control, including ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires). Déljné submitted, “Elders [ʔǵhdakə] say that all we can do is prepare ourselves for the changes coming”.²²⁵

[119] Déljné reported it continues to implement its *Belare Wıle Gots’é ʔekwe’—Caribou for All Time—A Déljné Got’ıne Plan of Action*, which has ʔehdagókéggha/yant’a ʔadé ʔagodín/dírínéné k’e guluʔagotı (climate change) related actions.²²⁶ Déljné indicated their plan addresses the need to adapt to dírinéné k’e guluʔagotı (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires), and the importance of research and monitoring so they know what changes are occurring.²²⁷ Norman Wells indicated, “Indigenous people have always had a very close relationship with the land, water and animals”, and because of that relationship, Indigenous people “are the ones who are the first to see changes that are happening”.²²⁸

[120] Norman Wells also submitted community planning works better when people are out on the land, because people can see firsthand what they are trying to protect.²²⁹ Tulıt’a indicated Hjđó Gogha Sėnégots’ıá should focus on young people to educate them and teach them traditional knowledge about how to survive and be prepared.²³⁰ Fort Good Hope did not provide submissions how Hjđó Gogha Sėnégots’ıá can help respond to yant’a ʔadé ʔagodín (climate change) and nek’e areyone gok’erek ǵ/ne k’á ʔedeli/nek’e k’ǵ yarék’ǵ (wildfires). GNWT—ECC emphasized it is important planning processes include opportunities to learn and adapt, so new information can inform future actions.²³¹ The Board did not receive submissions from Colville

²²³ Colville Lake, IR Round 2, Tłegóhı 2024 PLS, January 31, pg. 2, SRRB Public Hearing Registry.

²²⁴ Jasmin Plummer (NWRRC), “Transcript of the Tłegóhı 2024 PLS”, pg. 38.

²²⁵ Déljné RRC, IR Round 2, Tłegóhı 2024 PLS, January 30, 2024, pg. 4.

²²⁶ Déljné RRC, IR Round 2, Tłegóhı 2024 PLS, January 30, 2024, pg. 3.

²²⁷ Déljné RRC, IR Round 2, Tłegóhı 2024 PLS, January 30, 2024, pg. 4.

²²⁸ Norman Wells, IR Round 2, Tłegóhı 2024 PLS, February 16, 2024, pg. 4.

²²⁹ Norman Wells, IR Round 2, Tłegóhı 2024 PLS, February 16, 2024, pg. 5.

²³⁰ Tulıt’a RRC, IR Round 2, Tłegóhı 2024 PLS, January 30, pg. 4.

²³¹ GNWT—ECC, IR Round 2, Tłegóhı 2024 PLS, January 31, 2024, pg. 28.

Lake about how Hjdó Gogha Sénégots'íwá could help respond to ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotí (climate change) and nek'e areyone gok'erek ǵ/ne k'á ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) due to ongoing litigation. They said, "What is the point of developing a plan if the GNWT is the only party with the power and the resources to implement that plan? If the only role for participants at the end of the day is to be told what to do by the GNWT, Dehla Got'ine do not see any point in participating in planning."²³²

Funding

[121] Several Sahtú community parties raised the importance of limited capacity and sǵba (funding) to monitor, understand and adapt to the impacts of ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotí (climate change) and nek'e areyone gok'erek ǵ/ne k'á ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) on caribou, people and the land to educate youth, go out on the land,²³³ and ensure the communities are prepared for emergencies.²³⁴ The Board encourages the integration of local knowledge and Sahtú community involvement through activities like monitoring impacts, including monitoring impacts of fire retardants. These can be a useful source of information and support community-based adaptation efforts. For activities like monitoring or planning, Sahtú communities and RRCs will need capacity, support and sǵba (funding). Déljné specifically expressed the need for more resources for monitoring, which is one way they can protect wildlife, traditional medicines and vegetation.²³⁵

[122] The Board heard there is sǵba (funding) available to address the impacts of ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotí (climate change) and nek'e areyone gok'erek ǵ/ne k'á ʔedeli/nek'e k'ǵ yarék'ǵ (wildfires) on Sahtú land, but the Board also heard it is difficult for communities to access sǵba (funding) and available sǵba (funding) does not always meet communities' needs. Both government parties listed multiple sǵba (funding) opportunities available to communities. GNWT—ECC listed sǵba (funding) opportunities ranging from species-at-risk sǵba (funding) to ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotí (climate change) preparedness to sǵba (funding) to support resilient agriculture.²³⁶ GoC—ECCC listed ten sǵba (funding) programs ranging from emergency management to harvester's support.²³⁷ GoC—ECCC did not indicate specifically which sǵba (funding) might be relevant for communities in the Sahtú Settlement Area, explained sǵba (funding) may not be tied specifically to caribou and there are many federal sǵba (funding) programs available to support First Nations, Inuit and Métis climate actions.²³⁸ It may be that a distinctions-based approach is complicated where there are both First Nations and Métis in Sahtú communities. In their IR Round 3 response, GoC—ECCC acknowledged sǵba (funding) information on

²³² Colville Lake RRC, IR Round 2, Tʔegóhtł 2024 PLS, January 31, 2024, pg. 2. See also Colville Lake RRC (Joseph Kochon), Tʔegóhtł 2024 PLS, February 21, 2024, pg. 204.

²³³ Déljné RRC, IR Round 1, Tʔegóhtł 2024 PLS, December 12, 2023, pg. 3, SRRB Public Hearing Registry.

²³⁴ Colville Lake RRC, IR Round 2, Tʔegóhtł 2024 PLS, January 31, 2024, pg. 2, SRRB Public Hearing Registry.

²³⁵ Déljné RRC, IR Round 1, Tʔegóhtł 2024 PLS, January 31, pg. 4.

²³⁶ GNWT—ECC, IR Round 1, Tʔegóhtł 2024 PLS, December 8, 2023, pgs. 5–6.

²³⁷ ECCC, IR Round 1, Tʔegóhtł 2024 PLS, January 31, 2024, pg. 7.

²³⁸ ECCC, IR Round 1, Tʔegóhtł 2024 PLS, January 31, 2024, pg. 7.

websites has been complex and there are a lot of programs to navigate.²³⁹ They identified four individuals whom communities can contact if they have questions about applicable federal s̄q̄ba (funding) programs.²⁴⁰

[123] Sahtú community parties provided a number of reasons why s̄q̄ba (funding) opportunities that are posted on websites are difficult to navigate and access. Tulít’a and Norman Wells RRCs pointed out s̄q̄ba (funding) is generally piecemeal,²⁴¹ which involves more administrative burden and does not support core functions. Sahtú communities noted the volume of emails and different websites can be unhelpful and overwhelming.²⁴² The Board understands reporting requirements tied to s̄q̄ba (funding) are frequently burdensome and require staff resources. Communities indicated they know best what they need and want s̄q̄ba (funding) for, and there was no s̄q̄ba (funding) for things like monitoring, youth involvement and camps to harvest other species of wildlife.²⁴³

[124] The Board recognizes both the GNWT and the GoC listed in their submissions s̄q̄ba (funding) opportunities available to communities, including (but not limited to):

Government of the Northwest Territories	Government of Canada
The NWT Species Conservation and Recovery Fund (SCARF) (monitoring)	Indigenous Community-Based Climate Monitoring Program (monitoring)
Harvesters Support Grant (training and education)	
Community Food Programs Fund (training and education)	
The Community-Based Climate Monitoring Program (hiring and training community members to work on projects)	

Though it was not raised by parties, the Board takes administrative notice of the NWT On the Land Collaborative which offers s̄q̄ba (funding) for outdoor activities that Sahtú communities have received in the past.

[125] The Board also acknowledges many of these s̄q̄ba (funding) options have eligibility requirements and require applications. As indicated, available s̄q̄ba (funding) from many different programs result in navigation and

²³⁹ Ashley Campbell, “Transcript of the T̄egóh̄ł 2024 PLS”, February 21, 2024, pg. 324.

²⁴⁰ ECCC, IR Round 3, T̄egóh̄ł 2024 PLS, March 18, 2024, pg. 3, SRRB Public Hearing Registry.

²⁴¹ Jimmy Mendo, Tulít’a RRC, “Transcript of the T̄egóh̄ł 2024 PLS”, February 20, 2024, pg. 97;

Lisa McDonald, Norman Wells RRC, “Transcript of the T̄egóh̄ł 2024 PLS”, February 20, 2024, pg. 52.

²⁴² Lisa McDonald, “Transcript of the T̄egóh̄ł 2024 PLS”, February 20, 2024, pg. 48.

²⁴³ Stella Bayha-Yallee, “Transcript of the T̄egóh̄ł 2024 PLS”, February 20, 2024, pg. 99–101;

Norman Wells Got’jñę, IR Round 1, T̄egóh̄ł 2024 PLS, February 16, 2024, pg. 6, SRRB Public Hearing Registry;

Déljñę Got’jñę, IR Round 1, T̄egóh̄ł 2024 PLS, December 13, 2023, pg. 10;

Déljñę Got’jñę, IR Round 2, T̄egóh̄ł 2024 PLS, January 30, 2024, pg. 3, SRRB Public Hearing Registry.

access issues, overwhelming volumes of emails, accessing websites or information, application and reporting burdens, in addition to many other capacity and administrative challenges. This piecemeal approach to s̱ba (funding) is difficult for communities.

[126] The Board has recognized challenges with s̱ba (funding) for community activities in previous PLSs, principally related to H̱dó Gogha S̱négots'íwá. After the 2020 Colville Lake PLS, the Board made a finding that communities lack sufficient capacity and s̱ba (funding) to fully participate in community conservation planning and plan implementation in the Sahtú region.²⁴⁴ Supported by this finding, the Board concluded there needs to be further capacity support and program s̱ba (funding) for community conservation planning and implementation in the Sahtú region.²⁴⁵ The NWT Minister of Environment and Climate Change accepted this conclusion, but indicated that it “...does not mean that all s̱ba (funding) requested will be provided or that ECC has a set amount of s̱ba (funding) for the implementation of this recommendation”.²⁴⁶

[127] The Board is providing advice to government²⁴⁷ because it believes adaptation to ʔehdagókégha/yant'a ʔadé ʔagodín/dirinéne k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ'yarék'ǵ (wildfires) needs to reflect local knowledge, involve communities and monitor impacts, now and in the future.

[Recommendation 2.3] The Board recommends the GNWT—ECC and the GoC—ECCC make climate change and wildfire funding, including for monitoring, education and preparedness, more accessible to communities.

Part III: H̱dó Gogha S̱négots'íwá (Planning for the Future)

[128] This section provides an overview of the context and history of H̱dó Gogha S̱négots'íwá, outlines the Board's guidance on H̱dó Gogha S̱négots'íwá, and explains how the Board will review written plans in future public listening sessions.

1. What is H̱dó Gogha S̱négots'íwá (Planning for the Future)?

[129] H̱dó Gogha S̱négots'íwá is a participatory process for Sahtú communities to make plans for conservation that can be reviewed and approved as management plans under the land claim. Caribou conservation in the Sahtú Settlement Area is critical for the cultural survival of Sahtú Dene and Métis, which is reflected in the principle of ʔas̱ıı godı hé Dene ts'ııı hé (all living livings and Dene way of being, also translated as biocultural diversity). The Board's *H̱dó Gogha S̱négots'íwá*²⁴⁸ states H̱dó Gogha S̱négots'íwá (Planning for the Future)

²⁴⁴ *Sahtú Ragówa (Hunting Law): Report on the Colville 2020 Public Listening Session*, Finding 10.1, October 30, 2020, pg. 79.

²⁴⁵ *Sahtú Ragówa (Hunting Law): Report on the Colville 2020 Public Listening Session*, Decision 10.1, October 30, 2020, pg. 79.

²⁴⁶ GNWT—ECC, Response to *Report on the Colville 2020 Public Listening Session*, January 29, 2021, pg. 19.

²⁴⁷ *SDMCLCA*, s. 13.8.36(a)

²⁴⁸ The policy was approved by the Board and accepted by the Minister of ECC at the end of PLS 2. Minister of ECC, Response to *ʔełets'ewéhkwe Godı (Living with Wildlife): Report on the Délıne 2021 Public Listening*, June 27, 2023, pg. 5.

is “...a community-based, rights-compliant, governance framework that reflects and respects local Dene and Métis knowledge, customs and practices. Hı́dó gogha séné́gots’ı́á is a viable conservation approach that is community-led and a more effective and more rights-compliant alternative to harvest limits”.²⁴⁹

[130] Hı́dó Gogha Séné́gots’ı́á (Planning for the Future) is guided by the Board’s 2021 Policy. The Board’s *Hı́dó Gogha Séné́gots’ı́á Policy* focuses on three interdependent principles:²⁵⁰

1. ʔası́ıı Godı́ hé Dene Ts’ı́ııı hé (all living things and Dene way of being, also translated as “biocultural diversity”)—Dene expect decisions that affect them to account for ʔası́ııı dodı́ııı hé Dene ts’ı́ıııı hé (all living things and Dene way of being).
2. ʔedets’é K’áokerewe (self-regulation)—In Dene ʔeʔa (law) people and wildlife are called upon to respect each other’s autonomy as a basis for social cohesion and survival in a harsh environment through ʔedets’é k’áots’erewe (self-regulation).
3. Godı́ Kehtsı́ııı (ethical space)—Dene and Métis participation in conservation efforts with government depends on godı́ıııı kehtsı́ıııı (fair consideration or coming together of diverse perspectives, or ethical space), including science and Indigenous knowledge through ʔeʔexé ʔeghálats’eda (collaborative) systems of accountability.

[131] The Board acknowledges and takes notice of Sahtú community views about aspects of the established approach to wildlife co-management that do not respect Dene ts’ı́ıııı (way of life), some of which specifically inform the Board’s approach to Hı́dó Gogha Séné́gots’ı́á:

- The belief all things are interdependent and connected, so the approach to conservation and the environment has to be holistic;²⁵¹
- The concept of wildlife management does not align with the cultural value of sharing or the spiritual relationships between people and wildlife because people can manage people, but people cannot manage wildlife;²⁵² and
- The ʔeʔá (law) that we should not talk about caribou, or the caribou will go further away.²⁵³

[132] Wildlife in the Sahtú Settlement Area is to be managed according to the *SDMCLCA* including its objectives.²⁵⁴ The Board maintains Hı́dó Gogha Séné́gots’ı́á is its preferred way to more fully achieve the objectives of the *SDMCLCA*, particularly Chapter 13 objectives that are integral to implementing wildlife co-

²⁴⁹ *Hı́dó Gogha Séné́gots’ı́á Policy*, pg. 1. The *Hı́dó Gogha’ Séné́gots’ı́á Policy* was established, in part, under the Board’s s. 13.8.23(a)(i) powers to establish policies for wildlife harvesting.

²⁵⁰ These principles also inform the Board’s work in the PLS series. The Board is aware of feedback on the translations used to express Hı́dó Gogha Séné́gots’ı́á and these principles. It anticipates more work on Dene translations and terminology related to Hı́dó Gogha Séné́gots’ı́á. At this time, no change is being made to the translations.

²⁵¹ See the principle of ʔası́ııı Godı́ııııı hé Dene Ts’ı́ıııııı hé (translated as “biocultural diversity”). The Board also applies a biocultural approach in the Public Listening Sessions to reflect the interconnectedness of caribou population health and the well-being of Indigenous peoples and Dene ts’ı́ıııııı (way of life).

²⁵² See the principle of ʔedets’é K’áokere we (translated as “self-regulation”).

²⁵³ The Board acknowledges it is not perfect because the PLS series involves discussions about caribou when Dene ʔeʔá (law) is that we should not talk about caribou.

²⁵⁴ *SDMCLCA*, subsection 13.8.1(c)

management.²⁵⁵ The Board’s approach to Hı́dó Gogha Sė́nė́gots’ı́á is designed to reflect godı kehtsı (ethical space) and to help achieve key objectives of the *SDMCLCA*. The Board is working to respect Sahtú Dene and Métis customs and practices, as well as involving participants in a direct and meaningful way in wildlife conservation.²⁵⁶ At the end of the Colville Lake 2020 PLS, the Board expressed its concern about the established approach to wildlife management as there seems to exist:

... a systemic imbalance in the accommodation of Indigenous knowledge and science within the co-management system. The prevailing approach uses centralized, coordinated authority and relies heavily on quantitative science-as-evidence. It relies on the conception of wildlife as property or a resource, with agricultural values of managing productivity at its core.²⁵⁷

[133] Hı́dó Gogha Sė́nė́gots’ı́á is a process to support reconciliation in wildlife conservation.²⁵⁸ Without achieving the objectives of the land claim, it will be hard to fulfill the promise of reconciliation embodied in Section 35 of the *Constitution Act, 1982*. The *United Nations Declaration on the Rights of Indigenous People Implementation Act* (NWT) affirms the UN declaration is a universal human rights instrument with application to the laws of the NWT.²⁵⁹ This provides an opportunity for co-management partners to consider whether there are facets of the established approach to wildlife co-management that should be reassessed. As outlined elsewhere in this hearing report, the Board made Finding 2.1 about trust and communication in co-management relationships negatively affecting wildlife co-management.

[134] Hı́dó Gogha Sė́nė́gots’ı́á is an approach to conservation that emphasizes Indigenous and community-based leadership, ƚƚá (law) and culture. Modern land claim agreements support reconciliation by creating the legal basis to foster a positive long-term relationship between Indigenous and non-Indigenous communities.²⁶⁰ Hı́dó Gogha Sė́nė́gots’ı́á (Planning for the Future) is a new method for co-management conservation that invites self-determination and community-led decision-making. Another new form of conservation is Indigenous Protected and Conserved Areas (IPCAs).²⁶¹ These kinds of initiatives have arisen as part of a movement of Indigenous-led conservation that is reshaping collaborative relationships between Indigenous and Canadian governments. The Board encourages work that helps achieve the objectives of the land claim and the wider goal of reconciliation, including the adoption of federal and territorial legislation recognizing and committing to the application of the *United Nations Declaration on the Rights of Indigenous Peoples*.

[135] The Board and the GNWT—ECC’s continued expressions of support for community-based conservation planning like Hı́dó Gogha Sė́nė́gots’ı́á shows openness to community-led management proposals. Sahtú

²⁵⁵ See *SDMCLCA*, subsection 13.1.1(b), (d), (e), (f). These views, explained in the SRRB’s *Beyond Co-Management: Finding Our Way in Changing Times Strategic Plan and Action Plan 2020–2025* and ƚehdzó Got’ı́nė Gots’ė́ Nákedı (Sahtú Renewable Resources Board), [March 2023] “Strategic Plan 2020-2025”, are integrated in its approach to the Public Listening Session series and in the *Hı́dó Gogha Sė́nė́gots’ı́á Policy*.

²⁵⁶ *SDMCLCA*, section 13.1.1(d) and (e).

²⁵⁷ ƚehdzó Got’ı́nė Gots’ė́ Nákedı (Sahtú Renewable Resources Board), *Second Report on the 2020 Colville Public Listening (Hearing) Session* (Tuljıt’a, NT: SRRB, March 2021) pg. 5.

²⁵⁸ ƚetets’ewė́hkwé Godı (Living with Wildlife) Report on the Déłı́nė 2021 Public Listening, pg. 50.

²⁵⁹ SNWT 2023, c. 26, s. 4(a)

²⁶⁰ *Beckman v. Little Salmon/Carmacks First Nation*, 2010 SCC 53, paragraph 10.

²⁶¹ IPCAs are also addressed in Appendix 6 in the context of Ts’udé Niljı́né Tuyeta.

communities, and RRCs in particular, have the responsibility and the opportunity to demonstrate leadership and to continue Sahtú Dene and Métis stewardship practices on the land. They can do this by working together to navigate the PLSs, requirements of the land claim and wildlife co-management systems. Despite this, the Board recognizes community-led planning takes significant resources. The Board understands it is asking communities to take the initiative and show leadership, but they may not have the resources and capacity to do so. This is why the Board organizes workshops, continues to develop guidance and prepare toolkits. It is also reflected in Recommendation 2.3.

2. What is the history of Hı́dó Gogha Sė́nė́gots'ı́á (Planning for the Future)?

SRRB Strategic Plan

[136] Starting in early 2015, Sahtú communities adopted resolutions about their perspectives on the approach to wildlife co-management, including one specifically calling for community conservation planning. The community resolution stated they would “...continue the traditional laws of relationship with caribou through a Sahtú-developed caribou plan including a process of self-regulation, driven by community-based monitoring and decisions”.²⁶²

[137] In late 2015, the Board received two different conservation proposals from the GNWT and the community of Délı́nė́ for the Bluenose-East caribou herd. The Board’s 2016 Sahtú Bluenose East ʔekwė́ Hearing Final Report, *ʔekwė́ hé Dene Ts’ı́ıı—Sustaining Relationships*, which was “... based on all the evidence presented through the 2016 Sahtú Bluenose East ʔekwė́ Hearing, was a catalyst for the Board to formally adopt a community planning approach to achieving its overall mandate...”.²⁶³ The NWT Minister of ECC accepted the Board’s decision to approve the Délı́nė́ *Belare Wı́le Gots’ė́ ʔekwė́—Caribou for All Time* plan.

[138] In 2017, the SRRB formally adopted an approach “rooted in Dene ts’ı́ıı (way of life) and community planning as the basis for its strategic plan, and as guidance moving forward.”²⁶⁴ The SRRB’s 2020 to 2025 strategic plan includes community conservation planning and its first overarching goal is that planning and related initiatives in the Sahtú will be undertaken through Hı́dó Gogha Sė́nė́gots'ı́á ı́á (Planning for the Future) processes.²⁶⁵ While Hı́dó Gogha Sė́nė́gots'ı́á is adapted to the Sahtú context, it was inspired by a model known as “Healthy Country Planning” that uses methods to ensure Indigenous culture, knowledge, and people, are central to the planning process.²⁶⁶ *Beyond Co-Management: Finding Our Way in Changing*

²⁶² Resolution 1.2, SSI and SRRB, *Caribou Meeting Record*, April 22–23, 2015, pg. 9, SRRB Public Hearing Registry for the 2016 Bluenose East ʔekwė́ Hearing.

²⁶³ *Beyond Co-Management: Finding Our Way in Changing Times—Strategic Plan and Action Plan 2020 to 2025*, (“Strategic Plan 2020–2025” or the “Strategic Plan”), pg. 7. The *Strategic Plan 2020–2025* was approved in principle in 2020, with minor editing continuing until March 2023.

²⁶⁴ *Beyond Co-Management*, pg. i.

²⁶⁵ *Beyond Co-Management*, pg. 19. “Hı́dó Gogha Sė́nė́gots'ı́á (Planning for the Future) provides the Board with a powerful mechanism for involving Dene and Métis in a ‘direct and meaningful manner’ in planning, encompassing these topics that can be a basis for wise decisions by the Board.” *Strategic Plan 2020–2025*, pg. 20. The ʔetets’ewė́hkwe Godı́ (Public Listening Sessions) are also included in the *Strategic Plan* as “catalysts” for community planning efforts, increased planning capacity, and opportunities for the Board to review and approve plans, pg. 23.

²⁶⁶ See *Sahtú Ragóga (Hunting Law): Colville 2020 Public Listening Session Report*, October 30, 2020, pg. 96.

Times—Strategic Plan and Action Plan, 2020 to 2025 also envisions a series of PLSs to formalize Hı́dó Gogha Sė́nė́gots'ı́á, where the hot topic focus of each PLS is intended to help facilitate planning efforts.

[139] Despite the Board's best efforts, conservation concepts or public hearings that come from a non-Indigenous worldview can be challenging to align with conservation that is based on Indigenous law, custom and practice. Over time, the Board's work on Hı́dó Gogha Sė́nė́gots'ı́á has come to reflect a better understanding of Indigenous self-determination. As the Board considers Indigenous and Western knowledge and approaches, it is continuously learning from ʔohdakə (elders) and land users about ways to improve conservation planning including Hı́dó Gogha Sė́nė́gots'ı́á. This helps explain why the Board now refers to these conservation planning processes by the Dene phrase Hı́dó Gogha Sė́nė́gots'ı́á instead of Community Conservation Planning (CCP) or Planning for the Future (PFF). The Board believes shifting to more community leadership, principles and language in conservation planning can help reconcile science and Indigenous knowledge perspectives.

2020 Colville Lake PLS

[140] During the 2020 Colville Lake PLS, the Board received two community conservation plans for review and consideration, as well as submissions on conservation planning updates from the three other RRCs. At that time, the Board reviewed plans with reference to a list of components (or information that needs to be included in a plan) from the SRRB's 2016 *ʔekwé hé Dene Ts'ı́ıı—Sustaining Relationships* and requested further information from the communities.²⁶⁷ A component is a part or section of a plan. The Board indicated further components would be developed in future public listening sessions and engagement sessions with the communities, and indicated it may require revision of plans to meet ongoing and updated requirements.²⁶⁸ The Board's final decisions about these two plans directed that when the plans were ready for submission and review, they would be assessed by the Board, and if approved, forwarded to the Minister.²⁶⁹ As part of the Colville Lake 2020 PLS, the Board reached conclusions about the importance of capacity support and program sōba (funding) for community conservation planning and plan implementation.²⁷⁰ The NWT Minister of ECC accepted the conclusion, subject to available resources. The Board's work with planning related to harvest regulation within the PLS series has since been suspended

²⁶⁷ *Sahtú Ragó́a (Hunting Law): on the Colville 2020 Public Listening Session Report*, pgs. 31–32, and Appendix H, pg. 168. See also, where the Board confirmed its decision to adopt a community conservation planning approach based on a finding that the best conservation outcomes are based on processes driven by local communities, *ʔekwé hé Dene Ts'ı́ıı Sustaining Relationships, Final Report of the ʔehdzo Got'ı́nė́ Gots'ė́ Nákedı́ (Sahtú Renewable Resources Board) Bluenose-East ʔekwé (Caribou) Hearing 2016* (July 2016), pg. 3, online at the Public Hearing Registry for the SRRB 2020 Colville Public Listening Session (PLS).

²⁶⁸ *Sahtú Ragó́a (Hunting Law): Report on the Colville 2020 Public Listening Session Report*, pgs. 32–33.

²⁶⁹ See Decisions 2.1, 3.1. Minister of Environment and Natural Resources Shane Thompson letter to SRRB Chair Camila Tutcho, Responses to *Sahtú Ragó́a (Hunting Law): Colville 2020 Public Listening Session Second Report Summary, March 30, 2021, Tulit'a, NT*, pg. 3, on the SRRB Public Hearing Registry for 2020 Colville PLS, May 7, 2021.

²⁷⁰ See Findings 10.1, 10.2, and Decision 10.1. *Sahtú Ragó́a (Hunting Law): Colville 2020 Public Listening Second Report Summary*, pg. 10. The Minister accepted decision 10.1. See Letter from the Minister, January 29, 2021, pg. 19.

due to ongoing litigation about the authority of RRCs²⁷¹. The SRRB has continued to support the RRCs while they have continued to build capacity and work on other components of their respective plans.

2021 Déljñę PLS

[141] During the 2021 Déljñę PLS, the SRRB invited feedback to develop the Hjdó Gogha Sénégots'įá (Planning for the Future) Policy.²⁷² Communities updated parties on their planning work during the PLS, while expressing again various challenges including the need: for financial and other resources to develop their plans;²⁷³ for integration with other planning processes;²⁷⁴ and to have the whole community involved.²⁷⁵ The Board heard sustained expressions of support from all parties for Hjdó Gogha Sénégots'įá.²⁷⁶ The Board said that it: "... continues to see hjdó gogha sénégots'įá as a valuable conservation approach that provides a structure for local and Indigenous knowledge, customs, and practices to be incorporated into and reflected in wildlife decision-making, as well as addressing the Sahtú Dene and Métis relationship with the land".²⁷⁷

[142] Déljñę revised the 2019 version of the *Belare Wíle Gots'ę ęekwę—Caribou for All Time* plan for approval from the Déljñę K'aowadó Kə (Main Council) and Dene Gha Gok'ə Réhkw'I (Beneficiaries Board).²⁷⁸ Colville Lake indicated that their plan was being updated and would be resubmitted to the SRRB.²⁷⁹ Norman Wells submitted two plan components about predators and competitors for the SRRB's consideration, in addition to doing work on the Nío Nę P'ęné planning process.²⁸⁰ Tulít'a had not developed a plan but indicated that they were working to develop one.²⁸¹ Fort Good Hope was working on developing a plan and had established an ęəə (caribou) working group and identified key priorities for their plan.²⁸² They also indicated that their planning process would be complementary to and congruent with the management plan of the Ts'udé Niljñę Tuyeta, a territorial and Indigenous protected area.²⁸³

²⁷¹ The Northwest Territories Court of Appeal issued a ruling on January 7, 2025, in relation to the ongoing litigation from PLS 1. The SRRB has not considered that ruling in this hearing report and has not modified this hearing report on the basis of that decision. See *Colville Lake Renewable Resources Council v Northwest Territories (Minister of Environment and Natural Resources)*, 2025 NWTCA 1

²⁷² As part of the 2021 Déljñę PLS, the SRRB also adopted use of the phrase "hjdó gogha sénégots'įá", a Dene phrase that describes community-led conservation planning for the future. The SRRB modified its use of "community conservation planning" or CCP to reflect and emphasize the integration of Dene ts'įł (way of life) into the planning at the core of hjdó gogha sénégots'įá and to improve the English translation of this concept. *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, May 2, 2023, pgs. 5–6.

²⁷³ Norman Wells RRC, IR Round 2, *ęetets'ewéhkwe Godi (Living With Wildlife): Report on the Déljñę 2021 Public Listening* January 20, 2021, pg. 3.

²⁷⁴ Fort Good Hope RRC, Final Written Argument, *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, May 16, 2022.

²⁷⁵ Tulít'a RRC, IR Round 1, *Sahtú Ragóęa (Hunting Law): Report on the Colville 2020 Public Listening*, January 25, 2021, pg. 1.

²⁷⁶ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pg. 54.

²⁷⁷ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, May 2, 2023, pgs. 54–55.

²⁷⁸ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pgs. 19–20.

²⁷⁹ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pg. 19.

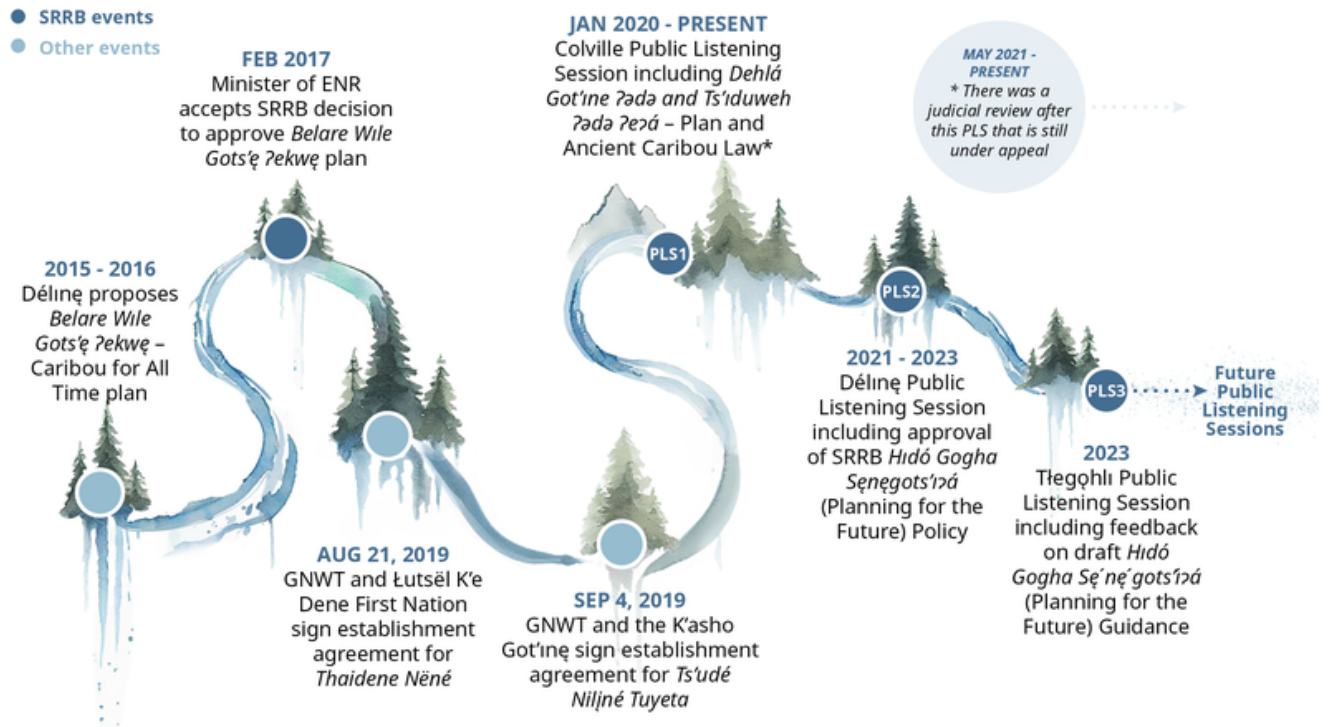
²⁸⁰ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pg. 20.

²⁸¹ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pg. 20.

²⁸² *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pg. 20.

²⁸³ *ęetets'ewéhkwe Godi (Living with Wildlife): Report on the Déljñę 2021 Public Listening*, pg. 53.

Figure 2: Hı́dó Gogha Sė́nė́gots'ı́á (Planning for the Future) Timeline



3. Hı́dó Gogha Sė́nė́gots'ı́á in the 2024 Tłė́gohłı́ PLS

[143] At the 2024 Tłė́gohłı́ PLS, the Board gave notice that it would clarify the minimum content for a Hı́dó Gogha Sė́nė́gots'ı́á. The SRRB organized a Community Workshop in October 2023,²⁸⁴ and an ʔohdakə (Elders) Workshop in February 2024,²⁸⁵ to discuss the components of a Hı́dó Gogha Sė́nė́gots'ı́á written plan, and updates on the status of community planning work.

[144] The Board did not receive any Hı́dó Gogha Sė́nė́gots'ı́á written plans to review in the 2024 Tłė́gohłı́ PLS. Dė́lınė said they would continue implementing the 2021 version of the *Belare Wile Gots'ė ʔekwė—Caribou for All Time*.²⁸⁶ Tulıt'a indicated they have not done formal planning work for hı́dó gogha sė́nė́gots'ı́á since PLS 2.²⁸⁷ Norman Wells said they are working on their conservation plan, but it has been challenging to make progress due to forest fires and barriers to travel on the river from low water levels.²⁸⁸ Colville Lake again

²⁸⁴ The Community Workshop occurred in Tłė́gohłı́ on October 23–26, 2024, and the report of this workshop is the “PFF Workshop Report”, dated November 11, 2023. There are also graphic recordings from this workshop. These documents are on the SRRB Public Hearing Registry for the 2024 Tłė́gohłı́ PLS.

²⁸⁵ The Elder Workshop occurred in Tłė́gohłı́, on February 9, 2024, and the report of this workshop is the “PFF Terminology Workshop Report”, dated February 15, 2024.

²⁸⁶ Dė́lınė, RRC IR Round 2 Response, January 30, 2024, pg. 3.

²⁸⁷ Tulıt'a RRC, IR Round 2, January 30, 2024, pg. 5.

²⁸⁸ Norman Wells RRC, IR Round 2, February 17, 2024, pgs. 5–6, and “Transcript of the Tłė́gohłı́ 2024 PLS”, pg. 55.

declined to share updates because of unresolved treaty interpretation issues.²⁸⁹ Fort Good Hope indicated it is not working on a Hǐdó Gogha Sǎnǎgots'ǐǎ (Planning for the Future—PFF) written plan and it does not intend to submit one to the SRRB at this time.²⁹⁰ Instead Fort Good Hope, who have been working hard on the Ts'ude Nǐjine Tuyeta management plan, made submissions about IPCA and territorial protected area (see Appendix 6).²⁹¹

[145] All five communities attended the October 2023 *Hǐdó Gogha Sǎnǎgots'ǐǎ Policy* Community Workshop. The Board appreciated the input from Sahtú community members about specific content and components to include in a written plan. The workshop identified the need to work together between communities, which involves time to meet to discuss each plan, how to deal with boundaries, and how to address differing views.

[146] The February 2024 ǔǔhdakǎ (Elders) Workshop discussed the importance focusing on Dene ts'ǐǐ (way of life). Planning should happen to recognize all things are connected, to confirm Sahtú Dene and Métis have always had the responsibility to care for the land, to involve and teach youth, and to honour what the grandfathers and grandmothers taught. This input was similarly important for providing direction on the Board's next steps for Hǐdó Gogha Sǎnǎgots'ǐǎ.

[147] On February 1, 2024, SRRB staff prepared and circulated “Draft Guidance” about the content the Board looks for in a written plan for party feedback. The “Draft Guidance” was based on the *Hǐdó Gogha Sǎnǎgots'ǐǎ Policy*²⁹² work done in the previous two PLSs, and on input from the October 2023 Community Workshop.²⁹³ The Board considered party submissions, as well as feedback received in the October 2023 Community Workshop and the February 2024 ǔǔhdakǎ (Elders) Workshop to prepare the guidance in this hearing report.²⁹⁴ Input from these workshops was instrumental in developing the “Draft Guidance”, which can be found in Appendix 5.

[148] The Board heard that planning should focus on Dene ts'ǐǐ (way of life), values and how Sahtú Dene and Métis work together. The SRRB's basis for Hǐdó Gogha Sǎnǎgots'ǐǎ as governance framework for conservation planning, policy and programs is to facilitate better integration of Sahtú Dene and Métis knowledge, customs and practices.

²⁸⁹ Dehlǎ Got'ǐnǎ RRC, IR Round 2, Tǔǔǔǔǔ 2024 PLS, January 31, 2024, pg. 2, SRRB Public Hearing Registry.

²⁹⁰ Fort Good Hope RRC, IR Round 3, Tǔǔǔǔǔ 2024 PLS March 8, 2024, pg. 1, SRRB Public Hearing Registry.

²⁹¹ Ts'ude Nǐjine Tuyeta is also addressed in Appendix 6 of this document.

²⁹² *Hǐdó Gogha Sǎnǎgots'ǐǎ (Planning for the Future) Policy and Guidance*, Part 2: Guidance, pgs. 5–7.

²⁹³ “Invitation to Comment—SRRB Guidance on Hǐdó Gogha Sǎnǎgots'ǐǎ Content, February 1, 2024 Version”, “Draft Guidance” Document”, SRRB Public Hearing Registry for the 2024 Tǔǔǔǔǔ Public Listening.

²⁹⁴ GNWT—ECC made two specific submissions on Hǐdó Gogha Sǎnǎgots'ǐǎ guidance on March 22, 2024. The first was that the guidance should indicate it does not apply to protected area management planning, and the second was that total allowable harvests are the only quantitative limit in the land claim. The Board is not resolving the question of protected area management planning and explains this further in Appendix 6 of this document. The Board does not intend to modify the *Hǐdó Gogha Sǎnǎgots'ǐǎ Policy* or address any issue specific to harvest limits while there is ongoing litigation about the outcomes of the 2020 Colville Lake PLS which considered Sahtú Ragóǎa (Hunting Law).

[149] The Board heard several parties speak about stories as a way of expressing Dene ɁəɁa (law),²⁹⁵ as well as the care required when asking communities to share stories and how it uses them because they are sacred.²⁹⁶ The Board recognizes the importance of stories in both the planning process and in the final written plan as a key expression of Dene ts'ı̄ljı̄ (way of life), ɁəɁá (law) and náoweré (knowledge). The Board acknowledges it must be careful to focus on discussing the role of people in a planning process (written plans) and when it asks communities to share stories, to reflect Ɂedets'ę́ k'áots'erewe (self-regulation). The Board also understands more work is required to reflect Métis custom and culture in Hı̄dó Gogha Sė́négots'ı̄á. Sahtú Dene and Métis protocols and processes remain in place, but it takes time and resources to translate them for others, and sometimes to remind each other.

[150] The Board is committed to ongoing work around translations of terminology and concepts related to Hı̄dó Gogha Sė́négots'ı̄á because the Board agrees those working on Hı̄dó Gogha Sė́négots'ı̄á need to be sure ɁɁhdakə (elders) can understand the intended meaning of a concept to know what's been discussed. The February 2024 workshop for ɁɁhdakə (elders) identified concerns with some literal translations, instead of translation that expresses the meaning in Dene languages, including the translation of hı̄dó gogha sė́négots'ı̄á which would be more accurate to translate as “planning for a better world”. Translation issues could affect ɁɁhdakə (elders') understanding and participation in planning.²⁹⁷ The Board anticipates more work on Dene translations and terminology related to Hı̄dó Gogha Sė́négots'ı̄á. At this time, no change is being made to the translations.

[151] The Board also heard differing views about how to define priorities, set goals or measure progress in a culturally appropriate way. In its IR Round 2 response, GNWT—ECC indicated wildlife management plans collaboratively developed by GNWT—ECC, Indigenous governments and renewable resources boards are intended to be “goal oriented with clear objectives, measures and timelines to achieve specific management and conservation goals”.²⁹⁸ The February 2024 ɁɁhdakə (Elders) Workshop discussed how the concept of “goals” is not congruent with Dene ts'ı̄ljı̄ (way of life) and focusing on communities’ “priorities” may be a more appropriate way to structure planning.²⁹⁹ During the in-person portion of the PLS, when asked about how planning can incorporate different worldviews and that Sahtú Dene and Métis may not plan by defining specific and measurable objectives, GNWT—ECC indicated it may not be necessary to define “SMART objectives”³⁰⁰ for a plan if communities do not want to plan in that way. They explained that government did need “... to have a common understanding of what it is that is trying to be achieved from that plan”.³⁰¹ However, the Board has experience with some Sahtú communities using goals, measures and timelines in their planning processes: the Déljı̄nę RRC's plan identifies the need to have SMART goals for the *Belare wı́e Gots'ę́ Ɂekwé—Caribou for All Time* plan,³⁰² and Colville Lake's Plan sets out conservation goals and includes

²⁹⁵ Danny Gaudet, Déljı̄nę RRC, “Transcript of the Tłęgóhı̄ 2024 PLS”, February 20, 2024, pg. 78; Frank Andrew, Tulit'a RRC, “Transcript of the Tłęgóhı̄ 2024 PLS”, February 21, 2024, pg. 208; Frank T'selei, Fort Good Hope RRC, “Transcript of the Tłęgó hı̄ 2024 PLS”, February 21, 2024, pg. 180.

²⁹⁶ “Hı̄dó Gogha Sė́négots'ı̄á (Planning for the Future) Workshop Report”, February 9, 2024, Tłęgóhı̄, pg. 2.

²⁹⁷ “Hı̄dó Gogha Sė́négots'ı̄á (Planning for the Future) Workshop Report”, February 9, 2024, Tłęgóhı̄, pg. 2.

²⁹⁸ GNWT—ECC, IR Round 2, Tłęgóhı̄ 2024 PLS, January 31, 2024, pg. 28, SSRB Public Hearing Registry.

²⁹⁹ “Hı̄dó Gogha Sė́négots'ı̄á (Planning for the Future) Workshop Report”, February 9, 2024, Tłęgóhı̄, pg. 2.

³⁰⁰ SMART is an acronym for Specific, Measurable, Actionable, Realistic, and Timebound.

³⁰¹ Heather Sayine-Crawford, GNWT—ECC, “Transcript of the Tłęgóhı̄ 2024 PLS”, February 21, 2024, pg. 277.

³⁰² Déljı̄nę Renewable Resources Council, *Belare wı́e Gots'ę́ Ɂekwé—Caribou for All Time*, pg. xx.

steps to meet those goals.³⁰³ The Board knows Sahtú communities do not have a tradition of preparing written conservation plans and that community-led planning may not result in specific and measurable objectives and timelines in the same way as management plans under the established approach to wildlife co-management.³⁰⁴ The SRRB is committed to continuing its effort to work with RRCs and GNWT-ECC on aligning different perspectives on conservation planning as part of wildlife co-management.

[152] The Board will not require communities to set out specific (or SMART) management and conservation goals in their plan. The *SDMCLCA* does not require this; it would not necessarily be respectful of harvesting and wildlife management customs and practices of Sahtú Dene and Métis;³⁰⁵ and the Board is concerned that such an approach could alienate Sahtú Dene and Métis instead of achieving “direct and meaningful” participation in planning.³⁰⁶ For Hjdó Gogha Sėnégots’ı́á, the Board believes planning should focus on integrating and reflecting Dene ts’ı́ı (way of life), values and how Sahtú Dene and Métis work together, reflecting ası́ı godı́ hé Dene ts’ı́ı hé (translated as “all living things and Dene ways of being”).

[153] The Board heard that co-management partners should understand their roles and responsibilities in the Hjdó Gogha Sėnégots’ı́á (Planning for the Future) process. The Board heard repeatedly how RRCs, GNWT—ECC, other land claim organizations (like land corporations or Sahtú Secretariat Incorporated [SSI]), ʔqhdakə (elders), youth and land claim participants should understand their part in the planning process, and their part in a community’s plan. In the October 2023 workshop, Sahtú communities’ expressed views on the importance of clear roles and responsibilities to ensure everyone understands their part in the plan,³⁰⁷ including specific questions about how land corporations participate and support Hjdó Gogha Sėnégots’ı́á planning and adoption of a written plan at the community level.³⁰⁸ The February 2024 ʔqhdakə (Elders) Workshop included discussion of the importance of community engagement because all voices are important, and emphasis on youth and transferring knowledge to them. The work being done in Fort Good Hope to support Ts’udé Niljné Tuyeta also raised the roles of different organizations in conservation planning (see also Appendix 6).

[154] The Board heard about the importance of permissions and boundaries, as well as the need for more conversations between neighbours and consensus building:

The RRC is central to plans for the future because they represent people who are on the land. The RRC could build consensus and buy-in from community leadership and communicate members. This is harmonious with the Dene way of making decisions: at the family level, followed by discussion with other families and then deciding with ʔqhdakə (elders).³⁰⁹

[155] The Board’s mandate and jurisdiction control, constrain, guide, influence and guide its role and affects how the RRCs are implicated in Board work such as public listening sessions or Hjdó Gogha Sėnégots’ı́á. Past

³⁰³ Colville Lake RRC, *Dehlá Got’ı́ne ʔadə Plan*, October 21, 2019.

³⁰⁴ See, for example, Tulıt’a RRC, IR Round 2, Tłegqhtı́ 2024 PLS, January 30, 2024, at pg. 5.

³⁰⁵ *Ibid.*, subsection 13.1.1(d)

³⁰⁶ *Ibid.*, subsection 13.1.1(e)

³⁰⁷ “Hjdó Gogha Sėnégots’ı́á (Planning for the Future) Workshop Report”, October 23–26, 2023.

³⁰⁸ Lisa McDonald, Norman Wells RRC, “Transcript of the Tłegqhtı́ 2024 PLS”, February 22, 2024, pgs. 351–352.

³⁰⁹ “Hjdó Gogha Sėnégots’ı́á (Planning for the Future) Workshop Report”, February 9, 2024, Tłegqhtı́, pg. 1.

Board discussion about Hı́dó Gogha Sė́nė́gots'ı́á has outlined expectations about explaining how each Sahtú community or others beyond the community were involved in planning, where the plan applies, or that the community supports the plan.

[156] In their IR Round 2 responses, GNWT—ECC indicated their position that plans should explain the GNWT—ECC's role in the plan, and the role of other parties.³¹⁰ The Board appreciates the GNWT—ECC statement about welcoming “all opportunities to support communities in the development of their community conservation plans when requested”.³¹¹ The Board re-affirms its recommendations from the 2021 Dė́lınė PLS to encourage mutual understanding and relationships between communities and government via participation in community camps and through sŏ́ba (funding) for cross-generational knowledge transfer.³¹²

[157] After the 2024 Tłė́gŏ́hı́ PLS, the Board views clarity around roles as relevant to re-emphasize. For example, if a Hı́dó Gogha Sė́nė́gots'ı́á written plan includes functions or roles for community bodies like land corporations, or the territorial government, it is helpful if the written plan addresses that and accounts for existing legal obligations.

[158] Although the SRRB is committed to continuing to support Sahtú communities in their planning processes, ultimately, it is the responsibility of the communities, or onus, to make a good plan, to implement their plan and to measure their progress. Youth are very important and must be included in ways that feel comfortable and safe for them. However, again, the Board heard about insufficient sŏ́ba (funding), resources and capacity in the context of Hı́dó Gogha Sė́nė́gots'ı́á:

We are bombarded right now in conservation efforts from every angle, be it through the SRRB,... the land corporations... the PFP, you got IPCA initiatives. It's huge. Huge. ... And again, I'll state the RRCs are underfunded. We do not have the capacity. ... [A]nd it's really starting to affect, I feel, the way the quality of our work should be done.³¹³

[159] As discussed in Part II, RRCs face persistent capacity and sŏ́ba (funding) obstacles, and Hı́dó Gogha Sė́nė́gots'ı́á requires financial and capacity support. The Board re-affirms these conclusions for Hı́dó Gogha Sė́nė́gots'ı́á now along with its Recommendation 2.3 above. This situation motivates the SRRB's continued efforts.

³¹⁰ GNWT, IR Round 2, Tłė́gŏ́hı́ 2024 PLS, January 31, 2024, p. 29, SSRB Public Hearing Registry.

³¹¹ GNWT, IR Round 2, pg. 29.

³¹² Recommendations 1.1, 1.2, and 1.3, *ŕetets'ewė́hkwé Godı́ (Living with Wildlife)—Report on the Dė́lınė 2021 Public Listening (Hearing) Session*, May 2, 2023, pgs. 45–46. The Minister varied the wording of Recommendations 1.2 and 1.3 to indicate the SRRB recommended government “continue to seek opportunities to” increase support or financial resources for participation in community camps or cross-generational knowledge transfer. See Minister's Response, dated June 27, 2023, pgs. 2–3.

³¹³ Lisa MacDonald, Norman Wells RRC, “Transcript of the Tłė́gŏ́hı́ 2024 PLS”, February 22, 2024, pgs. 349–350.

[160] The Board acknowledges that ongoing litigation about the role and authority of co-management partners creates uncertainty, challenges for Hı́dó Gogha Sė́nė́gots'ı́á planning and affects discussion about roles in conservation planning³¹⁴.

[161] The Board heard parties' express concerns about final guidance and imposing minimum content requirements. The February 2024 Ț́hđakə (Elders) Workshop did not raise specific concerns with the proposed Hı́dó Gogha Sė́nė́gots'ı́á written plan content.³¹⁵ Parties provided input about guidance that is more culturally adapted and understood by the audiences it targets.³¹⁶ Dė́ljnė́ RRC indicated it did not want the SRRB's minimum requirements to impact the plan they have already developed,³¹⁷ stating, "[W]e want to make sure that the SRRB's guidelines are flexible and allow us to make our own decisions about our lands and resources".³¹⁸

[162] The Board recognizes the importance and value of Sahtú Dene and Métis' involvement in decisions about wildlife and wildlife habitat. Hı́dó Gogha Sė́nė́gots'ı́á written plans are prepared by communities. The process, components and outcomes are up to the communities, not the SRRB. Each community will have its own way to approve their plan. It is up to the communities whether others are invited to participate in planning, including the government. The Board's guidance, and any future toolkits,³¹⁹ are intended to assist communities in the planning process and the preparation of the components of a written plan for SRRB review.³²⁰ The Board is providing guidance to support predictability, accountability and good planning practices. The Board does not want parties to be surprised about the Board's expectations and wants to ensure they have the option to address key issues before a written plan is submitted to the Board.

[163] The Board notes there is *no written plan being considered in the 2024 Ț́łėgóhłı́ PLS, and the Board is not commenting on any specific plan now*. Based on its jurisdiction, mandate, and authority under the *SDMCLCA*, the Board must review a management plan that is submitted to it for consideration. As with all of its decisions to exercise its land claim powers, the Board's approval of a community's written plan under section 13.8.23(c) will be subject to the Minister's review, and the Minister's authority to accept, reject or vary the Board's decisions. When the Board reviews a written plan, the guidance on the components of the plan will help structure the Board's review, as well as its decision and facilitate providing reasons for a decision about a written plan.

[164] The Board recognizes Sahtú Dene and Métis approaches to wildlife conservation are adaptive in order to account for real, often changing, circumstances on the land. The concept of adaptive management is

³¹⁴ The Northwest Territories Court of Appeal issued a ruling on January 7, 2025, in relation to the ongoing litigation from PLS 1. The SRRB has not considered that ruling in this hearing report and has not modified this hearing report on the basis of that decision. See *Colville Lake Renewable Resources Council v Northwest Territories (Minister of Environment and Natural Resources)*, 2025 NWTCA 1

³¹⁵ "Hı́dó Gogha Sė́nė́gots'ı́á (Planning for the Future) Workshop Report", February 9, 2024, Ț́łėgóhłı́, pg. 3.

³¹⁶ "Hı́dó Gogha Sė́nė́gots'ı́á (Planning for the Future) Workshop Report", February 9, 2024, Ț́łėgóhłı́, pg. 3.

³¹⁷ Dė́ljnė́ RRC, Written Presentation for Ț́łėgóhłı́ PLS 2024, February 16, 2024, pg. 6.

³¹⁸ Dė́ljnė́ RRC, Final Arguments, Ț́łėgóhłı́ PLS, March 12, 2024, pg. 3.

³¹⁹ The Board still intends to issue planning toolkits for Hı́dó Gogha Sė́nė́gots'ı́á.

³²⁰ In the PLS 2 hearing report, the Board expressed its belief that defining specific content would help ensure that communities have the guidance that is needed while supporting planning processes that are community-led. *Ț́łėts'ewė́hkwé Godı́ (Living with Wildlife): Report on the Dė́ljnė́ 2021 Public Listening (Hearing)*, May 2, 2023, pg. 57.

becoming more important in conservation planning, particularly with new knowledge of ʔehdagókégħa/yant’a ʔadé ʔagodɪn/dɪrɪnéné k’e guluʔagotɪ (climate change) impacts.

[165] The Board agrees that Hjdó Gogħa Sėnégots’ıǵá planning must be flexible and adaptive. The Board’s work on Hjdó Gogħa Sėnégots’ıǵá has been iterative. The Board recognizes applying adaptive management means the content of a Hjdó Gogħa Sėnégots’ıǵá written plan may be refined or amended over time as the conservation situation changes. Sahtú Dene and Métis traditionally adapt to the situation of the wildlife and wildlife habitat, and after this PLS, we all need to understand the environment is changing in ways we don’t fully understand. The legal situation is changing, too, through things like the adoption of legislation about the application and implementation of UNDRIP. The Board is not binding its future decision-making by imposing requirements for Hjdó Gogħa Sėnégots’ıǵá written plans, because it will need to account for the specific circumstances of any decision it makes.

4. Guidance on Content in a Written Plan

[166] The Board’s guidance on Hjdó Gogħa Sėnégots’ıǵá (Planning for the Future) is intended to assist communities in conservation planning and preparation of a written plan for SRRB review. The “Draft Guidance” explained that it was “... to provide information about what content the SRRB is looking for in a written plan. The way Hjdó Gogħa Sėnégots’ıǵá is presented [in the “Draft Guidance”] is not prescribed, or a requirement but a suggestion for a simple way to organize and present the information that may be included in a written plan”.³²¹

[167] The Board believes it is critical parties know in advance what kind of content, factors and components the Board will be looking for when they review a submission, including an Hjdó Gogħa Sėnégots’ıǵá written plan. SRRB guidance and toolkits should be considered technical support for planning work, to promote good planning practices, and to offer more predictability about the Board’s decision-making.³²² The Board also seeks to reinforce public confidence in its decision-making through a more open and well-understood review process.³²³

[168] Sahtú communities should not expect immediate changes because of writing a plan. Sahtú communities that submit a written plan will be invited to consider whether and how to respond to party feedback. The Board encourages planning that includes participation by SRRB staff, consultants, people from other communities, Sahtú Secretariat Incorporated (SSI) and GNWT—ECC personnel to observe, help, or offer feedback if and when appropriate throughout Sahtú communities’ planning processes. The Board will consider the specific planning process when it reviews a plan that is submitted for approval.

³²¹ “Invitation to Comment—SRRB Guidance on Hjdó Gogħa Sėnégots’ıǵá Content, February 1, 2024 Version”, pg. 4, SRRB Public Hearing Registry.

³²² *Northwestern Utilities Ltd. v. City of Edmonton*, [1979] 1 S.C.R. 684

³²³ *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65, paragraph 131.

What content will the Board look for in a written plan?

[169] The Board guidance on the components of a written plan addresses three general topics:

- The story of the plan: information about the written plan and planning process. This section explains the role of the RRC and community support for the written plan, the focus and purpose of the written plan, where the written plan applies, and how neighbours or government were involved and how they may be affected.
- The story of the land and animals: information about the current situation. This section explains the conservation issues that a written plan is about and how Dene ts'ı́ı́ (way of life) inform the plan.
- What a community wants to do in the future: information about plans, goals or priorities. This section explains what will happen to address the conservation issues if the written plan is approved, when things will happen, and how the community will monitor, communicate and update everyone concerned about its written plan.

[170] In its *Hı́dó Gogha Sė́nė́gots'ı́ı́á Policy*, the Board communicated overarching questions it will consider when it reviews a Hı́dó Gogha Sė́nė́gots'ı́ı́á written plan, which remain:

- Planning process: How was the plan developed? How was the community involved?
- Plan approval: Has the plan been approved by community leadership organizations?
- Written plan content: Does the plan address the sections outlined in the Hı́dó Gogha Sė́nė́gots'ı́ı́á guidance? If sections or supporting information are missing or not addressed, is there a reason?
- Supporting information: Does the written plan include sufficient supporting information?

[171] When the Board receives a Hı́dó Gogha Sė́nė́gots'ı́ı́á written plan, it will use the general topics and overarching questions in the *Hı́dó Gogha Sė́nė́gots'ı́ı́á Policy*, along with submissions from parties about the plan, to conduct its review.

[172] The Board may not approve a written plan, or be able to persuade the Minister to accept the Board's decision about a written plan if:

- The plan is outside the Board's legal jurisdiction;
- The Board considers the plan does not include sufficient conservation and protection for wildlife and wildlife habitat;³²⁴
- Parts of the plan are not permitted in existing law or could infringe on the rights of others; or
- There are objections, or lack of support, from neighbours inside or outside the Sahtú Settlement Area, particularly for migratory species like caribou.

³²⁴ What is considered "sufficient conservation and protection for wildlife and wildlife habitat" will depend on a community's specific circumstances and the intended purpose for the plan but could include such measures as: 65 percent undisturbed habitat for species at risk; promoting alternative harvest; or recognition/mitigation of climate change/wildfire impacts.

How will the SRRB continue to support Sahtú communities with planning?

[173] The SRRB supports communities with planning by:

- Explaining what content the Board will look for;
- Sôba (funding) activities like workshops or toolkit development;
- Having staff attend or help facilitate community planning activities; and
- Having staff provide technical support, with Board supervision and direction.

[174] The SRRB does not: do planning for communities; influence, direct or impose how planning is done or what a Hı́dó Gogha Sė́nė́gots'ı́á written plan will include.

[175] Communities are encouraged (but not required) to: invite neighbours, government or SRRB representatives to planning activities; and share draft written plans with SRRB staff before making a formal submission to the Board.

[176] Communities will decide whether and how to incorporate feedback from SRRB staff and comments from other parties before making their formal submission to the Board.

[177] Board members do not have a role in Hı́dó Gogha Sė́nė́gots'ı́á at the community level. The Board: receives and considers the components of written plans when they are submitted for review; and takes account of the *Hı́dó Gogha Sė́nė́gots'ı́á Policy*, staff screening of draft plans, and party comments.

Public review of a written plan before approval

[178] The Board has to conduct its activities in the public view. The Board's review of a Hı́dó Gogha Sė́nė́gots'ı́á written plan is a public process. When the Board reviews the components of a written plan, it must ensure others who may be affected by a written plan, including neighbours and government, have an opportunity to provide input before the Board makes a decision. If approved, the Board will forward the plan to the Minister.

Conclusion

[179] As the Board concludes the 2024 Tłęgóhı́ PLS, it is certain there are impacts from ʔehdagókė́gha/yant'a ʔadė́ ʔagodı́n/dırınė́né k'e guluʔagotı́ (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarė́k'ǵ (wildfires) on caribou conservation. Some of these impacts are more direct and observable, like warming temperatures and changing water levels. Others are indirect and more complex, such as the concerns about expression and transmission of Dene ts'ı́lı́ (way of life), which are negatively affected by ʔehdagókė́gha/yant'a ʔadė́ ʔagodı́n/dırınė́né k'e guluʔagotı́ (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedeli/nek'e k'ǵ yarė́k'ǵ (wildfires), and in turn affect caribou because the health of Sahtú Dene and Métis ways of life and the health of caribou populations are interdependent. Given the broad-ranging

and complex impacts of ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires) on caribou, caribou habitat, land, water, and people, the Board makes **Recommendation 1.1 that it is essential future conservation decisions about caribou account for the impacts of climate change and wildfires.**

[180] Mitigation and adaptation to ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change), and mitigation of nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires) are critical measures for caribou conservation in the Sahtú Settlement Area. Parties' diverging views about the responses to ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires) give the Board reason to make recommendations about VaR (**Recommendation 2.1**), fire retardants (**Recommendation 2.2**) and sǵba (funding) (**Recommendation 2.3**). The Board believes efforts to improve communication, particularly in a godı kehtsı (ethical space) that respects diverse perspectives and fosters trust, will help co-management partners better work together. The Board is making **Finding 2.1** and commenting again on the importance of effective communication and trust-based working relationships. Achieving the objectives of the land claim requires collaboration between co-management partners, and the impacts of ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires) should give all co-management partners more reasons to achieve the objectives of the *SDMCLCA*. In other words, we all need to work more effectively together to respond to challenges faced by ʔehdagókéggha/yant'a ʔadé ʔagodín/dírínéné k'e guluʔagotı (climate change) and nek'e areyone gok'erek ǵ/ne k'ə ʔedelı/nek'e k'ǵ yarék'ǵ (wildfires), to advance caribou conservation and to implement wildlife co-management in the Sahtú Settlement Area.

[181] Finally, Hıdó Gogha Sėnégots'ıǵá is a way that Sahtú ʔehdzo got'ıne (Renewable Resources Councils) are undertaking community-based planning to conserve caribou. The Board will use the *Hıdó Gogha Sėnégots'ıǵá Policy* and the guidance on the components of a written plan presented in this hearing report when it reviews a community's plan.

[182] In all of the Board's activities, including reviewing written plans, it is guided by the objectives of Chapter 13 of the land claim.³²⁵ The SRRB is the main instrument of wildlife and habitat management in the Sahtú Settlement Area and recognizes and supports Hıdó Gogha Sėnégots'ıǵá (Planning for the Future) as a means to more fully achieve the objectives of the *SDMCLCA*. The *SDMCLCA* envisions a conservation system aligned with the customs and practices of Sahtú Dene and Métis participants and supports their meaningful participation in wildlife planning and co-management.

³²⁵ *SDMCLCA*, s. 13.8.1(c)

APPENDIX 1: Rules for Hearings



Rules for Hearings

Updated edition, October 23, 2019

Comments or questions about these rules should be directed to:

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1.0 Authority

- 1.1 The ʔehdzo Got'jne Gots'ę Nákedı (Sahtú Renewable Resources Board - “the Board”) adopts these Rules pursuant to Sections 13.8.18, 13.8.19, 13.8.20, 13.8.21, 13.8.22 and 13.8.23 of the Sahtú Dene and Métis Comprehensive Land Claim Agreement (“Agreement”).
- 1.2 These Rules may be cited as the *ʔehdzo Got'jne Gots'ę Nákedı (Sahtú Renewable Resources Board) Rules for Hearings*, October 15, 2019, edition.
- 1.3 The Board may, pursuant to Section 13.8.20 of the Agreement, consult with the government, Sahtú communities, the public and ʔehdzo Got'jne (Renewable Resources Councils) by way of informal meetings or public Hearings.
- 1.4 The Board may, pursuant to Section 13.8.21(a) of the Agreement, hold a Hearing where the Board is satisfied that such a Hearing is desirable.
- 1.5 The Board shall, pursuant to Section 13.8.21(b) of the Agreement, hold a public Hearing when the Board intends to consider establishing a total allowable harvest and a Sahtú Needs Level in respect of a species or population of wildlife that has not been subject to a total allowable harvest level within the previous two years.
- 1.6 The Board has the powers of a commissioner under part I of the *Inquiries Act*, R.S. 1985, c. I-11, pursuant to Section 13.8.19 of the Agreement.
- 1.7 The Board members and Board Chairperson shall not be considered to have a conflict of interest in a Hearing by reason only of being public servants, employees of a government body, members of a Sahtú Organization or employees of a Sahtú Organization.
- 1.8 The Board Members and Board Chairperson shall approach every Hearing and every issue arising at a Hearing with an open mind, and base decisions upon the submissions and evidence presented during the Hearing process.

2.0 Definitions and Interpretation

2.1 In these Rules:

“Applicant” means a person, a Sahtú Organization, or a government department or agency that is seeking an approval for a Proposal for wildlife and wildlife habitat management or protection.

“Agreement” means the Sahtú Dene and Métis Comprehensive Land Claim Agreement.

“Board” means the ʔehdzo Got’ıneᑦ Gots’é Nákedi (Sahtú Renewable Resources Board) established under Chapter 13 of the Agreement.

“Document” includes any record or information in written, photographic, electronic or other form.

“Elder” means a member of a Sahtú community or a Sahtú Organization recognized as such in accordance with Sahtú culture, customs and traditions.

“Hearing” includes a hearing of a management proposal, the hearing of a Motion, a written Hearing, an electronic Hearing, a Joint Hearing, Public Listening Sessions, or any other proceeding which the Board deems to be a hearing, and all the procedures related to a Hearing from the time when the Board issues a Notice of Hearing until the time when the Board issues a decision on the subject matter of the Hearing.

“Information Request” means a written request for information or particulars directed to a Party in a Hearing.

“Joint Hearing” means a Hearing conducted by the Board in collaboration with another board or organization with the authority to manage wildlife or wildlife habitat.

“Motion” means a written or oral request, including any supplementary materials supporting the request, made by a Party to the Board, for a ruling or an order in a Hearing and includes a Motion made by the Board.

“Participant” means a person enrolled in the Enrollment Register pursuant to chapter 4 of the Agreement.

“Party” means a person, organization or a department of government referred to in Rule 8.1 that is participating in a Hearing.

“Proposal” means a written plan, submitted to the Board for approval, and related to

management and protection of wildlife and wildlife habitat.

“Public Listening Sessions” means two or more public events which together have been deemed by the Board to be a Hearing.

“Registry” means the online registry maintained by the Board.

“Renewable Resources Council” means a Renewable Resources Council described in Section 13.9 of the Agreement.

“Rules” means the ʔehdzo Got’Inę Gots’é Nákedi (Sahtú Renewable Resources Board) Rules for Hearings.

“Sahtú Organization” means:

- (a) a Renewable Resources Council established pursuant to Section 13.9.2 of the Agreement;
- (b) a Land Corporation or District Land Corporation as set forth in Schedules 4 and 8 to the Register established pursuant to Section 7.1.8 of the Agreement;
- (c) the Sahtú Secretariat Incorporated;
- (d) any Indian Band (First Nation) located in a community in the Settlement Area; or
- (e) the legal successor to a Land Corporation, District Land Corporation or Indian Band under the terms of a self-government agreement negotiated pursuant to section 5.1.1 of the Agreement.

“Settlement Area” means the area defined in Appendix A of the Agreement.

“Traditional Knowledge” means knowledge and values, which have been acquired through experience, observation, from the land or from spiritual teachings, and handed down from one generation to another.

3.0 Application and Variation of the Rules

3.1 In interpreting these Rules, the Board will be guided by the Objectives set out in Sections 1.1.1 and 13.1.1 of the Agreement.

3.2 If there is any inconsistency or conflict between these Rules and the Agreement, the Agreement prevails to the extent of any inconsistency.

- 3.3 The Board shall give these Rules such fair, large and liberal construction as best ensures just, expeditious and fair consideration of issues arising under these Rules and consistency with the principles of natural justice and procedural fairness.
- 3.4 To the extent consistent with its duty of procedural fairness, the Board will emphasize flexibility and informality in the conduct of its Hearings.
- 3.5 Where any procedural matter is not provided for in these Rules, the Board may at any time give directions governing the procedure to supplement these Rules that it considers necessary for the fair determination of an issue.
- 3.6 On its own initiative or at the written or oral request of an individual, body or agency participating in a Board process under these Rules, the Board may dispense with, vary or supplement any part of these Rules that it considers necessary for a fair determination of an issue by way of a direction on procedure.
- 3.7 On its own initiative or at the written or oral request of an individual, body or agency participating in a Board process under these Rules, the board may dispense with, vary or supplement any part of these Rules that it considers necessary or desirable to respect and incorporate Sahtú cultural values, knowledge, customs and traditions into Hearings by way of a direction on procedure.
- 3.8 The Board may amend or vary these Rules at any time.

4.0 Hearings

- 4.1 The Board may conduct any Hearings that it considers to be desirable for the purpose of carrying out any of its functions.

Types of Hearings

- 4.2 Hearings may be conducted in in-person, in writing or electronically or by a combination of those methods, subject to the requirement of that the Board shall hold an in-person Hearing when the Board intends to consider establishing a total allowable harvest and a Sahtú Needs Level in respect of a species or population of wildlife which has not been subject to a total allowable harvest level within the previous two years.

Electronic Hearings

- 4.3 The Board may conduct an electronic Hearing by conference telephone or another form of electronic technology, with a written component if required in the Board's discretion, where one or more of the following circumstances exist:

- (a) time is of the essence in addressing the issue under consideration;
- (b) the Parties are unable to meet in person in a timely manner; or
- (c) the cost of holding an in-person Hearing is prohibitive.

Written Hearings

- 4.4 The Board may conduct a written Hearing which does not include any oral component, where three or more of the following five circumstances exist:
- (a) the Proposal submitted to the Board is a joint initiative on the part of Government and a Sahtú Organization;
 - (b) the eventual Board decision is, in the opinion of the Board, of relatively less interest to affected Participants;
 - (c) time is of the essence in addressing the issue under consideration;
 - (d) the Parties are unable to meet in person in a timely manner; or
 - (e) the cost of holding an in-person Hearing is prohibitive.
- 4.5 Where the Board holds a Hearing in writing, it may dispose of the Hearing on the basis of the Documents filed by Parties in the Hearing or require additional information before disposing of the Hearing.

Community Workshops

- 4.6 The Board, in its discretion, may hold workshops in communities affected by the subject matter of a Hearing, in order to encourage participation in the Hearing and assist Renewable Resources Councils, Participants and the public in understanding the purpose, relevant information, and process for the Hearing.
- 4.7 A community workshop held pursuant to Rule 4.6 shall provide the Participants, Renewable Resources Council and public in that community with the information provided in the public notice of the Hearing under Rule 5.4.
- 4.8 In the event that a Renewable Resources Council, Participants or the public attending a workshop held pursuant to Rule 4.6 provide relevant information or evidence related to

the subject matter of the Hearing, this information or evidence shall be recorded in written form by the Renewable Resources Council or by Board staff and added to the Registry.

Public Listening Session

4.9 The Board, in its discretion, may hold a Hearing comprised of two or more Public Listening Sessions over a period of time exceeding six months in order to encourage increased participation of the Renewable Resources Councils, Participants and the public in the Hearing

4.10 Where the Board holds a Hearing comprised of Public Listening Sessions under Rule 4.9, the Board may in its discretion adapt these Rules for this purpose and shall provide public notice of such adaptation. -

Joint Hearings

4.11 The Board may by agreement participate jointly or collaborate in a Hearing with another organization responsible for the management of migratory or shared wildlife

4.12 Where the Board participates in a Joint Hearing or Collaborative hearing under Rule 4.11, the Board may in its discretion adapt these Rules for this purpose and shall provide public notice of such adaptation.

5.0 Notice of Hearings

5.1 For the purpose of providing Notice of a Hearing, the Board shall:

- (a) provide written notice to the Applicant, all Sahtú Organizations, relevant government departments and any relevant wildlife management authorities;
- (b) post a Notice of a Hearing on the Registry; and
- (c) publish the Notice of a Hearing in one or more media sources, which may include newspapers, radio, internet-based media, community posters, social media and any other media which the Board in its discretion may choose to use.

5.2 Notice of a Hearing will be given at least 45 days before the Hearing date.

5.3 All Parties intending to participate in a Hearing shall notify the Board of their intentions within the time period specified in the Notice of a Hearing.

5.4 A Notice of a Hearing shall contain:

- (a) a summary of the purpose of the Hearing;
- (b) identification of the issues which the Board proposes to address at the Hearing;
- (c) instructions for accessing any materials relating to the Hearing on the Registry;
- (d) an invitation for interested persons to participate in the Hearing and provide submissions regarding the subject matter of the Hearing and how it may affect them;
- (e) a schedule showing the time limits for filing and serving any written materials for the Hearing; and
- (f) any other information and procedural requirements that the Board considers necessary.

5.5 The Board may, in its discretion and consistent with Rules 4.6 and 4.7, provide a Notice of a Hearing through the use of workshops in affected Sahtú communities.

5.6 The Board may cancel a Hearing, if no registered participants are identified or written submissions received, on or before the tenth (10th) day prior to the date of the proposed Hearing.

6.0 Location of Hearing

6.1 The Board will determine the place at which a Hearing will be held.

6.2 In its discretion, the Board may hold a Hearing in one community or in a number of communities in the Settlement Area.

7.0 Translation

7.1 The Board shall encourage the use of the Dene languages in its Hearings. Where practicable, the Board will receive oral evidence and conduct the oral aspects of a Hearing in the Dene dialect of the community in which a Hearing is being held.

7.2 The Board shall arrange for translation and interpretation services in the Dene dialect of the

community in which the Hearing is being held and/or other Indigenous languages as deemed necessary by the Board.

- 7.3 The Board shall arrange for Indigenous language oral aspects of a Hearing, including interpretation, to be audio recorded and made available on the Board's website.
- 7.4 While most interpretation will be simultaneous, during a Hearing, the Chair shall ensure that the proceedings occur at a pace that allows for meaningful, accurate and complete cross-cultural communication. This may require the Chair to enforce periodic pauses for additional interpretation, including discussion of the meaning of specific terms and concepts, at any point during the Hearing.
- 7.5 To facilitate cross-cultural communication during the Hearing, the SRRB shall encourage the Parties to provide written or oral explanations of key terms and concepts used in presenting oral evidence.
- 7.6 Where possible, English language transcription will take place simultaneously on site during the Hearing. Transcripts will be verified for accuracy by the SRRB before being approved for publication.

8.0 Parties

- 8.1 Subject to Rule 8.2, the following persons, organizations and agencies may participate in a Hearing as a Party:
 - (a) any Renewable Resources Council;
 - (b) any Sahtú Organization as defined in Section 2.1;
 - (c) any government department and agency;
 - (d) any person who is granted Party status by the Board prior to or at a Hearing.
- 8.2 Any person that does not meet the criteria of Rule 8.1 and who wishes to be a Party in a Hearing must file with the Board a request to be a Party in writing within 30 days of the issuance of the Notice of Hearing. The request to be a Party shall contain, at a minimum:
 - (a) a concise statement indicating why and how the person may be directly affected by the outcome of the Hearing; or if the person will not be directly affected by the outcome of the Hearing, what the nature of the person's interest in the matter is and why the person should be permitted to participate;

- (b) the nature and scope of the person's intended participation;
- (c) the person's contact information; and
- (d) if the person is acting on behalf of a group or association of persons, the nature of the person's membership in the group or association.

- 8.3 The Board will make a decision on an application for Party status in a timely fashion.
- 8.4 Prior to making a decision under Rule 8.3, the Board may seek the views of the Parties to the Hearing and/or direct the person making the application to provide more information to the Board.
- 8.5 All Parties who intend to participate in a Hearing must notify the Executive Director of their intentions within the time period specified in the Notice of Hearing to maintain their Party status for a Hearing.
- 8.6 The Board shall maintain a list of Parties who provided notice under Rule 8.5 on the Registry.
- 8.7 The Board may refuse to allow a person to participate in a Hearing as a Party if the Board is of the opinion that any of the following circumstances apply:
- (a) the person's request to participate or participation is frivolous, vexatious, an abuse of process or of little merit;
 - (b) the person has not demonstrated that the person's participation will materially assist the Board or will not unnecessarily delay the Hearing; or
 - (c) the Board considers it appropriate to do so for any other reason.
- 8.8 Any person or organization not registered as a Party to a Hearing but who wishes to make their views known may:
- (a) provide their views, in writing, to the Board and the Applicant in advance of the Hearing; or
 - (b) make an oral presentation during a portion of the Hearing that has been designated to hear the views of the public.

9.0 Pre-Hearing Conferences

- 9.1 In order to facilitate the Hearing process, the Board, in its sole discretion, may hold a Pre-Hearing Conference with the Parties and interested persons seeking standing either before or after the date of a Hearing is set.
- 9.2 A Pre-Hearing Conference may be held in writing or orally, by teleconference or in person.
- 9.3 Without limiting the matters that may be addressed in a Pre-Hearing Conference, the Board may also organize a Pre-Hearing conference for one or more of the following reasons:
- (a) to provide information to, and facilitate active participation of, Participants, Sahtú Organizations and interested members of the public regarding a Hearing;
 - (b) to identify and facilitate the incorporation of Traditional Knowledge into a Hearing; and
 - (c) to facilitate the exchange of technical information relevant to the Hearing.

10.0 Service and Filing of Documents

- 10.1 A Party intending to rely on a Document or evidence in a Hearing, including a public Hearing, shall file the Document within the time specified by the Board. The Board shall post the Document or evidence on its public registry and notify the Parties to the Hearing.
- 10.2 A Document may be filed with the Board by personal delivery, courier service, ordinary mail, fax, electronic means or by any other means directed by the Board.
- 10.3 Documents may be filed by electronic means if
- (a) the electronic means is compatible with the Board's information technology, equipment, software and processes; and
 - (b) the Document is in a form acceptable to the Board.
- 10.4 A Document is deemed to have been filed with the Board when the Board receives it unless it is received after 5 p.m., in which case the Document is deemed to have been filed on the next business day of the Board.
- 10.5 Recognizing that traditional knowledge is often conveyed orally, the Board may elect to

receive submissions and evidence orally rather than in writing.

- 10.6 Upon request of the Board, a Party must provide proof to the Board that Documents were delivered to the other Parties.

11.0 Information Requests

- 11.1 The Board may issue an Information Request to any Party at any stage of a Hearing, from the time of a Notice of Hearing pursuant to Rule 5 to the Closure of the Record pursuant to Rule 18.
- 11.2 The Board, in its discretion, may allow a Party in a Hearing to issue an Information Request to another Party, subject to notice from the Board regarding the timing and procedure for Information Requests.
- 11.3 A Party that receives an Information Request during a Hearing shall respond within the time specified by the Board.
- 11.4 The response of a Party to an Information Request shall be submitted to the Board and circulated to the other Parties in the Hearing.

12.0 Submissions and Evidence

- 12.1 In conducting its business, the Board is not bound by the strict rules of evidence and may accept information that would not normally be admissible under the strict rules of evidence, including hearsay.
- 12.2 The Board may decide which issues it will consider at a Hearing and notify the Parties of such decision. The Board, in its discretion, may decline to consider submissions or evidence that are not relevant to the issues being considered by the Board at a Hearing.
- 12.3 The Board may request written or oral recorded submissions from Parties be filed with the Board and delivered to the other Parties within the time period established by the Board.
- 12.4 The Board may, in its discretion, require that Parties provide plain language summaries of Documents over 10 pages in length and which, in the view of the Board, should be publicly available in a more accessible format.
- 12.5 Unless the Board directs otherwise, no documentary or oral recorded evidence may be presented at an oral Hearing unless the evidence was filed with the Board and served on the Parties within the time period specified by the Board in accordance with Rule 10.1.

- 12.6 Failure to disclose a Document in accordance with these Rules may result in the Board ruling that it is inadmissible in the Hearing.
- 12.7 Where a Party wishes to have multiple individuals present at the Hearing on its behalf, the Board may permit or require evidence to be given by one or more panels in accordance with the following:
- (a) questions addressed to a panel may be directed to specific members of the panel or the panel in general;
 - (b) unless the Board otherwise directs, members of a panel may confer among themselves;
 - (c) panel members shall give their views and may be directed to comment on the views of other panel members and to make concluding statements; and
 - (d) where a question is directed to a specific member of a panel and that member is not able to answer the question because of a lack of knowledge or qualifications, the Board may permit another member of the panel to answer the question.
- 12.8 A witness summoned by the Board may have their travel and accommodations expenses paid by the Board.
- 12.9 Any witness providing technical expertise in a Hearing shall provide a summary of his/her background, including qualifications and/or experience for the public record.
- 12.10 Any witness who will give opinion evidence in a Hearing before the Board may be required by the Board to file a statement of their qualifications on the public record before their evidence is considered.
- 12.11 A Party advancing a position to the Board shall bear the burden of introducing sufficient evidence to support its position.

- 12.12 Where there is conflicting evidence in a Hearing, the Board shall decide which evidence to accept and shall make its decisions based on the preponderance of the evidence.
- 12.13 The Board may accept and enter into the public record the testimony of a witness made by an affidavit, a statutory declaration or by a suitably verified audio or video tape recording.
- 12.14 A witness whose testimony is presented by means of a sworn written statement or verified recording shall be available for questioning as may be required.
- 12.15 Testimony in Hearings can also be presented by audio visual or video format or by teleconference.
- 12.16 The Board may, at any time during a Hearing from the time of a Notice of Hearing pursuant to Rule 5 to the Closure of the Record pursuant to Rule 18, require additional information from any Party that the Board considers necessary to permit a full and satisfactory understanding of an issue in a Hearing.
- 12.17 The Board may engage specialists to provide evidence relevant to the issues raised in any Hearing. Any evidence received from a specialist will be disclosed to all Parties who will be provided with an opportunity to provide a response to the Board.
- 12.18 The Board will encourage the provision of and will consider information provided by Elders and Traditional Knowledge, including oral history and local knowledge, submitted during a Hearing.
- 12.19 The Board may make arrangements to secure information from or hear the testimony of an Elder or the holder of Traditional Knowledge at any time during a Hearing.
- 12.20 The Board may modify the Rules to accommodate customary protocols with respect to sharing of Traditional Knowledge.
- 12.21 Any Party seeking to protect confidential, proprietary or sensitive information (including Traditional Knowledge) in a Hearing may make a Motion requesting such information be protected.
- 12.22 A Motion to protect confidential, proprietary or sensitive information should include the following information, as applicable:
- (a) A brief description, in general and non-confidential terms, of the nature of the information which the Party seeks to protect;

- (b) A description of the privacy or confidentiality issues associated with the information which the Party seeks to protect;
- (c) The reason why the Party is asking that the information be protected, including any specific harm that could result if the information is not protected; and
- (d) An indication of whether the Party seeks to protect all or only part of any specific document or oral submission.

12.23 Where the Board approves the request to protect such information, the Board will issue a decision setting out the arrangements for receiving the evidence and outlining how the evidence is to be treated on the public record including whether and how it will be posted to the public registry or included in proceeding transcripts and any other terms appropriate in the circumstances.

13.0 Order of Events at a Hearing

13.1 Unless otherwise directed by the Board, the order of events at a Hearing shall be as provided for in Schedule I: *Order of Events at a Hearing of the ʔehdzo Gotʔnə Gotsʔé Nákedı (Sahtú Renewable Resources Board)*.

14.0 Time Limits and Questions

14.1 The Board may set time limits for oral submissions and questions by any or all Parties and the public at a Hearing.

14.2 Unless the Board otherwise directs, Parties may be:

- (a) questioned by or on behalf of another Party, or
- (b) questioned by the Board and/or a member of the Board staff.

15.0 Motions

15.1 The Board may make any procedural decisions required for the conduct of a Hearing.

15.2 Any issue requiring a ruling or decision that arises in the course of a Hearing shall be brought to the Board's attention by way of a written Motion.

- 15.3 The Board may, in its discretion, waive the requirement in Rule 15.2 in order to allow a Motion to be brought orally, provided that the requirements of natural justice and procedural fairness are met.
- 15.4 A Motion shall include a clear, concise statement of the relevant facts, the details of the ruling or decision being sought and the reasons why the ruling or decision should be granted.
- 15.5 All Motions in writing shall be filed with the Board and copies served on all the Parties.
- 15.6 The Board may, in its discretion, set or vary any time period prescribed for the filing and hearing of a Motion or a response.
- 15.7 The Board may hear a Motion with some Board members or Parties participating via teleconference, where in the Board's opinion it is warranted.

16.0 Adjournment and Re-Opening of a Hearing

- 16.1 Subject to the requirements of natural justice, the Board may adjourn a Hearing from time to time and may for any reason reopen a Hearing, upon reasonable notice to the Parties, for the purpose of receiving further representations.
- 16.2 A Party may apply for an adjournment of a Hearing. Such an application shall be made by way of Motion and if made in advance of the Hearing, it shall be filed and served in accordance with these Rules.

17.0 Closing Arguments and Submissions

- 17.1 At the close of an in-person Hearing including a Public Listening Session which is one session within a Hearing and upon such terms as the Board may find reasonable, any Party shall be entitled to file a written brief with proposed findings of fact and conclusions of law.
- 17.2 At the close of an in-person Hearing, including a Public Listening Session which is one session within a Hearing the Chairperson will provide each Party with an opportunity to make brief closing remarks.
- 17.3 Any brief, proposed findings of fact and conclusions of law, and closing remarks shall be included as part of the record.

18.0 Closure of the Record

- 18.1 The Board shall set a time for the closure of the record for a Hearing and publicize this deadline on the Board's website and by notice to the Parties.
- 18.2 The Board will not accept information and evidence for consideration after the record for a Hearing has been closed, unless a Motion to reopen the record has been made and approved by the Board.
- 18.3 The Board may seek clarification of any evidence on the public record from a Party without causing the record to be re-opened. Copies of information provided in response to a request for clarification shall be circulated to the Parties and posted on the Registry.

19.0 Coming into Force

- 19.1 These Rules come into force on the date they are adopted by the Board in accordance with Section 13.8.18 and 13.8.23(g) of the Agreement.
- 19.2 These Rules shall be published on the Board's website.

Schedule I: Order of Events at a Public Hearing of the ?ehdzo Got'Inę Gots'ę Nákedl (Sahtú Renewable Resources Board)

- 1) Opening Prayer
- 2) Opening Remarks by Chairperson
- 3) Introduction of Board Members, Board Staff and Technical Consultants
- 4) Introduction of the Parties
- 5) Review of Agenda for the Hearing
- 6) Preliminary and Procedural Matters (if any)
- 7) Acknowledgement of Written Submissions
- 8) Presentations by Applicant, Parties and Questions of Same
- 9) Presentations or Comments from the Public
- 10) Reply by the Applicant, if any
- 11) Closing Remarks
- 12) Adjournment of the Hearing
- 13) Closing Prayer

APPENDIX 2: September 11th PLS Notice

Tłegóhłı 2024 ʔelets'ėhkwe Godı
Public Listening Session Announcement and
Notice



February 20-22, 2024

Notice to Sahtú Co-Management Partners and the Public, **September 11, 2023**

The ʔehdzo Got'ıne Gots'ė Nákedı (Sahtu Renewable Resources Board - SRRB) is giving notice and inviting participation in the Tłegóhłı (Norman Wells) 2024 ʔelets'ėhkwe Godı (Public Listening Session – PLS), on *Caribou Conservation, Climate Change and Wildfires* [ʔekw'ó heots'edıgha go ʔeʔá, ʔehdagókėgha, nek'e areyone gok'erek ó (Tulıt'a Got'ıne) / ʔyah hehkıgudı yant'a ʔadė ʔagodin, ne ké ʔedeli (Dėłıne Got'ıne) / Sahtú ʔekwe ʔeʔá, dırnėné k'e gulıʔagotı, nek'e k'ó yarėk'ó (K'áhsho Got'ıne)] scheduled to take place **February 20-22, 2024**.

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Background

The SRRB invites participation in the third Public Listening Session which will take place in Tłegóhłı (Norman Wells) to address the central question, “What should people’s role be in addressing the impacts of climate change and wildfires on caribou?” The SRRB is grateful for the hospitality of the Norman Wells ʔehdzo Got'ıne (Renewable Resources Council) who are welcoming this Public Listening Session in their community.

On October 3, 2019, the ʔehdzo Got'ıne Gots'ė Nákedı (Sahtu Renewable Resources Board – SRRB), gave notice that it was beginning a 5-part ʔelets'ėhkwe Godı (Public Listening Session – PLS) series. The first PLS on *Sahtú Ragóʔa (Hunting Laws) and Approaches to Wildlife Harvesting* took place in Colville Lake on January 21-23, 2020. The second PLS on *Tıch'ádı hé Gots'edi (Living with Wildlife) – Predators and Competitors* took place on April 25-29, 2022, and was held virtually because it could not happen safely in Dėłıne due to COVID-19 restrictions.

The 5-part Public Listening Session series was undertaken to allow the SRRB to take a more comprehensive approach to considering issues that affect caribou in order to determine the most effective ways to conserve caribou. Each Public Listening Session is a Sahtú region-wide public hearing on emerging caribou conservation issues and Hjdó Gogha Sēnégots'izá (Planning for the Future – PFF) processes for wildlife in the Sahtú Settlement Area. Each PLS addresses a theme related to caribou conservation. Previous PLS addressed Sahtú Ragóza (including harvest regulation) and Tjch'ádi hé ʔekwé hé Gots'eredi (including predators and competitors). This third PLS will address nek'e areyone gok'erek ó / Ne K'á ʔedelí / Nek'e K'ó Yarék'ó and ʔehdagókéggha / yant'a ʔadé ʔagodín / Dírínéné K'e Guluzagoti (wildfires and climate change). Future PLS will address Knowledge about Caribou and Landscapes, and the Mixed Economy.

The Public Listening Sessions also provide an opportunity for Sahtú communities to continue to develop Planning for the Future as an approach to caribou conservation based on the values and knowledge of Sahtú Dene and Métis. The SRRB adopted a policy on Hjdó Gogha Sēnégots'izá (Planning for the Future – PFF) in the second PLS to guide community work and SRRB review and approval of written plans. A copy of that policy is available on the SRRB website <https://www.srrb.nt.ca/document-repository/public/public-hearings-registry/caribou-conservation-climate-change-and-forest-fire/rules-and-policy-documents-1/2218-h-do-gogha-se-ne-gots-a-policy>.

The third Public Listening Session will continue work done in the first and second Public Listening Session to develop decisions and recommendations about how we will continue to live with caribou in the Sahtú region.

Terms

ʔada	barren-ground caribou (Dehlá Got'ine and K'áhsho Got'ine dialect)
ʔehdzo Got'ine Gots'é Nákedí	Helpers of the Trappers; Sahtú Renewable Resources Board
ʔehdzo Got'ine	Trappers; Renewable Resources Council
ʔelets'éhkwé Godí	Listening to Each other; Public Listening Session
ʔekw'ó heots'edígha go ʔeʔá ʔyah hehk' gudi Sahtú ʔekwe ʔeʔá	Caribou conservation (Tulit'a Got'ine dialect, K'áhsho Got'ine dialect, Délíne Got'ine dialect)
ʔehdagókéggha yant'a ʔadé ʔagodín Dírínéné K'e Guluzagoti	Climate Change (Tulit'a Got'ine dialect, K'áhsho Got'ine dialect, Délíne Got'ine dialect)
Dehlá Got'ine	End of the Treeline People; people of Colville Lake
Hjdó Gogha Sēnégots'izá	Planning for the Future; Community Conservation Plan
Né K'á Dene Ts'jli Forum	Living on the Land Forum
Nek'e areyone gok'erek ó Ne K'á ʔedelí Nek'e K'ó Yarék'ó	Wildfires (Tulit'a Got'ine dialect, K'áhsho Got'ine dialect, Délíne Got'ine dialect)

Sahtú Ragóza	Hunting Law (title of 2020 PLS; (Dehlá Got'ine and K'áhsho Got'ine dialect)
T'ych'ádi hé ?ekwé hé Gots'eredi	Living With Wildlife (title of 2021 PLS; Dél'ine Got'ine dialect)
Ts'jduweh ?ada ?ezá	Ancient Caribou Law (Dehlá Got'ine and K'áhsho Got'ine dialect)

Acronyms

PFF	Hjdó Gogha Sénégots'izá (Planning for the Future)
PLS	?elets'ehkwé Godi (Public Listening Session)
RRC	?ehdzo Got'ine (Renewable Resource Council)
SDMCLCA	Sahtú Dene and Métis Comprehensive Land Claim Agreement
SRRB	?ehdzo Got'ine Gots'é Nákedí (Sahtú Renewable Resources Board)

Registration, Information Requests, Workshops, Submissions

Party Registration

The SRRB invites individuals and organizations interested in participating in the Hearing as a Party to register with the SRRB in writing via email (info@srrb.nt.ca) or by telephone (867-374-4040).

The deadline for registration is October 27, 2023.

Information Requests

The SRRB will be compiling and distributing information requests related to the ?ekw'ó heots'edigha go ?ezá, ?ehdagókéggha, nek'e areyone gok'erek ó / ?yah hehkgudi yant'a zadé ?agodin, ne ké ?edeli / sahtu ?ekwe ?ezá, d'irnéne k'e guluzagoti, nek'e k'ó yarék'ó directed to parties in the Public Listening Session. Round 1 Information Requests will be issued **November 15, 2023**. If you are a registered Party, you will be able to submit Information Requests to other parties. Please be prepared to submit your Information Requests by **December 8, 2023**.

Workshops

In preparation for the Tlegóhly 2024 Public Listening Session, the SRRB is organizing a Regional Workshop with the Norman Wells RRC to be held **November 7-9, 2023**.

The SRRB is also coordinating community preparation workshops in each Sahtú community to assist communities to develop submissions for the Public Listening Session. These workshops will be held between **November 15 - December 8, 2023**.

Submissions

The SRRB invites Parties and members of the public to provide written or oral submissions and supporting documentation concerning ?ekw'ó heots'edigha go ?ezá, ?ehdagókéggha, nek'e areyone gok'erek ó / ?yah hehkgudi yant'a zadé ?agodin, ne ké ?edeli / sahtu ?ekwe ?ezá, d'irnéne k'e guluzagoti, nek'e k'ó yarék'ó. Advance submissions, including written submissions and recorded

audio submissions, and supporting documentation must be filed with the SRRB by **February 16, 2024**. Please contact the SRRB if you wish to make an advance submission in another way, such as by telephone. Oral submissions will be heard during the Public Listening Session.

Timeline

Note that submission deadlines for Parties are highlighted in **red**.

October 3, 2023	• Teleconference #1
October 24-26	• Hjdó Gogha Sénégots'ízá (Planning for the Future – PFF) Workshop
October 27	• Deadline for Party Registration
November 3	• Notice of Registered Parties
November 7-9	• Regional Workshop in Tłegóhłı
November 15	• Issuance of Round 1 Information Requests
November 15 – December 8	• Community Preparation Workshops in each Sahtú community
December 8	• Deadline for Responses to Information Requests (Round 1)
January 2, 2024	• Issuance of Round 2 Information Requests – <i>if required</i>
January 30	• Deadline for Responses to Information Requests (Round 2) – <i>if required</i>
February 6	• Teleconference #2
February 16	• Deadline for Written Presentations
February 20-22	• Tłegóhłı 2024 Public Listening Session
March 10	• Deadline for Final Written Arguments ** This date is tentative

Summer 2023 Wildfires

The SRRB continues to monitor the emergency circumstances, including the evacuation of communities, arising from the 2023 wildfires burning in many places of the Northwest Territories. The SRRB will be maintaining close coordination with Tłegóhłı and all parties as it begins planning and preparation for the Tłegóhłı 2024 PLS. The SRRB will communicate any relevant updates as the PLS approaches. Please stay safe and follow the directions of public authorities in your communities related to fires and safe fire practices, including burn bans.

Directions on Practice

The Tłegóhłı 2024 PLS is proceeding according to the SRRB's 2019 Rules for Hearings, subject to Directions on Practice issued for this PLS.

Deferred Issues

Through the five-part PLS series, the SRRB is taking an innovative approach to exercising its jurisdiction with respect to “hot topics” in caribou conservation. The SRRB appreciates the engagement and effort of all parties to participate and learn through this process. Issues deferred from the Colville Lake 2020 PLS are not being considered in the Tłegóhłı 2024 PLS.

This Public Listening Session is one Public Hearing

Each Public Listening Session, including the Tłegóhłı 2024 PLS, is a public hearing called by the SRRB under its authority in the SDMCLCA (s. 13.8.21(a)). The PLS facilitates the participation of parties and the public and leads to back-and-forth decision-making process outlined in the SDMCLCA (ss. 13.8.24-13.8.30). The SRRB understands each PLS as a form of public hearing within the 5-part PLS series.

Hı́dó Gogha Sė́nė́gots'ı́zá (Planning for the Future - PFF)

The SRRB will be continuing its work with communities to develop Hı́dó Gogha Sė́nė́gots'ı́zá (Planning for the Future - PFF) leading to written plans that can be reviewed by the SRRB. The SRRB's Hı́dó Gogha Sė́nė́gots'ı́zá (Planning for the Future - PFF) Policy is now approved and will be used to guide the SRRB's work on PFF. During the Tłegóhłı 2024 PLS, the SRRB will be working with parties to outline the expected content for a PFF process and a PFF written plan. This work will help clarify how the SRRB will review and approve Hı́dó Gogha Sė́nė́gots'ı́zá (Planning for the Future - PFF) that are prepared and submitted.

More information will be provided on this during preparations for the PLS, including workshops.

Issues

The Tłegóhłı 2024 PLS is focused on the impacts of climate change and wildfires on caribou within the larger PLS-series on caribou conservation.

Summary of Tłegóhłı 2024 PLS Issues

- **Issues for all five PLS:**
 - What are effective ways to conserve caribou?
- **Central issue for Dė́łı́nė 2021 PLS:**
 - What should people's role be in addressing the impacts of climate change and wildfires on caribou?
- **Other issues**
 - What are the impacts of climate change and wildfires on people, caribou and caribou habitat?
 - How do caribou respond to climate change and wildfires?
 - What mitigation and adaptation should occur for climate change and wildfires related to caribou conservation?
 - How can Hı́dó Gogha Sė́nė́gots'ı́zá (Planning for the Future - PFF) reflect and respond to climate change and wildfires?
 - What is the minimum content for a Hı́dó Gogha Sė́nė́gots'ı́zá (Planning for the Future – PFF) process and written plan?

Learn more, submit information, get involved!

The Public Registry for the Tłegóhł 2024 Public Listening Session is available online at www.srrb.nt.ca. The Public Registry includes forms for Party registration (deadline **October 27**), and for commenting or providing information related to the Public Listening themes and questions. Please don't hesitate to contact SRRB staff at info@srrb.nt.ca or 867-374-4040 if you have questions or comments about the proceeding, or if you would like to make a submission orally or in writing.

APPENDIX 3: Registered Parties

The parties granted standing in the Tłegóhtł 2024 Public Listening Session are on the registry (Rules 8.5, 8.6). For each Sahtú community, parties were grouped as a single panel on the agenda.

Party	Panelists	Party	Panelists
Norman Wells ʔehdzo Got'ıne (Renewable Resources Council)	<ul style="list-style-type: none"> • Jasmine Plummer • Lisa McDonald • Margaret McDonald • Sierra McDonald 	Tłıchq Ndek'áowo (Government)	<ul style="list-style-type: none"> • Stephanie Behrens • Eta Zoe • Joseph Judas • George Mackenzie • Joe Mackenzie • Joseph Moosenose
Délıne Délıne Got'ıne Government and Délıne ʔehdzo Got'ıne (Renewable Resources Council)	<ul style="list-style-type: none"> • Leonard Kenny • Danny Gaudet • Russell Kenny • Alfred Tanitone 	GNWT—ECC	<ul style="list-style-type: none"> • Heather Sayine-Crawford • James Hodson • Rohan Brown • Kevin Chan • Jan Adamczeski • Brad Woodworth • Jason Currie
Tulıt'a ʔehdzo Got'ıne (Renewable Resources Council)	<ul style="list-style-type: none"> • Jimmy Mendo (TRRC) • Sally Ann Tatti (Land Corporation) • Kurtis Widow (TRRC) • Leon Andrew (Land Corporation) • David Menacho (Land Corporation) • Russell Etchinelle • Frank Andrew • Frederick Andrew Jr. • Stella Bayha-Yallee 	Government of Canada ECCC/NAR Can	<ul style="list-style-type: none"> • Bruce Laurich • Eliot McIntire • Ashley Campbell
Colville Lake ʔehdzo Got'ıne (Renewable Resources Council) and	<ul style="list-style-type: none"> • Shawn Grandjambe • Denny Kochon • Wilbert Kochon • Joseph Turo 	Youth Presentation	<ul style="list-style-type: none"> • Naokah Bailes • Cassandra Blondin-Burt

Behdzi Ahda First Nation			
Fort Good Hope ?ehdzo Got'Inę (Renewable Resources Council)	<ul style="list-style-type: none"> • Daniel T'Seleie • Frank T'Seleie • Tammy Proctor (Yamoga Land Corporation) • Kurtis Neyelle (Yamoga Land Corporation) • Edwin Erutes (Yamoga Land Corporation) • Cora Lynn Rabisca (RRC) 	Members of the Public (Not Registered Parties)	<ul style="list-style-type: none"> • Lucy Jackson • Cassandra Blondin-Burt

APPENDIX 4: Graphic Recordings— Summaries of Presentations

February 20, 2024: Fire Season Sharing (All)

Tłegóhtł 2024 Public Listening Session

* acknowledge the SACRED RELATIONSHIP with the CARIBOU.

FIRE SEASON SHARING:

ECC (Listening...)

Is it a FIRE SEASON? → 3x length season, never open again longer...
 Fires as never longer...
 * Overwhelming...
 * Never longer...
 * Never longer...
 * Never longer...

Tłingh

We want to work together to plan for FIRE SEASON
 Backlogs exacerbated
 Strategy - access not heard
 Fire out of control... - businesses stopped & food
 risk of destroying the whole community
 planning better
 * Protect EVERY COMMUNITY.
 * We need to look at LAND, WATER, ANIMALS...
 * Important: Look into assist/work with...
 * GAIN about FIGHTING FIRES
 * Need to focus on TAKING...
 * NEED TO PREPARE CARE PREPARING
 * Define sends retreats ON ZOOM!
 (for meeting only)

PORT GOOD HOPE

based on Eliters
 Fire close to community
 Lack of resources/help (focus was on Yellowknife)
 makes us scratch head
 Don't just OBSERVE...
 We want ENR to send Senior people to decide what to do
 Evacuation was hard...
 ...no food by Yellowknife
 3-4 weeks
 Teach people what you are of it?
 We QUESTION THE GOVT SYSTEMS
 deciding how/when to fight fires

NORMAN WELLS

Under smoke health impacted
 harder to breathe burning
 Under smoke health impacted
 harder to breathe burning
 Evacuation was hard...
 ...no food by Yellowknife
 3-4 weeks
 Teach people what you are of it?
 We QUESTION THE GOVT SYSTEMS
 deciding how/when to fight fires

COLVILLE LAKE

Don't just OBSERVE...
 We want ENR to send Senior people to decide what to do
 Evacuation was hard...
 ...no food by Yellowknife
 3-4 weeks
 Teach people what you are of it?
 We QUESTION THE GOVT SYSTEMS
 deciding how/when to fight fires

TULITA

along the shores... Notice
 trails, fish Moose
 species adapting
 FIRE'S impacts on CARIBOU & HABITAT
 * a REPORT will be compiled after this PLS.
 * PLS - Importance on LISTENING
 Our focus: What should people's role be in addressing the impacts of CLIMATE CHANGE & WILD FIRES? on CARIBOU

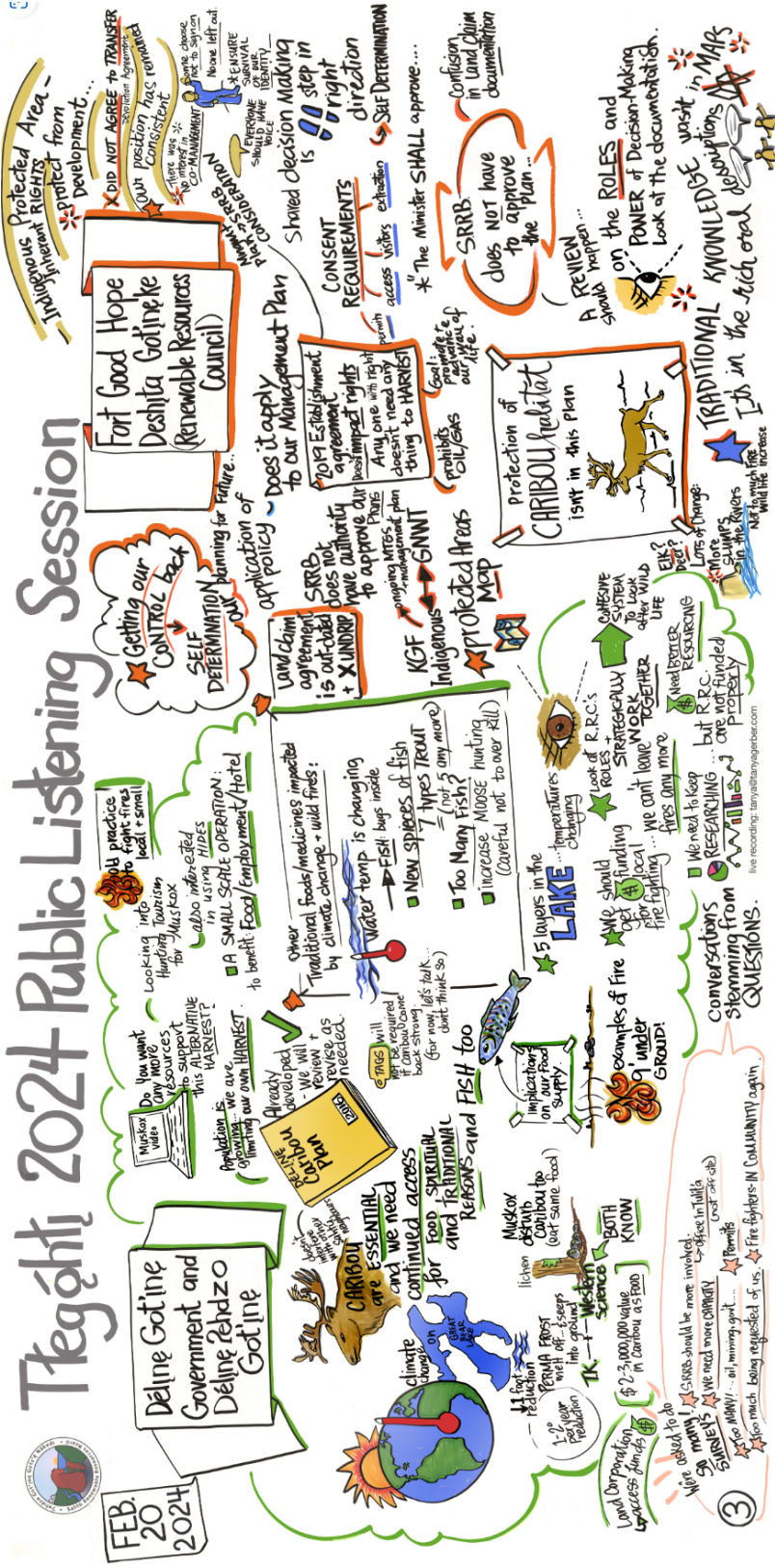
WILDFIRES

CLIMATE CHANGE
 IMPACTS ON CARIBOU & HABITAT
 * a REPORT will be compiled after this PLS.
 * PLS - Importance on LISTENING
 Our focus: What should people's role be in addressing the impacts of CLIMATE CHANGE & WILD FIRES? on CARIBOU

Working hard for a BETTER FUTURE
 collaboratively
 Serving all living beings

live: recordings@enr.ca@tanyager.com

①



FEB. 20 2024





Tlegéhtl 2024 Public Listening Session

Environment and Climate Change Canada

SCIENCE FORECAST IS DIFFICULT TO PREDICT

- Only seeing minor shifts in the weather will be drier
- Only seeing minor shifts in the weather will be drier
- More often, HABITATS will decline
- enter habitats

ROLE of FEDERAL GOVT

- awareness
- concern
- action

GOALS of HABITATS LEADERSHIP ACROSS CANADA

- Access to
- Follow up
- Call would
- be
- community-based
- guardian
- Programs

ARE DEPENDENT?

- Information
- Research
- Up to You

RECOMMENDATIONS SPRING 2024

IT'S A LONG JOURNEY

Clarity and Planning for the Future Process

- * POLICY**
- * PRINCIPLES**
- * GUIDANCE**

SRRB was created by Land Claim - can't change this - it's team support - RRC's - Youth

NEED ON AT COMMUNITY PLANNING RE: SRB

PREPARE FOR OUR SELF GOVERNANCE

RELECTS RESTRICTS

DENE & MÉTIS INVOLVEMENT/LEADERSHIP IN CONSERVATION

COMMUNITY DEFINES THE PLANS

STORY OF THE LAND

- Cultural ways that inform
- Understanding of the situation - others
- KEY COMMUNITY PRIORITIES

GOALS & ACTIONS

- Goals of Actions Plans

YOUTH

We can involve + teach + support + need resources

TELL STORIES + MORE WORK TO DO

Environment and Climate Change Canada

SCIENCE FORECAST IS DIFFICULT TO PREDICT

- Only seeing minor shifts in the weather will be drier
- Only seeing minor shifts in the weather will be drier
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ROLE of FEDERAL GOVT

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GOALS of HABITATS LEADERSHIP ACROSS CANADA

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ARE DEPENDENT?

- Information
- Research
- Up to You

RECOMMENDATIONS SPRING 2024

IT'S A LONG JOURNEY

live recording: tanyatanyagerber.com

live recording: tanyatanyagerber.com

APPENDIX 5: Draft Guidance

Tlegóhli 2024 Public Listening Session

Draft Hıdó Gogha Sėnégots'ızá Guidance

Tlegóhli 2024 Public Listening Session
February 20-22, 2024



Tlegóhli
Public Listening

**Climate Change
& Wildfire**



Notice to Parties and the public, **February 1, 2024**

Hıdó Gogha Sėnégots'ızá (Planning for the Future) Guidance

The attached document is a draft Hıdó Gogha Sėnégots'ızá guidance. It compliments guidance provided within the SRRB's 2023 Hıdó Gogha Sėnégots'ızá Policy. The final version will be used to provide guidance about what content the SRRB is looking for in a written plan.

*The SRRB is seeking feedback on this draft guidance as part of the third Public Listening Session (Tlegóhli 2024 Public Listening Session). **The SRRB is providing an opportunity to respond on what content to look for in Hıdó Gogha Sėnégots'ızá, in a Hıdó Gogha Sėnégots'ızá written plan, whether any content is missing from this draft guidance, or whether any parts in this draft guidance should not be included in Hıdó Gogha Sėnégots'ızá or a written plan.***

The SRRB will include a presentation and facilitate discussion of the Hıdó Gogha Sėnégots'ızá guidance during the third PLS. The SRRB reminds parties that they may include comments on the Hıdó Gogha Sėnégots'ızá guidance on content in their final written submissions following the PLS.

Timeline Summary

February 6	• Teleconference #2
February 16	• Deadline for Written Presentations
February 20-22	• Tlegóhli 2024 Public Listening Session
March 10	• Deadline for Final Written Arguments ** This date is tentative

Contact Information

Don't hesitate to contact us with questions and suggestions!

Ʒehdzo Got'ınę Gots'ę Nákedi (Sahtú Renewable Resources Board)

- Stephanie Yuill – PLS project Manager 867-446-9076
- Catarina Owen – Assistant Executive Director 780-686-531

Invitation to Comment – SRRB Guidance on Hıdó Gogha Sėnégots'ızá Content

February 1, 2024 Version



Summary

The attached document is a draft Hjđó Gogha Sėnégots'ıá guidance. It compliments guidance provided within the SRRB's 2023 Hjđó Gogha Sėnégots'ıá Policy. The final version will be used to provide guidance about what content the SRRB is looking for in a written plan.

The SRRB is seeking feedback on this draft guidance as part of the third Public Listening Session (PLS 3). The SRRB is providing an opportunity to respond on what content to look for in Hjđó Gogha Sėnégots'ıá, in a Hjđó Gogha Sėnégots'ıá written plan, whether any content is missing from this draft guidance, or whether any parts in this draft guidance should not be included in Hjđó Gogha Sėnégots'ıá or a written plan. See also Round 2 Information Requests in section E (1-6) to Sahtú Indigenous Parties and section J (1-4) to the GNWT.

The SRRB is working on organizing a workshop on the Hjđó Gogha Sėnégots'ıá guidance on how Dene terminology can be incorporated in the guidance prior the PLS. Stay tuned for updates.

The SRRB will include a presentation and facilitate discussion of the Hjđó Gogha Sėnégots'ıá guidance during the third PLS. The SRRB reminds parties that they may include comments on the Hjđó Gogha Sėnégots'ıá guidance on content in their final written submissions following the PLS.

Background on Hjđó Gogha Sėnégots'ıá

The SRRB is the main instrument of wildlife management in the Sahtú Settlement Area. The SRRB was established by the Sahtú Dene and Métis Land Claim Agreement, a modern treaty that applies to the Sahtú Settlement Area. The rights that it grants are constitutionally protected by section 35 of the *Constitution Act, 1982*. The SRRB is responsible for approving plans for wildlife, habitat, and harvesting.

At the conclusion of the second Public Listening Session, the SRRB adopted a policy to support community-based conservation planning, referred to by the Dene phrase *hıđó gogha sėnégots'ıá* (planning for the future) to achieve the objectives in the *SDMCLCA* for wildlife, habitat, and harvesting. The SRRB's approach to *Hjđó Gogha Sėnégots'ıá* (Planning for the Future – PFF) is subject to the Board's 2023 *Hjđó Gogha Sėnégots'ıá* Policy.

Hıdó gogha sėnégots'ıá (Planning for the future – PFF) is a community-based, rights-compliant, governance framework that reflects and respects local Dene and Métis knowledge, customs, and practices. Hıdó gogha sėnégots'ıá is a viable conservation approach that is community-led and a more effective and more rights-compliant alternative to harvest limits.

The SRRB's 2023 Hıdó Gogha Sėnégots'ıá (Planning for the Future – PFF) Policy is centred on three interdependent principles:

1. **ᐃᓂᓂᓂ Godı́ hé Dene Ts'ı́ lı́ hé (Biocultural Diversity)** - Dene expect decisions that affect them to account for ᐃᓂᓂᓂ dodı́ hé Dene ts'ı́ lı́ hé (all living things and Dene ways of being).
2. **ᐃedets'ė́ K'áokerewe (Self-Regulation)** - In Dene ᐃᐃᐃ (law) people and wildlife are called upon to respect each other's autonomy as a basis for social cohesion and survival in a harsh environment through ᐃedets'ė́ k'áots'erewe (self-regulation).
3. **Godı́ Kehtsı́ (Ethical Space)** - Dene and Métis participation in conservation efforts with government depends on godı́ kehtsı́ (fair consideration or coming together of diverse perspectives, or ethical space), including science and Indigenous knowledge through ᐃelėxé ᐃeghálats'eda (collaborative) systems of accountability.

Vision for Community Leadership in Hıdó Gogha Sėnégots'ıá

Hıdó gogha sėnégots'ıá facilitates the documentation of local and Indigenous knowledges, customs, and practices in wildlife conservation in a written plan for consideration in decision-making. The SRRB recognizes the importance and value of Sahtú Dene and Métis involvement in decisions about wildlife and landscapes.

The SRRB believes the planning process should be defined by the community. Planning processes can be important opportunities for community members, leaders, and others to come together and discuss what is most important for the future. These discussions can inform the development of a written plan. The SRRB is not prescribing the form of written plan prepared by a community.

The planning for the future process must be community-led and -owned. The SRRB expects that the process will include extensive community input and the involvement of community leadership. The SRRB recognizes and looks for ᐃehdzo goł'ı́ņę (renewable resources council) leadership in planning for the future. However, the SRRB again acknowledges that it is up to each community to define their specific process and resulting plan.

Hjdó Gogha Sėnégots'ıá Guidance

- Draft for PLS Review -

This guidance is to provide information about what content the SRRB is looking for in a written plan. The way Hjdó Gogha Sėnégots'ıá is presented here is not prescribed, or a 'requirement' but a suggestion for a simple way to organize and present the information that may be included in a written plan.

In this guidance, the contents of Hjdó Gogha Sėnégots'ıá are organized into three parts:

- *The Story of This Plan;*
- *The Story of the Land and Animals;* and
- *Goals and Actions.*

Within each of these parts, there are sections explaining content the SRRB wants communities to be aware of when they are doing Hjdó Gogha Sėnégots'ıá:

The Story of This Plan

- √ Evidence of Community Support
- √ Plan Purpose and Topic
- √ Plan Area
- √ Planning Context
- √ Planning Process and Local Community Involvement
- √ Involvement of others beyond the community

The Story of the Land and Animals

- √ Cultural ways to inform the plan
- √ Community and Cultural understanding of the situation
- √ Others' understanding of the situation
- √ Key community priorities

Goals and Actions

- √ Goals
- √ Action Plan

The Story of This Plan

The story of this plan is information about the plan and planning process

This section explains specifics about the plan itself: how was it created, who was involved in creating it, who and where the plan applies, and what it is for. Like all other elements of the plan, it is expected that local community members and organizations like the RRC participate in developing this section of the plan.

Evidence of Community Support

Show that this plan is supported by the community. Evidence may include a list of supporting organizations and community leaders and a page of signatures, letters of support, or resolutions that demonstrate support for the plan. RRC support is required for SRRB approval.

Plan Purpose and Topic

Describe the purpose and topic of the plan. A PFF plan addresses the various ways that the community or specific local organizations will take care of the *land and animals* in the area. If the plan addresses specific topics such as caribou, predators and competitors, climate change, or specific areas of land, it is helpful to say this at the beginning. Over time, a PFF plan may grow to include more topics.

Plan Area

Describe the area that the plan covers. This could include a map that shows that area. Name and/or show on the map any other important boundaries, areas, features, or locations in the area.

Planning Context

Explain how the plan relates to the Land Claim, Federal or NWT laws, other plans, or agreements for this area. Explain if this plan adds to these, complements them, or suggests things that don't agree with those other plans and laws.

Planning Process and Local Community Involvement

Say how the plan was developed and how the community was involved. Name the people and groups who helped, and make a list of any meetings, discussions, or feedback activities. Details here can be helpful; for example, include the dates of when these events happened and how many people were there.

Involvement of others beyond the community

Describe how other Sahtú communities, neighbouring Land Claim organizations, GNWT staff, and/or other groups (such as SSI or ACCWM) were involved. Especially where these others may be impacted by the plan, the SRRB recommends that they have had the chance to review and provide feedback on it. Explain if any of these provided feedback that influenced the plan.

THE STORY OF THE LAND AND ANIMALS

The story of the land and the animals is information about "the land and animals" (or "the specific topic of the plan")

This section should provide an understanding of the current situation, trends, and issues specific to the topic of the plan. Like all other elements of the plan, it is expected that local community members and organizations participate in developing this section of the plan.

Cultural Ways that inform the plan

Explain what Dene and Métis culture says about the *land and animals*. Talk about the role of ɬeɬa (law) in the plan, how the plan honours ts'ı́ı́ (culture), and respectful ways for being on the land or the "right ways" for Dene and Métis ways of life. Describe any practices, customs, stories, or knowledge that is important to this plan. Explain any relevant cultural terms and concepts in the plan. If helpful and appropriate, include maps that show places that are culturally important or important to the *land and animals* for various reasons.

Community and Cultural Understanding of the Topic

Share what the community sees and knows about how the people, *land and animals* in this area are doing today. What are people worried about? Are there changes happening and why are they happening? What are people seeing that helps them know these things are happening? Are some worries or changes more significant than others?

Others' Understanding of the Topic

Explain what the government and/or scientists say about the *land and animals* in this area. Include government abundance estimates, current conditions and key issues according to them. If helpful and appropriate, include maps showing this information.

Key Community Priorities

Outline the key issues or concerns that the community hopes to deal with through this plan. This could outline issues in terms of priorities, the biggest concerns, or most urgent worries.

GOALS AND ACTIONS

What we intend to do

This section should outline the goals and actions that the community or local organizations will take to address the key community priorities. Like all other elements of the plan, it is expected that local community members and organizations participate in developing this section of the plan. It is also expected that other communities and organizations that would be affected by this plan will be consulted while developing this section of the plan.

Goals

List and explain the community's goals. Each goal describes what the community wants to achieve in relation to a specific area of work, a key community priority, or a particular aspect of cultural laws and traditions.

For each goal, explain so that others can understand (1) why it is a goal, (2) cultural or community considerations that provide context for the goal, and (3) whether there are specific outcomes or results that will help mark progress towards achieving the goal.

In addition to listing and explaining the goals, mention whether any of them are more urgent or more important than others.

Action Plan

Outline the actions that will be taken to achieve the goals. Actions are typically organized under each goal. They are tangible and usually involve starting projects; developing or improving programs; or creating new rules or policies. Each action statement should include details about timing, who is doing what, and resources needed (staff, money, etc).

Specific types of actions that the SRRB encourages include:

- **Goal Implementation Actions** which explain how the community will work towards each goal.
- **Monitoring and Evaluation Actions** which explain how the community will gather information to track progress towards each goal and for the plan.
- **Communication Actions** which explain how youth will be educated, and how the plan and monitoring will be shared with community members and others.
- **Plan Update Actions** which outline when and how the plan will be updated.

APPENDIX

Questions and Answers about the draft Hjdó Gogha Sėnégots'ıá Guidance

What is this guidance?

- This guidance explains the Hjdó Gogha Sėnégots'ıá content the SRRB is looking for. It is a draft being shared with parties for comment during PLS 3. This guidance builds on what the SRRB has heard from communities and from government. The SRRB intends to provide a final version at the end of PLS 3.
- **The SRRB providing an opportunity for party input on what content it will look for in Hjdó Gogha Sėnégots'ıá, in a Hjdó Gogha Sėnégots'ıá written plan, or whether any parts in this guidance should not be included in Hjdó Gogha Sėnégots'ıá or a written plan.**
- After the SRRB issues a final version, communities will be invited to consider the guidance when they prepare a Hjdó Gogha Sėnégots'ıá written plan. The SRRB will use this guidance when it reviews submissions of Hjdó Gogha Sėnégots'ıá written plans. The guidance is intended inspire planning without imposing a process or outline for a written plan.

How can communities use the guidance for preparing Hjdó Gogha Sėnégots'ıá Written Plans?

- The Hjdó Gogha Sėnégots'ıá guidance is intended to help communities do the different phases involved in Hjdó Gogha Sėnégots'ıá planning:
 - preparing;
 - listening;
 - writing;
 - confirming; and
 - approving.
- The planning process does not have to happen in this order. These phases are suggestions to inspire planning without imposing a process. Communities may address questions or identify supporting information in different phases of the process.



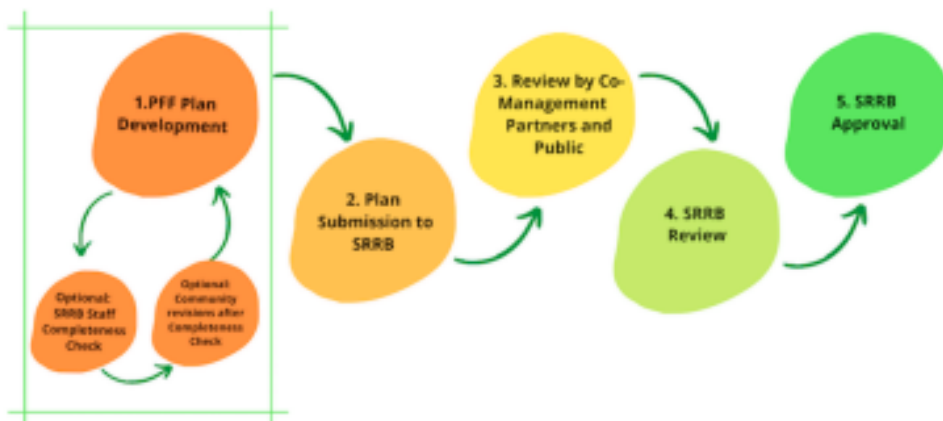
What are the different sections in the guidance?

Hjdó Gogha Sėnégots'ıá Guidance – DRAFT FOR PLS PARTY COMMENT

- The SRRB suggests that each plan include the content in the guidance, but the content is not prescribed. As part of reviewing this draft guidance, and after input from the PLS, the SRRB will consider whether there is minimum content from the guidance to highlight or emphasize.
- Written plans, like the planning process, will look different for each community. Communities may address topics or identify supporting information in different phases of the process or different sections of a written plan.
- Communities are encouraged (but not required) to share draft written plans with SRRB staff for screening before making a formal submission for the Board's approval. The staff screening will refer to this guidance. The results of the screening will be provided to the community and are part of the public record when a Hjdó Gogha Sėnégots'ıá written plan is considered by the Board. Communities are encouraged to consider incorporating feedback from SRRB staff and comments from other parties before making their formal submission to the Board.

How will the SRRB approve a written plan?

- The SRRB anticipates the following steps from its 2023 Hjdó Gogha Sėnégots'ıá Policy for review and approval of a Written Plan:



- The SRRB will refer to this guidance when SRRB staff screens a draft plan or when the Board decides whether to approve a written plan. The SRRB will also consider some over-arching questions outlined in its Hjdó Gogha Sėnégots'ıá policy when it reviews a Hjdó Gogha Sėnégots'ıá written plan:
 - *Planning Process*: How was the plan developed? How was the community involved?
 - *Plan Approval*: Has the plan been approved by community leadership organizations?

Hjdó Gogha Sėnégots'ıá Guidance – DRAFT FOR PLS PARTY COMMENT

- *Written Plan Content:* Does the plan address the sections outlined in the SRRB's Hjdó Gogha Sėnégots'ıá guidance? If sections or supporting information are missing or not addressed, is there a reason?
- *Supporting Information:* Does the written plan include sufficient supporting information?
- Hjdó Gogha Sėnégots'ıá written plans that include specific goals that challenge established norms or deal with authority of bodies not subject to the written plan (such as government or other communities) should be appropriately supported by reasonable actions or steps toward an outcome. Communities should not expect immediate results because of writing a plan.
- Under the land claim, the SRRB is responsible for approving management plans, including Hjdó Gogha Sėnégots'ıá written plans. The SRRB may not be able to approve plans where any goals or action plans contravenes rights and authorities described in the SDMCLCA or other law.
- The Board will take into account its policy, this guidance, staff screening of draft plans and party comment when it considers a written plan for approval. SRRB "approval" of a Hjdó Gogha Sėnégots'ıá written plan is a decision under the SDMCLCA. The Board makes decisions independently, according to the SDMCLCA, in a way that meets the duty of fairness. The Minister reviews SRRB decisions made under its land claim mandate.

What role does the SRRB have in Hjdó Gogha Sėnégots'ıá?

- Hjdó Gogha Sėnégots'ıá written plans are prepared by communities. The SRRB does not do planning for communities. The SRRB cannot influence or direct how Hjdó Gogha Sėnégots'ıá is done in the community.
- SRRB staff do not decide whether to approve a plan. Staff may attend or facilitate community planning activities, but SRRB staff must remain independent and not provide input with respect to the content of the written plan.
- Board members receive and consider written plans when they are submitted to the SRRB. Board members have no role in Hjdó Gogha Sėnégots'ıá at the community level.

APPENDIX 6: Ts’ude Niljné Tuyeta

Introduction

- [1] Concerns about the SRRB’s role in relation to the co-management regime in Ts’ude Niljné Tuyeta (or Tuyeta) came to the Board’s attention during the 2024 Tłegóhłı PLS. Ts’ude Niljné Tuyeta is an Indigenous Protected and Conserved Area (IPCA) being established in the K’asho Got’ine District, near Fort Good Hope and Colville Lake, through the 2019 Establishment Agreement between the Government of the Northwest (GNWT) Territories and the K’asho Got’ine Foundation.³²⁶ The Fort Good Hope Renewable Resources Council (FGH RRC) and the Colville Lake Renewable Resources Council (CL RRC) are not listed in the Establishment Agreement.³²⁷ According to the terms of the Establishment Agreement, Ts’ude Niljné Tuyeta will be designated for protection by both the GNWT under the Protected Areas Act³²⁸ and by K’asho Got’ine Foundation as an Indigenous protected area.³²⁹ The Establishment Agreement provides for the creation of a management board and the preparation of a management plan for the administration of Ts’ude Niljné Tuyeta.
- [2] During the 2024 Tłegóhłı (Norman Wells) PLS, the Fort Good Hope Renewable Resources Council (FGH RRC), which included representatives from the K’asho Got’ine Foundation, made submissions about the process for the approval of the management plan as set out in the Establishment Agreement. FGH RRC took the position that the SRRB does not have the authority to approve the draft Ts’ude Niljné Tuyeta management plan, and the Hı́dó Gogha Sė́nė́gots’ı́á “Draft Guidance” does not apply to the draft management plan. The GNWT—ECC made submissions that the SRRB’s role was to approve the draft management plan according to the Establishment Agreement and the *SDMCLCA*, and that the Hı́dó Gogha Sė́nė́gots’ı́á “Draft Guidance” circulated in Public Listening Session 3 (PLS 3) does not address protected area management planning specifically and amendments would be necessary for protected area management planning to be included.³³⁰ Other parties did not make submissions about Ts’ude Niljné Tuyeta.

³²⁶ The Establishment Agreement, which was signed September 4, 2019, is available on the Tłegóhłı 2024 PLS Public Hearing Registry.

³²⁷ The organizations listed on behalf of the K’asho Got’ine are the Fort Good Hope Dene Band, the Yamoga Lands Corporation, the Fort Good Hope Métis Nation Local #54 Land Corporation, the Ayoni Keh Land Corporation, and the Behdzi Ahda First Nation.

³²⁸ SNWT 2019, c 11. The *Ts’ude Niljné Tuyeta Territorial Protected Area Regulations*, R-006-2022 came into force January 31, 2022.

³²⁹ Establishment Agreement, section 4.4.

³³⁰ GNWT—ECC Responses to Information Requests and Final Submission, March 22, 2024, pg. 7. On April 9, 2024, the Board received a motion from FGH RRC objecting to the SRRB’s decision to grant an extension to GNWT—ECC because the process for grant extension was procedurally unfair. As a remedy, FGH RRC requested that some or all of GNWT—ECC’s final submissions and responses to Information Requests Round 3, dated March 22, 2024, be removed from the record of the Tłegóhłı 2024 PLS. The Board considered the objection and decided to deny FGH RRC’s request for a remedy on the basis that the decision to grant the extension did not breach procedural fairness owed to FGH RRC, did not prejudice FGH RRC or other parties to the PLS, and the proposed remedies could cause a breach of procedural fairness owed to GNWT—ECC. The Board’s May 24, 2024, decision and reasons on the motion are posted on the registry for the Tłegóhłı 2024 PLS.

- [3] IPCAs are a new form of conservation measure that emphasize self-determination and Indigenous governance. IPCAs are not mentioned in the *SDMCLCA*, nor are IPCAs specifically addressed by existing territorial or federal legislation. Generally, IPCAs or other Indigenous protected areas are designated by two authorities (so-called “dual designation”): by an Indigenous government under their own laws, and by a federal or territorial government under existing legislation. However, dual designation is not required to establish an IPCA, but Indigenous governments may partner with governments so that IPCAs will also be recognized and protected under federal or territorial law. In the Sahtú, the establishment of Tuyeta Niljné Tuyeta involves dual designation by the K’asho Got’Inę and by the GNWT through a process outlined in the Establishment Agreement. The Establishment Agreement is subject to the laws of the Northwest Territories and of Canada and must be interpreted consistently with the *SDMCLCA*.³³¹
- [4] The development of concepts like IPCAs and Hjdó Gogha Sėnégots’ıá seek to promote Indigenous self-determination and Dene ts’ııı (way of life), which is a departure from established wildlife and land conservation frameworks. Work on these concepts in the Sahtú is ongoing, and neither is clearly defined in Canadian law because they rely heavily on Dene/Métis ts’ııı (ways of life), náowerá (knowledge), and ęęę (law). The Board is not a rights-holder and is bound by the *SDMCLCA* and Canadian law. IPCAs are not in the *SDMCLCA*, so there are reasons the Board’s approach to Hjdó Gogha Sėnégots’ıá may not be applicable to IPCA management plans, including the Tuyeta Niljné Tuyeta management plan. The Board’s role and support for community planning rooted in Dene ts’ııı (way of life) is intended to be aligned with the purpose envisioned by the Establishment Agreement of Tuyeta Niljné Tuyeta, which is to sustain ecological integrity and the K’asho Got’Inę Life.

Summary of Board Response

- [5] The Tuyeta Niljné Tuyeta management plan has not been submitted to the Board as part of the 2024 Tęęóhıı PLS. The Board is not making a decision about Tuyeta Niljné Tuyeta’s management plan in this PLS, because it has not received any plan to review. As outlined in Part III of the report on the Tęęóhıı 2024 PLS, the Board considers important the roles of different organizations in any conservation or co-management work, including management plans, are clear. The Board is bound by the terms of the *SDMCLCA* and it is not a party to the Establishment Agreement. The Board is addressing Tuyeta Niljné Tuyeta here to clarify its understanding of the Board’s role in the Establishment Agreement related to the Tuyeta Niljné Tuyeta management plan. When the Board receives a copy of the draft management plan for Tuyeta Niljné Tuyeta, the Board will consider whether the draft management plan falls within its jurisdiction and mandate; and if it is a management plan within its jurisdiction, whether to exercise its powers under the *SDMCLCA*.
- [6] The issue of whether and how Hjdó Gogha Sėnégots’ıá applies to or aligns with IPCAs could have implications for other parties or other work on IPCAs in the Sahtú Settlement Area. The Board did not give notice, nor receive submissions from other parties, about whether the Hjdó Gogha Sėnégots’ıá “Draft Guidance” should apply to IPCAs or management plans related to them.

³³¹ Establishment Agreement, sections 2.9, 3.1 and 3.2