



Colville 2020
Public Listening



PUBLIC LISTENING UPDATE:

Sahtú Ragóʔa (Hunting Laws) and Approaches to Wildlife Harvesting

Comment, Next Steps and Timeline

Notice to Sahtú leaders, Parties, and neighbours, **February 26, 2021**

Terms and Acronyms

ʔehdzo Got'ine Gots'é Nákedı	Sahtú Renewable Resources Board
ENR	Department of Environment and Natural Resources, Government of the NWT
PLS	Public Listening Session
SDMCLCA	Sahtú Dene and Métis Comprehensive Land Claim Agreement
SRRB	Sahtú Renewable Resources Board

Background

The ʔehdzo Got'ine Gots'é Nákedı (Sahtú Renewable Resources Board – SRRB) was established under the Sahtú Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA), which lays out the powers of the SRRB (13.8.23) and a five step framework for decision-making and implementation (13.8.24-13.8.30). This framework provides for strong accountability to evidence-based decisions and the respective powers of the SRRB and the Minister of Environment and Natural Resources (ENR). The Minister may consider information not before the SRRB and matters of public interest not considered by the SRRB, but *shall* provide written reasons for varying or setting aside decisions of the SRRB. The word “shall” is used to indicate actions that are required by the SDMCLCA. The word “may” gives discretion to the decision-maker.

In SDMCLCA framework, timelines are important. The Minister *may* grant extensions to the Board. In turn, the Minister must respond to SRRB decisions within specific deadlines or the SRRB’s decisions *shall* be implemented as soon as practicable.

The SDMCLCA decision framework should be understood in light of the SRRB’s amended Hearing Rules (October 23, 2019), which provides for Public Listening Sessions (PLS) as part of a larger hearing proceeding: “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” (Hearing Rule 4.9). The SRRB has accordingly planned a five-part proceeding during 2020-2024.

This update provides an overview of where we’re at and next steps in the decision process following from the Colville 2020 PLS.

Decision-Making Steps and Timelines

1. Unless the Minister indicates otherwise, the SRRB *shall* forward decisions to the Minister of ENR (13.8.24[a]). Unless the Minister directs otherwise, the report *shall* remain confidential until Step 2 is complete (13.8.24[b]).
2. The ENR Minister *may* accept, vary or set aside SRRB decisions with written reasons within 60 days, with a possible 30 day extension (13.8.25-26).
3. The SRRB *shall* deliver a second report responding to the Minister’s proposals to vary or set aside decisions, with written reasons, within 30 days, with a possible extension granted by the Minister (13.8.27).
4. The ENR Minister *may* accept, vary or set aside the decisions in the SRRB’s second report with written reasons within 30 days (13.8.28).
5. The ENR Minister *shall*, “as soon as practicable, implement” SRRB decisions that the Minister has accepted, or Minister’s decisions varying or setting aside SRRB decisions (13.8.28). If timelines expire under 13.8.25 and 13.8.28, the SRRB’s decisions “shall” be implemented.

Steps Completed to Date

Step 1: Colville 2020 PLS/Report and Reasons for Decision

On October 31, 2020, the SRRB submitted the *Sahtú Ragóza (Hunting Law) and Approaches to Wildlife Harvesting: Colville 2020 Public Listening (Hearing) Session Report and Reasons for Decision*. The report was posted to the Public Registry, upon the Minister’s request under SDMCLCA 13.8.24(b).

Step 2: ENR submits response to SRRB for publication

On January 29, 2021, the Minister of ENR sent their response accepting, varying or setting aside SRRB decisions or recommendations. This report was made public upon the Minister’s request.

Next Steps

Step 3.1 Parties invited to comment by March 8, 2021

On February 1, 2021, the SRRB exercised its discretion to invite Parties to provide comments with respect to “new information, matters of public interest not otherwise put forward or legal positions that were not otherwise subject to consideration within the Colville 2020 PLS, specifically for decisions or recommendations where the Minister varied or set aside and

replaced the SRRB’s decision.” Several Parties have requested extensions to the original February 15 deadline.

The SRRB must take into consideration the time required for reviewing comments and preparing the second report. To date, comments have been received from the Colville Parties (February 25) and Fort Good Hope Renewable Resources Council (February 26). As well, the Inuvialuit Game Council along with the Wildlife Management Advisory Council – NWT submitted a comment to the ENR Minister regarding the SRRB’s first report on January 25. Comments are posted to the public registry as they arrive, at www.srrb.nt.ca.

The Minister granted a 30 day extension to the SRRB, bringing our deadline for issuing the second report to March 30, 2021. The SRRB therefore grants an extension for comment by the Parties to no later than **March 8, 2021**. This gives the Parties a total of 38 days of response time since publication of the Minister’s response, and gives the SRRB 22 days to consider all submissions and prepare the second report with written reasons as required under SDMCLCA 13.8.27.

If you are a rights-holder but you were not a Hearing Party for the Colville 2020 PLS, you can share any comments, questions or concerns with your representatives who were hearing parties.

Step 3.2 SRRB Review and Response (March 9-March 30)

The SRRB is conducting its own review of the Minister’s response. The SRRB will deliberate on its response and finalize a second report by the March 30, 2021 deadline. The SRRB is sensitive that it has begun a five-part PLS hearing approach to address the question, “What is the most effective way to conserve caribou?” That approach is ongoing and the SRRB does not seek to rush the process where key issues will take time to resolve.

The SRRB will rely on the Hearing Record from the Colville 2020 PLS and any relevant comments from approved Hearing Parties to make its response to the Minister.

Next Public Listening Session (to be determined)

On February 5, the SRRB decided to postpone the Délı̄ne 2021 Public Listening Session (PLS) to make time so the Minister’s response can be properly reviewed. The COVID-19 public health emergency was also a factor because of the obstacles to a full and open hearing process. The SRRB is committed to the Public Listening Session in Délı̄ne and anticipates a decision regarding the timeline in May.

Contact Information

Please don’t hesitate to contact info@srrb.nt.ca or call Deborah Simmons 867-446-1104 if you have any questions or comments.