



ʔehdzo Got'Inę Gots'ę Nákedı  
Sahtú Renewable Resources Board

## Second Report on Sahtú Ragóʔa (Hunting Law) and Approaches to Wildlife Harvesting

April 6, 2021



Colville 2020  
Public Listening

# BACKGROUND

## What's in this document

The current scenario arises from a long history of discussions about caribou conservation in the Sahtú region and beyond. This backgrounder provides some highlights. More information can be found on the public registry of the ʔehdzo Got'Inę Gots'ę Nákedı (Sahtú Renewable Resources Board – SRRB) at [www.srrb.nt.ca](http://www.srrb.nt.ca). For more information, contact our Media Liaison, Catarina Owen, at [media@srrb.nt.ca](mailto:media@srrb.nt.ca), phone 506-389-2185.

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## Overview

In April 2019, in response to conservation concerns about the three caribou ecotypes that inhabit or travel through the Sahtú region, the SRRB decided to undertake a series of public listening (hearing) sessions (PLS) to address the question, “What is the most effective way to conserve caribou?”

Colville Lake (“Colville”) offered to co-host the first PLS, since the topic is of particular importance to that community. The SRRB accepted the offer, taking into consideration which of the five topics planned for the five public listening sessions was best suited for each of the five Sahtú communities.

Colville submitted their *Dehlá Got'Inę ʔada (Caribou) Plan* and companion *Dehlá Got'Inę Ts'jduweh ʔada ʔeʔa (Ancient Caribou Law)* for SRRB approval on October 21, 2019. The Colville PLS was held on January 21-23, 2020, following two regional community conservation planning workshops, two pre-session teleconferences, and two rounds of information requests.

The SRRB published its report and reasons for decision on the Colville 2020 PLS, *Sahtú Ragóʔa (Hunting Law) and Approaches to Wildlife Harvesting*, on October 30, 2020. The report contained the SRRB's assessment of the evidence from the Colville proceeding and provided eight decisions and 18 recommendations on ten key issues related to caribou harvest regulation in the Sahtú region.

Minister Shane Thompson of the Department of Environment and Natural Resources responded on behalf of the Government of the NWT to the initial report on January 29, 2021 – as provided for in the decision-making framework set out in the Sahtú Dene and Métis Comprehensive Land Claim Agreement. The Minister accepted 12 decisions and recommendations, while proposing that 13 of these be varied (revised) and one set aside and replaced.

Given the significant changes that the Minister proposed to the decisions and recommendations put forward in the initial report, the SRRB invited parties to submit comments. Of the parties, the Colville, Fort Good Hope, and Norman Wells Renewable Resources Councils submitted comments. Letters were also received from the Sahtú Secretariat Inc., and Dene Nation.

The SRRB's second report took a step forward in presenting a policy statement on *Hjdó Gogha Sėnégots'íʔá (Community Conservation Planning)*. In addition, the report conducted a procedurally fair reconsideration of its decisions and recommendations, based the Minister's response and comments received from the parties.

## Sahtú Hearing/Public Listening Session Timeline

<b>November 21-23, 2007</b>	<b>Bluenose West Caribou Hearing, Fort Good Hope</b>
March 5, 2008	SRRB submits Report and Reasons for Decision
May 29, 2008	Minister's response to SRRB
<b>March 1-3, 2016</b>	<b>Bluenose East ʔekwé (Caribou) Hearing, Déljné</b>
July 28, 2016	SRRB submits ʔekwé hé Dene Ts'jli ( <i>Sustaining Relationships</i> ) report
September 26, 2016	Minister's response to SRRB
October 26, 2016	SRRB's Final Decisions report
February 22, 2017	Minister's response to SRRB
<b>January 21-23, 2020</b>	<b>Public Listening Session on Sahtú Ragóʔa (<i>Hunting Law</i>) and Approaches to Wildlife Harvesting, Colville Lake</b>
October 30, 2020	SRRB submits Report and Reasons for Decision
January 29, 2021	Minister's response to SRRB
March 30, 2021	SRRB's second report
April 29, 2021	Minister's response to SRRB

## Language

Many Dene concepts used for the Colville 2020 PLS do not directly correspond to English terms. A glossary of Dene Kədə terminology important to understanding Sahtú ragóʔa (Hunting Law) and Dene approaches to wildlife harvesting is provided in the report.

We ask that journalists respect this use of Dene terms and orthography, while also keeping in mind the potential for copy and paste errors. Free Dene unicode keyboards and an online tool are available at [denefont.com](http://denefont.com).

Audio of speakers talking in their language at the 2020 Colville Listening Session is available on the SRRB's public registry at [www.srrb.nt.ca](http://www.srrb.nt.ca). An index of speakers can be found on page 91 of the SRRB's October 30, 2020 report.

## Hjđó Gogha Sėnégots'íʔá (Community Conservation Plan) Policy

Based on evidence presented at the Colville 2020 PLS and in extensive prior community consultations including the Déljné 2016 Bluenose East ʔekwé (Caribou) Hearing, the SRRB has adopted a policy position to guide its future work. The second report is shaped by this newly adopted policy statement that **hđó gogha sėnégots'íʔá (community conservation plans) are viable conservation approaches that can be more effective, more rights-compliant and more community-led, and should be considered before and in place of total allowable harvest limits, which are only to be used when required and to the extent necessary.**

For more information on the Hı́dó Gogha Sė́nė́gots'ı́á Policy Statement, the three guiding principles, and list of plan components, see pages 5-18 of the full report.

### Three Principles

The policy is based on three interdependent principles that guide community policy plans in the Sahtú region:

1. **ʔası́ı́ Godı́ hé Dene Ts'ı́ı́ hé (Biocultural Diversity)** - Dene expect decisions that affect them to account for ʔası́ı́ godı́ hé Dene ts'ı́ı́ hé (all living things and Dene ways of being).
2. **ʔedets'ė́ K'áokerewe (Self-Regulation)** - In Dene ʔeká (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'ė́ k'áots'erewe.
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), including science and Indigenous knowledge through ʔekéxé ʔeghálats'eda (collaborative) systems of accountability.

### Plan Components

The SRRB has also provided a list of Hı́dó Gogha Sė́nė́gots'ı́á plan components that will be the basis for assessing plans submitted for approval. This list is slightly refined from the version first developed as part of the SRRB's 2016 Bluenose East ʔekwé (Barren-Ground Caribou) Hearing Report, and also included in the first Colville 2020 PLS Report and Reasons for Decision.

Plans are considered complete and ready to be assessed when they include the full list of components. When approved by the SRRB, plans are forwarded to the Minister for acceptance.

1. Identification of key issues and knowledge gaps in conservation
2. Dene concepts and terminology related to conservation issues, programs, and actions
3. Research and conservation programs, actions, and timelines for addressing priority issues and knowledge gaps
4. Approaches for ʔedets'ė́ k'áots'erewe (self-regulation) and regional/cross-regional accountability in plan implementation, including:
  - a. Consideration of the appropriate seasons of harvest and harvest locations and zones
  - b. Community sharing protocols and godı́ kehtsı́ (agreements) with other users within and beyond the Sahtú, including a protocol for implementation reporting
5. Coordination, including engagement and decision-making within communities in developing plans

## Decisions and Recommendations Accepted and Reconsidered

The Minister either accepted decisions and recommendations put forward by the SRRB in its October 30 report, or proposed that they be varied (revised) or set aside and replaced. In turn, based on its reconsideration the SRRB has presented analysis and reasons for revising or deferring decisions for further discussion through the planned 2021-2024 PLS series.

The report accepts two revised decisions proposed by the Minister, proposes further revisions on seven decisions, and identifies five unresolved issues that require additional dialogue. The SRRB invites the Minister to address these issues via the future Public Listening Sessions planned for 2021-2024.

The following is a summary of the status of decisions and recommendations as of the SRRB's March 30, 2021 report. For more details, see pages 19-39 of the full second report.

### Accepted Decisions

The SRRB's decisions and recommendations are based on a holistic and biocultural approach to caribou conservation. The Minister accepted decisions and recommendations on the following topics:

- Youth roles in Public Listening Sessions.
- Shúhta goᓇepé (mountain caribou) harvest regulation planning.
- Dene béré (country food) campaign.
- Continued development of Ne K'ádí Ke (Keepers of the Land) programs to support implementation of community conservation plans.
- Colville to work with neighbouring groups.
- Dene names for barren-ground caribou hunting areas.
- Collaborative research on caribou in the hunting area across Dəhogá (Mackenzie River) from Fort Good Hope (currently known in the *NWT Hunting Regulations* as S/BC/02).
- Further discussion about residency requirements for hunting permits and hunter education.
- Measures to implement Special Harvesting Areas designated under the Sahtú land claim agreement.
- Capacity support and program funding for community conservation planning.

### Revised Decisions

The SRRB's reconsideration and analysis gave rise to nine revised decisions accounting for the Minister's proposed changes. Of these, the SRRB accepted two of the Minister's proposals, on

the following topics:

- Délı̨ne and ENR to discuss implementation of Délı̨ne's *Belare Wı̨le Gots'ę ęekwę* (*Caribou for All Time*) plan.
- Colville and ENR to discuss enforcement of the *Dehlá Got'ı̨ne ęada* (*Barren-Ground Caribou*) Plan and *Ts'ı̨duweh ęada ęeá* (*Ancient Caribou Law*).

The SRRB also put forward revised decisions and recommendations that differed from the versions proposed by the Minister on these topics:

- Harvest regulation for all caribou populations to reflect community conservation plans, to be assessed by the SRRB, and when approved, forwarded to the Minister. The SRRB will assess plans based on the list of plan components. This process applies to Colville's *Dehlá Got'ı̨ne ęada* Plan and Délı̨ne's *Belare Wı̨le Gots'ę ęekwę* plan.
- Colville's Interim Agreement with ENR for implementing the *Dehlá Got'ı̨ne ęada* Plan to continue to be in effect until replaced by an approved plan – with discussion of a possible extension to the May 31, 2021 expiry date if need be, and discussion of how the plan should be enforced.
- Culturally appropriate restorative justice processes to be presented to the Minister of Justice for authorization as alternative measures under the *Wildlife Act*.
- The Ts'udá Nı̨łné Tuyeta Protected Area Management Board to play a role in developing a caribou plan for the area overlapping with the new protected area across Dəhogá (Mackenzie River) from Fort Good Hope (currently known in the *NWT Big Game Hunting Regulations* as S/BC/02).

## Deferred Decisions

The SRRB has identified five unresolved issues that require additional dialogue. The SRRB respectfully disagrees with the Minister on these issues, and invites further engagement via the Public Listening Sessions. In the SRRB's view, the Minister's responses on these issues do not take adequate account of evidence presented in the Colville 2020 Hearing Report or the role of Dene ęeá (translated as law, regulation or policy). The Minister's position is already codified in current regulation or outlined in previous ENR submissions to the Colville 2020 PLS.

The SRRB understands more work is required to address these issues. In particular, it will be important to clarify the authority and jurisdiction of ęehdzo Got'ı̨ne (Renewable Resources Councils) with respect to the management of wildlife harvesting in the context of the SRRB's Hı̨dó Gogha Sęnęgots'ı̨á Policy.

Topics that have been deferred for discussion through the 2021-2024 PLS series include:

- Identifying specific communities as primary stewards of specific caribou populations in their homelands.
- Colville Renewable Resources Council powers to issue hunting authorizations.
- Creation of a Hı́dó Gogha Sė́nė́gots'ı́á (Community Conservation Plan) Regulation under the *Wildlife Act*.
- Removal of the total allowable harvest and tag requirement for Bluenose West caribou in the area designated under the *NWT Big Game Hunting Regulations* as S/BC/02.

## The 2020-2021 Public Listening Process

Given evidence regarding the threatened status of ɔ́ekwé (Bluenose East barren-ground caribou), Colville Lake's expressed concerns about ɔ́ədə (barren-ground caribou) in their traditional territory, the threatened status of tɔ́dzi (boreal caribou), and the consideration of shúhta goɔ́epé (mountain caribou) as a species of special concern in the NWT, the SRRB concluded there was sufficient conservation concern to trigger a hearing. Under section 13.8.21 of the Sahtú Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA), a hearing can be called when harvest restrictions are being considered or when the SRRB is satisfied that a hearing is desirable.

The SRRB planned a five-part “Public Listening” (hearing) approach to determine “***What is the most effective way to conserve caribou?***” In the first PLS co-hosted with Colville, the SRRB focused on the question, “***What is the most effective way to regulate the harvest of caribou?***” The SRRB created space in its 2019 *Rules for Hearings* for PLS to serve as a form of public hearing “in order to encourage increased participation.” The PLS series is intended to provide godı kehtsı (ethical space) where there is support for participation of affected rights-holders and fair consideration of both Indigenous knowledge and science.

The SRRB recognizes that this is the first time that a wildlife co-management board in the NWT has convened a multi-part hearing focused on individual “hot topics” and encompassing multiple ecotypes and herds. This process reflects lessons learned from two previous hearing convened by the SRRB: the Bluenose West Caribou Hearing held in Fort Good Hope in 2007; and the Bluenose East ɔ́ekwé (Caribou) Hearing held in Délı́ne in 2016. The 2016 Hearing marked a turning point with approval for the first time of a community conservation plan, Délı́ne's *Belare Wı́le Gots'é ɔ́ekwé (Caribou for All Time)* plan, and development of a list of community conservation plan components.

For its October 30, 2020 and March 30, 2021 reports on the Colville 2020 PLS, the SRRB has carefully considered both Indigenous knowledge evidence and science-based evidence in making its decisions and recommendations.

The evidence included Colville’s community conservation plan as well as submissions from ENR and the other four Sahtú communities (Déljñę, Fort Good Hope, Norman Wells and Tulít’a). Moreover, the SRRB encouraged neighbouring wildlife management authorities, nations, and communities to register as parties and contribute submissions. Elders, Colville community members, and the broader public were encouraged to participate. The questions and presentation by the Sahtú Youth Network were a special highlight of the proceeding.

In the March 30, 2021 report, the SRRB has put forward revised decisions and recommendations on priority issues. The SRRB has also invited further engagement on unresolved questions through the planned 2021-2024 PLS series. The SRRB looks forward to continuing to draw upon contributions of the parties in working toward solutions that are based on reliable evidence, sound analysis and justified positions.

The four PLS planned for 2021-2024 will each have a thematic focus on:

- Predators and Competitors;
- Knowledge about Caribou and Landscapes;
- Wildfires and Climate Change; and
- Caribou and the Mixed Economy

The second PLS will be co-hosted with Déljñę. The proceeding was postponed to facilitate the present processes related to the Colville 2020 PLS.

Meanwhile, for the Sahtú Dene and Métis harvesters, and community parties who participated in the Colville 2020 PLS, the SRRB understands that conservation practices will carry on as they have. Work on conservation planning and Sahtú ragóʔa (hunting laws) should go ahead.

The importance of this work does not change if the Minister agrees or not on a particular issue at this stage. We all want to work toward the responsible harvest and conservation of caribou. The SRRB urges Sahtú communities to continue community conservation planning if they think it can help. The SRRB is listening. Others are watching.

### About the ʔehdzo Got'jñę Gots'ę Nákedı (Sahtú Renewable Resources Board)

The ʔehdzo Got'jñę 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'jñę, the Trap People.” We work together with ʔehdzo got'jñę (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.

### Interview Subjects Available

Given the complexity and importance of caribou management and conservation in the Sahtú, the SRRB is working to coordinate media access to a range of experts.

**FOR MORE INFORMATION, CONTACT:**

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