

SAHTU RENEWABLE RESOURCES BOARD

*Déljné 2021 Public Listening Session on Tjch'ádí hé Gots'edí (Living with Wildlife) –
Predators and Competitors*

INFORMATION REQUEST 2 SUBMISSION

Colville Lake Renewable Resources Council

Ayoni Keh Land Corporation

Behdzi Ahda" First Nation

(collectively, "Dehlá Got'jné")

Information Request (IR) 2.1: *Tjch'ádii he Gots'edi – Caribou, Predators and Competitors*

2.1.1 The Conservation Picture: Caribou, People, Planning, and the Public Listening Session

Fort Good Hope and Tulít'a IRs to all Parties

2. ENR and other Parties presenting scientific information at the Déłıne 2021 PLS are requested to prepare a glossary of terms with plain language definitions.

- **Sahtu Dene and Metis Comprehensive Land Claim Agreement (“SDMCLCA”)** is the modern treaty that sets out the rights, roles and responsibilities of participants, designated Sahtu organizations, the Board, the Minister, and the RRCs.
- ʔədə - barren ground caribou
- ts'jduweh ʔeʔá – ancient Dene laws

3. Does the concept of conservation and modern western conservation institutions conflict with our Indigenous knowledge systems and practices, and infringe upon our collective rights as Indigenous peoples? If it does conflict, how does it conflict?

- This is a fundamentally important issue for all Parties to understand and address, as it is a fundamental tension in the co-management relationship under the *Sahtu Dene and Metis Comprehensive Land Claim Agreement* (“SDMCLCA”).
- Dehlá Got'ıne and other Sahtu participants have maintained a relationship with our land and the animals we share our land with since time immemorial.
- Dehlá Got'ıne literally live with the caribou – both of us are nomadic, and we have developed an annual routine which brings us together at certain times of year.
- We have a constitutionally-protected right to maintain those relationships under our treaties with Canada, including Treaty 11 and the SDMCLCA, but we see this as much more than a right.
- Long before we entered into treaties, the Dehlá Got'ıne maintained these relationships in accordance with our ts'jduweh ʔeʔá (ancient Dene laws). Ts'jduweh ʔeʔá must be followed in order for Dehlá Got'ıne and the animals to maintain a good relationship. We know that there will be significant ecological, social and economic consequences if we do not maintain these relationships.
- We believe that we should let things be, and that humans do not understand enough about how things work to presume to try to interfere. Instead, our responsibility is to maintain good relationships with each other and with the land and the animals. Western

institutions want to change things to fit their theories about how things work, and to try to manage everything. We think this is misguided.

- Harvesting is only one part of our relationship with the land and the animals. We have a holistic perspective. We understand that everything on the land is connected to everything else. Everything follows its own laws. When we all follow our *ts'jduweh ʔeʔá*, things unfold naturally and in harmony. There is a balance between all species. Every species has a role. Every species has something to teach us. It does not matter whether those animals are the hunters (like wolves) or the hunted (like caribou), they all have a role to play and their own knowledge of how to live on the land, just as we do. If we watch and observe carefully, they will teach us something about how they live, but we should never assume that we know more about being caribou than the caribou do themselves. Our *ts'jduweh ʔeʔá* require us to respect the roles that other animals play, and the knowledge that they have, and to do our part to maintain the relationships we have with them.
- In contrast, we see Western wildlife management as being fundamentally different. From the very beginning of our relationship with Western wildlife managers, they have always tried to interfere with the natural order. Dene are part of the natural environment – we don't see ourselves as an 'invasive species'. But we have learned that Western culture looks at the world in a different way, where people are separate and apart from the rest of nature and try to change it. This is the first and most fundamental conflict between the *Dehlá Got'jne* concepts of proper relationships, and that of modern, Western "conservation" as practiced and implemented by institutions like the GNWT.
- We know what Western wildlife management is like – we know what it is like to be managed - because that is exactly what the government wildlife managers have tried to do to us. We know that nothing in Western wildlife management is about respect, relationships or reciprocity between species – it is all about trying to control what happens.
- First, they tried to tell us how and where to hunt. This was all part of a plan to make us think and act like non-Dene. It was just like the residential schools in that way. But as Dene, we chose to stick with what we know, and to do things in the Dene way. But the pressure is always there to change the way we do things.
- Another area of conflict is the failure of the Western mind to consider caribou as a spiritual animal. For example, we believe that when one caribou is taken, another will rise to take its place. That's not something that the Western scientist can believe – but it is part of our knowledge. Another thing that is part of our knowledge is that in the distant past, Dene were once caribou, but we were too intelligent and couldn't be

harvested, so to maintain the balance, we exchanged places again. That ancestral knowledge is how we know so much about caribou.

- This conflict is always present in the co-management relationship. The Minister now thinks that he can decide what to do not just to change us, but to change the relationships between wolves and caribou. He says that interfering in those relationships is based on science, but that he will also consider our knowledge. But our knowledge tells us that when Dene people are on the land, we need to respect the balance that already exists. We see no need for killing wolves or blaming wolves for being who they are – it makes no sense to us for people to try to interfere in the relationship that the wolves have with the caribou.
- Such manipulations not only don't make sense to us, we consider them to be wrong. It will create hardship for wolves. That hardship will reshape the whole ecosystem and will affect us as well. It is wrong for us to interfere in those ways.
- But if there is anything we have learned, it is that the Minister won't accept any of the answers that he gets from us, or from the Board, unless he already agrees with them. It is like we are all back in school, being asked to answer questions on a test that is all about what other people think or do, not what Dene think or do. When we give the Minister our answers, the Minister is going to say that we are wrong.
- The Minister often says that his decisions are based on scientific knowledge. We do not think that is true. We have no problem with science. Dene have always been scientists. We have been careful observers for many thousands of years. When we say that Western science that the government relies on is inaccurate and incomplete, it is because it often conflicts with what we know based on the thousands of years of knowledge that our people have from being on the land and in a relationship with other animals. We also know that what the consequences are when science is wrong. For us, the difference between knowing the truth and being wrong can be a matter of survival. For GNWT, it just means that the staff will write a report about it.

4. Do you think community conservation plans or the *Wildlife Act* affect our rights as Indigenous peoples?

- Dehlá Got'jne signed treaties that constitutionally recognize our rights. Nothing in the *Wildlife Act* can change what our rights are.
- We didn't simply submit a 'plan' – we set out our ts'jduweh ʔeʔá in a modern form so that everyone can understand the law which Dehlá Got'jne have always followed. Our ts'jduweh ʔeʔá was passed on to us from our elders.

- Our ʔeʔá says that we have responsibilities to ensure that people are safe, that people take only what they need, and that they respect all of our relationships. This always existed, long before the *Wildlife Act* or the idea of a ‘community conservation plan’.
- Our plan is not a ‘conservation plan’ – it is an expression of what we have always done as Dehlá Got’ıne. It is part of who we are as a people. It is what we must do to maintain our relationships with other species, and to remain who we are as a distinct people. It is part of our way of life. Our responsibility is to pass it on in the same way to our children.
- Our ʔeʔá have always been passed on orally, and now we are being pushed into putting them down on paper. But a lot of the knowledge and the history that are part of these ʔeʔá are sacred or protected knowledge, and we think it unfortunate that these things need to be codified, but there doesn’t seem to be any other way to have our knowledge respected by the Board or by the Government. But we are only sharing the tip of the iceberg. There is a lot more knowledge that we have, but we are keeping that knowledge for ourselves until we are confident that others will listen and respect it for what it is.
- People often think that laws, whether they are our ts’ıduweh ʔeʔá or the *Wildlife Act* are all about rights. But rights are just part of what ʔeʔá are about. Before people tried to tell us what to do, we never had to talk about rights. Our elders never say “you have a right to hunt”. That’s something which has only happened since the *Wildlife Act* tried to set out a different way to do things. Our people opposed those changes because they undermined who we are as a people, and the relationships that we maintained within Dene society and with other species. We have a right to be who we are as Indigenous people, and to do things in our way. But beyond that, our ʔeʔá are all about responsibilities.

5. Please share your knowledge about any caribou plans that have been developed outside the Sahtú region.

- Dehlá Got’ıne are aware of work being done in the Northwest Territories by the Lutsel K’e Dene First Nation towards a community caribou plan. We understand that ENR has not supported this initiative, and has raised concerns about application and enforcement.
- We are also aware of work being done among Indigenous peoples in Quebec and Labrador through the Ungava Peninsula Caribou Roundtable (UPCART).
- We are also very concerned that the ENR tag system is failing to protect caribou and promote proper respect for caribou elsewhere in the NWT. We are concerned that the tag system provides opportunities to individuals to lawfully access and harvest caribou in areas where they do not have any real connection to the territory or the people. The

tag system directly undermines traditional management protocols for these areas, and does not appear to promote respectful harvesting or good relationships between people and other species. We hear and see reports on the news about caribou being shot and then not harvested because the hunter wants to use their tag on a different animal, or animals being wounded and not chased because it's easier to shoot and tag a different animal closer to the road. All of this is of great concern to Dehlá Got'ıne. We believe that when the caribou are not respected, they will not make themselves available to the people.

NWT Environment and Natural Resources (ENR) IR to Sahtú community Parties

6. What support can ENR provide in your planning work?

- The most important support that ENR can provide to Dehlá Got'ıne and other Renewable Resources Councils within the Sahtu is to respect our responsibilities and authorities to manage local harvesting in accordance with the SDMLCA. We believe that ENR is trying to undertake responsibilities that are not theirs. This undermines our relationship in many different ways, but it denies us the opportunity to contribute in a meaningful way to proper wildlife management.
- This is more than just a disagreement about what the treaty says. It is a failure on the part of government to recognize that the treaty is supposed to be a partnership – and that the Dehlá Got'ıne and the other RRCs must play a meaningful role in implementing the treaty. It can't all be done by the Minister.
- Right now, ENR takes most of the resources for itself. They have staff and resources, while our RRCs do not. Even when we agree on what needs to be done, we have no resources to implement that agreement. ENR offers us only a small fraction of the resources that they have.
- We would like to address that imbalance. We would like ENR to provide the funding that we need so that we can do our work. That way we can actually be partners in wildlife management, instead of being treated like problems that they have to manage.

SRRB IRs to all parties

7. As of the deadline for Round 2 IRs, it will have been eight months since Parties made submissions on the conservation picture (through Round 1 IR responses). Please provide updates on the status of caribou, people and planning.

- In 2021, we noted that the caribou were staying near the barren lands. We observed that there was significant rain, well into the winter, which together with freeze-thaw events made it a rough winter for hunter travel, and for the caribou.
- These changes are all beyond our control, but when changes happen, both people and caribou pay more attention to what is going on. We are all more aware of the changes in our environment.
- When we have harvested caribou, we have noted the caribou are in good shape.
- We have not observed any changes in wolf numbers or behavior – they follow behind the caribou, and make their moves on the caribou the way they always do.
- There are many more muskox than before. They are in the treeline, not on the barrens.
- Because of COVID and because of the weather, and the distances that we have to travel to access caribou, there are fewer hunters, and more people staying in the village.
- Fewer people from other communities came to our area. They typically don't come unless they hear that the caribou are close.

SRRB IRs to Colville Lake and Délı̄nę

11. Please provide an update on your community conservation planning process, including outstanding requirements for your community conservation plan as noted in the SRRB's Colville 2020 PLS Decisions 2.1 and 3.1 as revised and accepted by the Minister (April 30, 2021).

- We are working on updating the Dehlá Got'ı̄ne ʔəḁə Plan and Ts'ı̄duweh ʔəḁə ʔeʔá and aim to re-submit them to the Board in 2022.

SRRB IR to Colville Lake and ENR

12. Please provide an update on the status of the *Hı̄dó Gogha Sénégots'ı̄zá ʔeʔa* and the *Interim Management Agreement* per Recommendation 4.4 from the SRRB's Colville 2020 Public Listening Second Report (March 30, 2021), accepted by the Minister (April 30, 2021).

- If caribou management is a priority for the GNWT, we believe it is being lost in legal battles over institutional roles and responsibilities. The Minister appears to be more concerned with maintaining the Minister's decisions to impose tag requirements on hunters than considering what our approaches to caribou management could achieve if the Minister accepted a community-based authorization approach on the part of the RRCs.

- Elders are seeing what damages the ENR methods (nets and collars) are doing to the caribou, but ENR hasn't responded to our concerns. They haven't even considered an alternative. This is a major and ongoing issue for us. The failure of ENR to resolve with what we consider to be a cause of significant harm and outright disrespect to caribou really illustrates how much work there is to be done. We can't imagine a situation in which white people would allow us to disrespect their spiritual objects in order to study them, so we do not understand why ENR won't consider alternatives.
- Dehlá Got'jne are also implementing the IMA as per the terms of the Interim Management Agreement, but ENR has stopped working with us under the Interim Management Agreement. The Contribution agreement funding under the Interim Management Agreement is being held up. We think this is because we are in court over the Minister's decisions.
- We are opposed ENR's plan to collar more caribou as we consider the practice of collaring to be disrespectful to caribou. We think it is invasive and harmful to caribou. We have proposed to ENR alternative ways to monitor caribou that are more respectful and that we believe will achieve better results than collaring, but as with our other proposals, these are not given serious consideration or and routinely ignored by ENR in favour of invasive and harmful methods.

SRRB IRs to all Sahtú community Parties

15. If your local ʔehdzo Got'ine (RRC) has convened ʔekwé/ʔədə (Caribou) Working Groups and/or appointed technical teams to support Working Groups, please explain how your Working Group operates (such as membership selection, approach to community conservation planning, and division of roles between Working Group and technical teams)?

- We have a small community, and RRC and Council of the BAFN are the same people, working together and closely with the Ayoni Keh Land Corporation. There's no separate working group – it's not our way.

16. What, if any, are lessons learned from the COVID-19 pandemic that are relevant to consider in discussions about caribou and people?

- The pandemic showed us how important food security is – the ability of the people to get out and harvest was really important to our community. The costs of machines and other things that people need to harvest is huge and we need to encourage investment in maintaining Dehlá Got'jne harvesting practices. On the land harvesting supports the

overall health and wellbeing of our members. The alternative option to rely on a wage economy and extremely expensive store bought food. We know that this creates an unhealthy lifestyle, as the food available at the store is not as nutritious or beneficial to the Dene diet, and can lead to a significant decrease of wellbeing as there is a lack of wage employment to sustain reliance on store bought food.

- We were raised not to talk about caribou – we continue to learn about why that was the case. Things change, but the sacred relationship we have with caribou doesn't. We are still trying to understand that relationship.
- When we see big groups of caribou, it's clear that they are connected and communicate in ways we don't understand as people.
- People who don't experience that, who aren't part of the land, won't understand this.

17. What is the review and approval process for wildlife, habitat and harvesting planning within your community? Is your planning shared with ENR?

- ENR says they consult us, but they don't really change their structures. They check the box, but it seems like they are trying to entertain us. When we talk, it's clear they are not really listening to what we are saying. Time and time again, we have tried to explain our approach, but even when the Board agrees with us, ENR does what the government as an organization thinks should happen.
- We now find ourselves in court, where we will also have to try to explain ourselves in legal terms that are not really our own in order to try to create a space in which we can have our own voice for how caribou management should happen in our area, rather than ENR assuming that they get to decide everything.

18. Are there tools that the SRRB can provide to assist in building awareness and understanding of the Public Listening process in your community?

- Community meetings to promote dialogue, instead of 'hearings' that are more like court, are better ways to do this work. Some members are uncomfortable in that setting. We did the last hearing in a different way, and we seemed to reach a consensus on an approach, but it seems like it didn't really make a difference to the Minister.
- We thought that the last hearing was a good effort – but it also showed us that even we share our knowledge and approach, ENR is not ready to listen to the consensus that developed among the Dene who were present. We put our process on the table, we reached a decision about how to proceed, and all the Sahtu parties agreed that there was a decision and a way forward. Then the Minister simply ignored all of that - he

listened to his officials and people from outside the Sahtu to make that decision, as though none of what we or the Board said mattered.

- It may be that the Board will need to take a different approach to these questions. Ultimately, it may be necessary for the courts to decide the answers to some of the questions that the Board is asking, as it is now clear that the Minister will not agree to share co-management responsibilities with Dene unless we agree to do things the way that the Minister wants them done.

2.1.2 Predators

Déłıne IR to ENR and Tłıchǝ Government

1. Can you provide information on where dıga management actions described in the *Revised Joint Proposal on Management Actions for Wolves (Dıga)* are proposed to occur, and what impact these actions might have on dıga in the Sahtú region?

2. What consideration is given to overlapping traditional territory crossing the Déłıne and Wek'èezhıı boundary?

SRRB IR to all Sahtú Parties

10. Please provide any relevant information you have on the issue of baiting as an approach to wolf harvesting.

- People should be harvesting – trapping – in the proper Dene way. They should support those activities, instead of doing helicopters and poison. Military style hunting with baiting should be stopped.
- Baiting would never be allowed under the Dehlá Got'ıne ǝǎǎ Plan and Ts'ıduweh ǝǎǎ ǝǎǎ. There is no support for this.

2.1.3 Competitors

Tulít'a IRs to all Parties

4. Do you know if ʔəjire crossed Dəgho (Mackenzie River) or Sahtú Də (Bear River)?

- The Dəgho and the Sahtú Də are not in our traditional territory and so we have no observations to provide.

5. How might ʔəjire impact shúhta goʔepé (mountain caribou) and doe (sheep) if they go into the mountains?

- Muskox are part of the natural system, so they will do what they do. They will find a way to survive. So will other species. Hunters will observe what is going on, and we will know what happens when we see it unfold. It's not something that we should be trying to change.

Information Request 2.2: *Harvest Regulation*

As described in the SRRB's July 7, 2021, Resumption Notice, the following questions arise from the Colville 2020 Public Listening session on *Sahtú Ragóʔa (Hunting Law) and Approaches to Wildlife Harvesting*.

2.2.1 Harvest Regulation Planning Toolkit

Note: the SRRB will be providing specific draft Hıdó Gogha Sənégots 'ízá (Community Conservation Plan – CCP) Components during the preparations for the Délyne 2021 PLS.

SRRB IRs to all Parties

1. The SRRB provided a Harvest Regulation Planning Toolkit on January 15, 2021. What is missing from the toolkit?

- The toolkit is thoughtful and very helpful in planning. We did not identify any missing components from the toolkit, and we will use it in our revised submissions to the Board.

2. Do you think any parts of the Toolkit should be changed?

- No. We found the Toolkit to be a very good resource.

3. Are there additional components that would be relevant for conservation planning for predators and competitors?

- Hunting to sell the meat is not respectful, not managed in the Dene way – when money gets into the mix, that all gets mixed up. It's poaching to sell what you hunt when you don't need to hunt it for your family.

2.2.2 Stewardship Roles

SRRB IRs to all Parties

1. How is the stewardship role of a community that is a primary harvester of a certain caribou population different from the role of a community that might not have the same access to that caribou population?

- The closer community is more invested in the animals around them – the further community would have to spend money, etc to get here, and it's not easy. If we go out from here, we will try to think about everyone's needs.
- We have real issues with disrespect – so when people come here they need to respect our way of hunting.
- People who just hunt from trucks don't understand this.

SRRB IRs to Colville Lake, Délı̄nę and neighbouring Indigenous Parties (Inuvialuit Game Council, Kugluktuk Angoniatit Association, and Tłı̄chų Government)

2. Describe efforts to establish agreements or otherwise coordinate conservation measures with neighbouring barren-ground caribou harvester groups, either within or alongside ACCWM (Advisory Committee for Cooperation on Wildlife Management) efforts. Please share, from your perspective, what works and what does not work as well in coordinating conservation with neighbouring groups.

- What is there to coordinate? Each treaty body (whether the SRRB, the IGC, the HTOs or the RRCs) has its own responsibilities under our respective treaties, but the Advisory Committee for Cooperation on Wildlife Management is not a treaty body and is purely advisory. We don't understand why the Minister seems to believe that discussions at the ACCWM can take the place of the provisions of our treaties when it comes to the process of deciding how to implement caribou conservation measures.
- Right now it seems that other organizations are all against us in formal meetings. We find this to be very strange, as we all seem to get along well on the land with the

grassroots people, and share many of the same approaches. We are not sure why there is such support from some organizations for the tag system.

- We hear from lots of grassroots people they like our approach in the Dehlá Got'ine ʔədə Plan and Ts'jduweh ʔədə ʔeʔá.
- People need to sit on these boards to represent the hunters who really understand what is happening on the land, not what people think happens in boardrooms.
- The focus on the 'numbers' and the 'tags' is breaking down the traditional governance systems and protocols that have always worked for us in the past.
- This appears to be a function of how the ACCWM is organized. It appears to be designed to give greater weight to Western knowledge and systems, and to reach conclusions according to that logic, rather than to reflect Indigenous governance systems or the wishes of the harvesters or the knowledge holders who participate in those meetings.
- We think that there should be an independent evaluation of the ACCWM process to consider whether or not there are better ways to share knowledge and make decisions between different treaty organizations.

2.2.3 ʔehdzo Got'ine (Renewable Resources Council) Powers

SRRB IRs to all Parties

1. Describe the role of the local ʔehdzo Got'ine (RRC) in your experience.

- In simple terms, the RRC is asked with responsibilities to animals, trees, and other things that grow from the land; band does people; while the Land Corporation is responsible for renewable resources (oil, gas) land and money. All of these responsibilities are for the people.

2. How does the local ʔehdzo Got'ine (RRC) manage harvesting?

- Through our ts'jduweh ʔeʔá and protocols.

3. How is the local ʔehdzo Got'ine (RRC) accountable, and to whom it is accountable?

- It is responsible to the people! We are all integrated, so it depends on the issue which entity will take the lead.

2.2.4 Hunter Education

SRRB IRs to all parties

2. Are there harvesters that come from other places to your community's harvesting area? What are the different kinds of harvesters? Describe any protocols for harvesters visiting your area. How do they learn about these protocols?

- Local areas need to be better understood and integrated into wildlife co-management. In the Sahtu, we have well-established systems for oil/gas and other resource management focused on our districts based on the areas that each group used. Each group is represented now by a Land Corporation. Governments understand and respect that system. Under that system, each community through its respective Land Corporations make decisions about non-renewable resources. Governments respect those decisions. We don't understand why government does not respect the roles that RRCs play in managing the local use of renewable resources in accordance with our protocols.

3. Do harvesters from your community go outside your community's harvesting area to harvest? Describe any protocols for visiting other areas. How do people learn about these protocols?

- Local doesn't mean that Dene can only hunt in a local area. We can go to other people's territories, but if I need to go somewhere, I must will ask the local people who live there, because they will have a much better understanding of what the relationships are between the animals and the people in that area. I will educate myself about their rules, and follow the proper protocols they give me after I have asked them for permission to harvest in their territory. They will share knowledge with me that I need to be a successful hunter. I will thank them for sharing that knowledge, and granting me permission to be in their territory. That is how things have always been done.

- Many people raised outside of the Sahtu do not know about these protocols, and might think that all they need is a tag and a truck. That is not our way, but it seems that ENR is doing everything that it can to change how people hunt. We think this is wrong, and it is creating real conflicts.