



October 8, 2019

Sent by Email

Sahtú Land Use Planning Board  
PO Box 235  
Fort Good Hope, NT, X0E 0H0  
Attention: Heather Bourassa, Chair

**RE: Proposed Amendments to the Sahtú Land Use Plan**

Dear Heather,

Thank you for the update, dated September 12, 2019, on the SLUPB's 5-year review and amendment process for the Sahtú Land Use Plan (SLUP). We understand that amendment processes can be long and expensive and require the support of the three approving parties, which limits what the SLUPB is able to move forward with during this initial amendment.

The Délıne Got'ıne Government (DGG) has identified some simple clarifications and contextual edits that we believe can and should be captured in the current amendment. We have attached our proposed edits to this letter, including draft language where appropriate, to facilitate its incorporation into the current set of amendments. We are happy to discuss these suggestions with you at our October 16<sup>th</sup> meeting in Yellowknife.

We also acknowledge the SLUPB's statement that the Board will accept applications for amendment to the SLUP at any time in the 5-year planning cycle. The DGG has made it clear in its submissions to the SLUPB to date that it is seeking long-term protection of the Great Bear Lake Watershed. Designation of the Tsá Tué Biosphere Reserve was the first step in securing recognition of the important values in this area. The DGG does not have a fixed view of how best to achieve protection at this time. Instead, we are exploring a variety of options, including:

- The designation of the Great Bear Lake and Watershed as an Indigenous Protected and Conserved Area (IPCA);
- Further amendments to the SLUP (zone changes, edits to CRs or the addition of new ones),
- Establishment under the new NWT Protected Areas Act;
- Protection under federal protected areas legislation.

Many of these options are not mutually exclusive and can be pursued concurrently. Once the DGG has completed its evaluation and identified a clear path forward, it will prepare an amendment application for submission to the SLUPB.



The DGG understands that amendments must be approved by SSI, GNWT and Canada and will engage with them as it explores and evaluates its options, to keep all parties informed and build support for the proposed amendments.

On a broader note, the DGG reiterates our objective to redefine our relationship with the SLUPB as a constitutionally protected self-governing Indigenous Government. While we acknowledge that our self-government agreement did not change the Sahtú Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA) to give the DGG a direct approval role on the Plan (that authority still formally rests with SSI), we are working with SSI and our other partners, including the SLUPB, to ensure that we are directly engaged in land use decisions. We wish to ensure that any decisions affecting our interests are made in full partnership with us, and with our support.

We believe it is far more efficient for us to be at the table as revisions are negotiated, alongside SSI, rather than to have the SLUPB and SSI solicit our support after the fact. We will therefore be prepared to participate in the Tri-Partite meeting to be hosted by the SLUPB in November 2019 as the next step in evolving our relationship.

We look forward to discussing our comments and the proposed amendments with you further when we meet on October 16<sup>th</sup>. Should you have any questions, please contact Gina Bayha at (867) 589-4224 or [gina.bayha@gov.Délıne.ca](mailto:gina.bayha@gov.Délıne.ca).

Mahsi,

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Attachments: Current Amendments



## Current Amendments

### 1. Clarify that Zone 23 (Sahtú / Great Bear Lake Watershed) includes the lake itself

While the zone description makes it clear that the zone includes the lake, the main zoning map does not. Most people do not read the details. Our community members were under the impression that the lake wasn't protected at all until recently. Some suggestions we have for making this clearer are:

- a) Change the Zone Name and throughout the entire Plan, to Great Bear Lake and Watershed – Inserting “and” focuses the name on the lake itself, making it clear that it is part of the zone.
- b) Update the zone map to place the lakes and rivers under the zones or in some way make them less prominent so that the spatial extent of each zone is clear. Make sure the zone number (23) is prominently displayed in the middle of the lake, as well as on land in all maps.

### 2. Add designation and description of Tsá Tué Biosphere Reserve to maps and zone descriptions of Zones 23, 24, 25, 26, 27, 30, 31, and 36

Below are our suggestions for where references and information on the Biosphere Reserve designation may be most appropriate.

- a) Add a description and the attached map (or an updated version with zone refinements the SLUPB is undertaking as part of this amendment) of the Tsá Tué Biosphere Reserve designation and what it means to the Zone 23 Zone Description. Suggested wording is provided below in blue.

*The Great Bear Lake Watershed was designated as the Tsá Tué Biosphere Reserve by UNESCO in 2016. The total area of the Biosphere Reserve is 9,331,300 ha. It includes all of zones 23, 24, 25, 26, 27, 30 and 31, and a portion of Zone 66.*

*Biosphere reserves are ‘Science for Sustainability support sites’ – special places for testing interdisciplinary approaches to understanding and managing changes and interactions between social and ecological systems, including conflict prevention and management of biodiversity.<sup>1</sup> Their status is internationally recognized.*

*Biosphere reserves have three interrelated zones that aim to fulfil three complementary and mutually reinforcing functions:*

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<sup>1</sup> <http://www.unesco.org/new/en/natural-sciences/environment/ecological-sciences/biosphere-reserves/>



- *The core area(s) comprises a strictly protected ecosystem that contributes to the conservation of landscapes, ecosystems, species and genetic variation. Conservation Zones and Established Protected Areas under the SLUP are considered Core Areas.*
- *The buffer zone surrounds or adjoins the core areas, and is used for activities compatible with sound ecological practices that can reinforce scientific research, monitoring, training and education. Special Management Zones in the SLUP are considered buffer zones within biosphere reserves.*
- *The transition area is the part of the reserve where the greatest activity is allowed, fostering economic and human development that is socio-culturally and ecologically sustainable. Under the SLUP, these are General Use Zones.*

- b) Add mention of the Biosphere Reserve designation to the other Zones listed above, under “Additional Information”. Suggested text is provided in blue.

*E.g. “Zone 24 is part of the Tsá Tué Biosphere Reserve. As a Special Management Zone, it acts as a buffer area within the Reserve. For a fuller description of the Biosphere Reserve, see the Zone Description for Zone 23.” [The zone number and zone type would need to change for each zone according to their individual designations.]*

- c) Mention biosphere reserve designation in S. 1.6.1 as the next step in protection of the Great Bear Lake Watershed and a cross reference to the longer description under Zone 23. The following could be added to the end of the section (blue text):

*In 2016, the Great Bear Lake Watershed was designated by UNESCO as the Tsá Tué Biosphere Reserve, continuing Délıne’s goal to recognize and protect the ecological and cultural integrity of the area. For more information on this designation, see the Zone Description for Zone 23.*

- d) Show the Tsá Tué Biosphere Reserve on Map 8, and any other maps where part of the biosphere reserve may be showing. We recognize that it may be confusing to show it on the main zoning map (Map 1), but other illustrative maps should show it.

### 3. Incorporate IPCAs into the Plan

When the current plan was written, Indigenous Protected and Conserved Areas (IPCAs) didn’t exist as a concept. They are now becoming a reality in the Sahtú Settlement Area, with that term being applied or considered in relation to Zone 65 (Ts’ude niline Tu’eyeta), Nío Nę P’ęné, and the Great Bear Lake and Watershed (several zones). As the plan is being updated, it is time



to introduce the concept and how it relates to the SLUP's zoning. The DGG requests that the SLUP recognize and describe this new protected area designation. This could include:

- a) Inserting a description of IPCAs. This might best fit under S. 2.2 – Application of the Plan to Protected Areas. We could assist with the development of text if desired.
- b) Integrating IPCAs into the zone designations as follows:
  - I. As Conservation Zones - to provide the legal vehicle to implement the goals and protections identified for the area where no complementary protected area legislation is being used;
  - II. As Established Protected Areas - where complementary protected areas legislation is providing the legal vehicle for protection; or
  - III. As Proposed Conservation Initiatives – where complementary protected areas legislation will be used and work is in progress to protect the area.

#### **4. Describe the role of guardians in the SLUP's Monitoring and Evaluation Framework**

One of the SLUPB's priorities for the current 5-year review is to create a Monitoring and Evaluation Framework for the SLUP to track implementation of the Plan. The SLUPB holds overall responsibility for monitoring plan implementation, while specific aspects of plan implementation (such as determining conformity) rests with other parties.

Part of monitoring plan implementation involves determining whether the plan is achieving the vision and goals of the region and individual zones, and achieving the purpose set out for planning under the SDMCLCA and MVRMA. This is a substantial job that the SLUPB is not resourced to carry out alone. Monitoring across the Sahtú Settlement Area will require partnership and resources.

The Délıne Got'ıne Government has been funded to develop an Indigenous Guardians program for its traditional territory by the Canada Nature Fund, the International Boreal Conservation Campaign and the Full Circle Foundation with other funding possibilities being explored. Current plans have recruitment of a program manager slated for late 2019 and guardians being hired and trained in 2020 onwards. The DGG will implement this program in partnership with the Délıne Renewable Resources Council, the Department of Lands and Environment, and the Tsá Tué Biosphere Reserve Council. Finally, the DGG will seek to collaborate and learn from other NWT guardians programs in the Sahtu and more established programs in Thaidene Nënë and Edézhıé. Now is an excellent time to explore collaboration with the SLUPB as the training program and responsibilities of the Guardians are still being developed.

Guardians can act as the eyes and ears on the ground to report back on cultural and environmental goals identified in the Plan, such as the health and abundance of wildlife, water quality and quantity, and levels of traditional use. Funding for the management and operations of new protected areas generally includes funds for monitoring programs. Guardians could be



employed specifically to monitor land use and environmental and cultural values and well-being within the IPCAs, and other priority areas in the Sahtú.

Without knowing what the SLUPB is contemplating including in its Monitoring and Evaluation Framework, we cannot offer specific wording suggestions at this time, but would be happy to collaborate with the SLUPB and other partners to draft wording to achieve this request.

We further note that guardian programs facilitate the implementation of Recommendation #3 in the Plan – Community Land Use Monitors by providing a trained body of monitors (guardians) capable of carrying out the monitoring. In turn, the Recommendation, if implemented, provides another source of revenues to help sustain the guardian programs. We recommend the SLUP include reference to the various guardians initiatives being developed around the Sahtu in the Context and Rationale section.

## **5. Update the Plan throughout to reflect the new Délıne Got'ıne Government and other Self-Government agreements under development in the SSA**

The Délıne Self-Government Agreement was signed in February 2015, and the new Délıne Got'ıne Government began operating on September 1, 2016. As the SLUPB updates the Plan to reflect Devolution, and all the changes that entails, it should also ensure that self-government agreements are appropriately reflected. The Délıne Got'ıne Government is Délıne's governing body. Any historical references to work done by the previous Délıne Land Corporation, Délıne First Nation or Délıne Charter Community can remain, but references pertaining to Délıne's present and future responsibilities should be updated to reflect the role of the DGG. We note the following sections of the Plan where the organization reference needs to be updated:

- Definitions – “Community organizations” and “Local government” should be expanded to reflect self-government. We propose adding “Indigenous Government” as a definition that includes the Délıne Got'ıne Government, with other governments to be added as they are instituted through self-government agreements.
- Chapter 5 – references to District Land Corporations. The Délıne Got'ıne Government has assumed all of the responsibilities of the former Délıne Land Corporation. Reference should be made to add “and Délıne Got'ıne Government” or “Indigenous Governments” as appropriate throughout this Chapter, as several of the Sahtú communities are currently negotiating self-government agreements.
- Zone Descriptions – Zones 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 66 – Any references to the Délıne Land Corporation should be updated to refer to the DGG (e.g. under “Location & Boundaries). General references to Délıne as a community (meaning place or the people, generally) can be left as is.



When the SLUPB updates the Background Report, similar changes will be required there. It may also be helpful to include a discussion on self-government processes occurring across the SSA in that document as well.

## **6. Correct Zone Description for Zone 66 to reflect that it lies within the Délıne District.**

The “Values to Take into Account” section says this zone lies within the Fort Good Hope/Colville Lake Group Trapping Area. This is incorrect. The Délıne District is properly referenced in the introductory paragraph.