



Sahtu Land Use Planning Board

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Distribution:

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Jimmy Dillon, Vice-President
Déline Renewable Resources Council
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Re: Follow-up to February 4-5 meeting on integrating the Great Bear Lake Watershed Management Plan with the Sahtu Land Use Plan

Dear Sirs,

The Sahtu Land Use Planning Board ("SLUPB", or "Board") wishes to thank you and the other representatives of the Déline Land Corporation and Déline Renewable Resources Council who met with the Board in Déline on February 4 and 5 2010 to discuss how the Sahtu Land Use Plan (SLUP) should build on the Great Bear Lake Watershed Management Plan (GBLWMP).

We were fortunate to have representatives of the three plan approval parties - the Governments of Canada and the NWT, and Sahtu Secretariat Incorporated (SSI) - also taking part.

As the Board explained at the meeting, the SLUPB draws its mandate from the *Sahtu Dene and Métis Comprehensive Land Claim Agreement* (the "SLCA") and from the statute that implements the resource management provisions of the SLCA, the *Mackenzie Valley Resource Management Act* ("MVRMA"). The Board is required under the MVRMA to prepare and adopt a single land use plan for the Sahtu settlement area, whose boundaries include the Great Bear watershed. In the process, the Board must take into consideration a land use plan prepared by a First Nation for its settlement lands, and may incorporate the settlement lands plan into the Sahtu plan.

We reviewed the history of the Sahtu Land Use Plan and the Great Bear Lake Watershed Management Plan at our meeting (see the SLUPB's presentation available on our website at: http://www.sahtulanduseplan.org/ftpfiles/public_comments/SLUPB%20Pres_GBLWMP%20Mtg_Feb%204-5-10.ppt). A great deal of work has gone into both documents. On behalf of the Board I want to thank the community of Déline once again for the tremendous energy and commitment that its representatives and advisors have devoted to the Great Bear Lake



Watershed Management Plan, and to assure you that Déline's work is being given the fullest consideration possible by the Board in the design and content of the Sahtu plan.

Our February meeting in Déline was part of the "preparation" phase of the Sahtu land use plan. Déline, the other Sahtu communities and SSI have urged the Board repeatedly to adopt and submit for approval what will be the first Sahtu Land Use Plan as soon as is reasonably possible. Accordingly, as we informed meeting participants, the Board aims to hold the public hearing that will precede adoption of the plan in the fall of this year. This means that the hearing draft of the Sahtu plan ("Draft 3") needs to be ready for circulation this summer.

Recently, the preparation phase for the Sahtu plan has also included meetings with Fort Good Hope (June 8-9 and October 26-27, 2009), Colville Lake (June 10 2009 and February 8, 2010), Tulita (June 24-25, 2009 and January 27, 2010) and Norman Wells (June 17-18 and November 4, 2009). Those communities have not had the advantage of government support for separate planning initiatives reflecting their views and interests.

The GBLWMP will be an anchor document for the Board's work on Draft 3 of the Sahtu plan. As Déline's representatives confirmed at the meeting and in your submission, it is intended to serve as a land use plan for settlement lands within the meaning of subsection 25.2.6 of the *SLCA*. Perhaps more importantly, it is a carefully designed management plan for other parts of the Watershed area that is based on an exceptional level of community input over a period of years. The Board is not funded to match that level of consultation for Déline or for the other Sahtu communities going forward; the Board therefore will rely significantly on the GBWLP as a source record of community values, interests, priorities and views respecting how the Great Bear watershed should be managed.

In response to your organizations' February 22 written submissions, the Board wishes to provide you with the following assurances:

- The Board will continue to involve Déline and the other Sahtu communities in preparing the Sahtu Land Use Plan, as best the Board can within the limits of its resources. While a further meeting before release of Draft 3 is not possible, staff will continue to be available for questions and discussion via telephone or email in the interim.
- The Board acknowledges your request for ongoing funding to support your participation in the planning process and believes this would benefit all communities. The Board has therefore submitted a proposal to INAC for community participation funding for the final year of plan development. Should the Board be successful in securing these funds, they will be passed on to communities to enable communities to hire technical support and meet internally to review and prepare comments on the Sahtu Land Use Plan. If these funds are not obtained, Board members and staff will continue to work with the communities directly.
- As per the February 4-5th meeting, the Board has committed to:
 - Include the Water Heart and Elders Stories in the Plan (not the Background Report); and



- Consider “maintaining ecological integrity” as a requirement within the Great Bear Lake Watershed, using CIMP’s valued components as a means of defining ecological integrity.
- The Board will closely consider the analysis and rationale that is presented in the Feb 22 submission. We recognize the hard work that went into it and the valuable ideas it puts forward.
- We will respond to your comments in detail through Draft 3. The Board is tracking and responding to all comments received in a table that will accompany Draft 3.

These assurances are offered in a spirit of mutual service. The membership of the SLUPB consists entirely of Dene and Métis persons long associated with the Sahtu Settlement Area. Whether nominated by Canada, the NWT, or SSI, each of us is honoured by our responsibility to prepare a land use plan that protects and promotes the well-being of all Sahtu residents and communities, giving special attention to Sahtu First Nations rights and to the lands that they use. We will listen closely to the elders, for whose advice at the Déline meeting we were especially grateful.

In closing, the Board recognizes that Déline’s written submission refers to the Crown’s constitutional duty to consult Déline in the land use planning process. The nature and extent of such a duty in the context of modern treaties is currently the subject of an appeal being considered by the Supreme Court of Canada: *Yukon et al. v. Little Salmon/Carmacks First Nation et al.*, judgement reserved Nov 12, 2009, SCC file no. 32850. Within the limits of its resources, the Board fully intends to meet its treaty and statutory responsibilities to involve the Sahtu communities in land use planning. By continuing to work closely with you and your organizations, we trust that the Board will satisfy your concerns about Board consultations with Déline.

Please feel free to call me with any questions or concerns that you may have arising from this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith Wright-Bird".

Judith Wright-Bird
Chairperson
Sahtu Land Use Planning Board



CC - Distribution List:

Government Representatives Participating in Feb 4-5/10 Meeting

Ethel Blondin-Andrew, Chairperson, Sahtu Secretariat Incorporated

Marc Lange, Manager, Environment and Conservation, INAC

Andy Short, Superintendent, ITI, Government of the Northwest Territories

Land Corporations

Edwin Erutse, President, K'asho Gotine District Land Corporation & Yamoga Land Corporation

Rocky Norwegian, President, Tulita District Land Corporation

Winston McNeely, President, Fort Good Hope Metis Nation Local 54 Land Corporation

Wilburt Kochon, President, Ayoni Keh Land Corp

Gordon Yakeleya, President, Tulita Land Corporation

Eddie McPherson Jr., President, Fort Norman Metis Nation Local 60 Land Corporation

Rodger Odgaard, President, Norman Wells Claimant Corporation

First Nations

Chief Raymond Tutcho, Deline First Nation

Chief Richard Kochon, Behdzi Ahda' First Nation

Chief Arthur Tobac, Fort Good Hope Charter Community Council

Chief Frank Andrew, Tulita Dene Band

Renewable Resource Councils

Roger Boniface, President, Fort Good Hope Renewable Resources Council

Wilfred Lennie Sr., President, Fort Norman Renewable Resources Council

Norman Hodgson, President, Norman Wells Renewable Resources Council

Richard Kochon, Colville Lake Renewable Resources Council