



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0  
Phone: (867) 598-2055 Fax: (867) 598-2545  
Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

## Tripartite Meeting Summary (Ts'udé Njłjné Tuyeta Amendment)

**Date:** June 14, 2021, 9:00 AM-12:00 PM, 1:00-4:00 PM

**Location:** Yellowknife, Château Nova Hotel, Lynx Room  
Zoom: <https://zoom.us/j/9120167223>

### Participants

#### In-person:

- Heather Bourassa, Chairperson, SLUPB
- Edna Tobac, Member, SLUPB
- Justin Stoyko, Executive Director, SLUPB
- Heidi Wiebe, Planning Support, SLUPB
- Charles McNeely, Chairperson, Sahtú Secretariat Incorporated (SSI)
- Orlena Modeste, Executive Director, SSI
- James Caesar, Delegate for SSI
- Frank T'Seleie, Delegate for SSI
- Gina Ridgely, Director, Land Use and Sustainability, GNWT
- Justin Adams, Manager, Land Use Planning, GNWT
- Anita Ogaa, Sr. Land Use Planner, GNWT

#### Virtual Participants:

- Dakota Erutse, Member, SLUPB
- T. Alex Tassioulas, Land Use Planner, SLUPB
- Kim Pawley, Manager, Environmental Assessment, Land Use Planning and Conservation, CIRNAC (briefly)
- Janice Traynor, Coordinator, Policy, Sustainable Development, CIRNAC
- Michelle-Claire Roy, Environmental Policy Analyst, CIRNAC



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

## Discussion Summary

The meeting started at 9:12 AM.

Heather welcomed participants to the SLUPB's 2<sup>nd</sup> Tri-Partite meeting on the SLUP Amendment process for Ts'udé Njłjné Tuyeta and asked participants to introduce themselves.

### SLUPB Presentation

Justin Stoyko then presented an overview of the key amendments as proposed in the Draft Amendment Application released on February 8, 2021, what the SLUPB had heard through its community and public engagement sessions and written comments, and its proposed response.

The SLUPB then asked SSI and its delegates from the K'asho Got'ine District to present their comments on the proposed path forward.

### SSI Presentation

Charles stated that the Draft Amendment Application had been sent to the SSI Board. They have no comments to date. They understand the final application will come back to them for approval.

Frank: The Ts'udé Njłjné Tuyeta Management Board (TNTMB) has not seen the new proposed NWT Protected Areas Act Regulations for the Ts'udé Njłjné Tuyeta Protected Area. We just finished a meeting in Fort Good Hope with the interested parties, one of the main items discussed is to give the protected area a historical context. The K'asho Got'ine have one of the largest traditional territories in North America, and the proposed protected area is a very small portion. Part of our territory included a portion of the Yukon at one time. When the Yukon boundary went in, it became a different jurisdiction. Not only did we lose part of our territory, we lost one community, which was the Lansing Trading Post. The protection of our lands did not start with the land claims. It started before Treaty 11 was negotiated in FGH in 1921, 100 years ago. The K'asho Got'ine look at those protected areas as food source, providing caribou, rabbits, moose, beaver, muskrats, etc. We want the future generations to continue using those in the same manner as they are using it today.

James Caesar raised the following points and questions:

- Under S. 4.1 – Shared Implementation: The K'asho Got'ine Development Foundation have dropped "Development" from their legal name, so its just the "K'asho Got'ine Foundation" now. There is a need to confirm if this has been legally changed.



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

- Has concerns about tourism on the North side of the Mountain River. The north bank falls within the Protected Area. Zone 42 (Mountain River Extension Conservation Zone) is immediately adjacent. There are outfitters that run kayak trips on the Mountain River, which may interfere with some of the values to be protected in the Ts'udé Nlǫ́né Tuyeta Protected Area.
- Has concerns about the order of approval of the amendment and completion of the Protected Area Regulations and the Management Plan. If the amendments get approved before the Ts'udé Nlǫ́né Tuyeta Management Plan is in place and Regulations are complete, there will be a gap in protection. There is no real clarity on that, and it is not the SLUPB's responsibility to dictate that to the Approving Parties.

Justin Stoyko acknowledged the change in the K'asho Got'Inę Foundation (KGF) name, making sure it has indeed been legally changed (**ACTION**). Heidi clarified that the SLUP does not manage tourism through zoning, so tourism operations are allowed within Zone 42. The north bank of the Mountain River falls within the new Protected Area, so whether or not tourism is allowed within that area will be up to the GNWT (ENR), the KGF and the TNTMB and what restrictions they want to place on tourism within the Regulations and the Management Plan.

Dakota asked what the relationship is between the KGF, and the community and region. James responded that the KGF is made up of the Chiefs from both Fort Good Hope and Colville Lake, who are appointed to the TNTMB, and delegates from all three land corporations in the K'asho Got'Inę District.

Dakota asked if the TNTMB is fully established or still just on paper, to which Heidi responded that the TNTMB is fully established. James Caesar confirmed that it has been established on virtue of signing the Establishment Agreement by the parties, and that the TNTMB started meeting in the fall of 2020.

Heidi explained that when the SLUPB started work on this amendment process, the Regulations for the Ts'udé Nlǫ́né Tuyeta Protected Area were planned to be complete by March 2021, which would have coincided well with the SLUPB's timeline. However, the timeline to complete the Regulations has been extended. Gina Ridgely (GNWT-Lands) indicated that the GNWT has been working to develop the Regulations, and the GNWT has the ability to sequence its approval of the SLUP Amendment to follow the establishment of Ts'udé Nlǫ́né Tuyeta Protected Area under the NWT Protected Areas Act regulations.

Frank: Add that one of the matters that are very important is that the protected area is created an area where our knowledge is brought together with science. See that as really important. Our traditional knowledge is what brought us through centuries of living off the land. Future scholars will probably better define those matters. Should say that there is a real difference



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

between our knowledge and science. In some areas our knowledge is better than science. It is much more holistic. For example, studying moose, you don't separate it from food source, geography, you need to know what the weather is doing to it. With beaver, for instance, our elders told us not to bother beaver dams, as it holds the water back for other life, such as fish, mink, otter. This is type of knowledge that we gain out there. Whereby science puts a magnifying glass on one subject. Our young people not only being exposed to traditional knowledge, but science as well. We have guardians now, who were instructed at the last meeting to record any birds. Songbirds are disappearing. We do not hear any more frogs. They were instructed to seek that kind of information when they are out on the land. Engage the proper scientists to see why that is happening. I believe the protected area will give some answers. Our people are also trying to find out why some areas have thin ice. One of the matters that has to be discussed is how should visitors be accommodated into the area. The ramparts wetlands are in a way, naturally protected. You just can't go anywhere. Need someone who knows where the trails go. The trails are hundreds of years old, since pre-contact. We still use them today.

The meeting was recessed for a break at 10:35 AM.

The meeting resumed at 10:51 AM.

## GNWT Presentation

Gina commended the SLUPB for its work on the Draft Amendment Application, and noted that at this time the GNWT is content with the zoning and the proposed 5 km buffer to be created through CR 21. Gina indicated that the GNWT does not have concerns with the SLUPB's recommendation that CR 21's buffer only applies to the Sahtú Settlement Area. Gina noted the comments on the order of approval between this amendment and the 5-Year Review Amendment and confirmed that the GNWT can control its order of approval on the two amendments, and indicated that the GNWT would consider its approval of the 5-Year Review Amendment before the Tuyeta Amendment. Gina indicated that once SSI has notified the other approving parties that it has approved the addendum to the 5-year review amendment, the GNWT's approval of the 5-Year Review and Addendum should be timely as S. 35 consultation has already been completed and no issues were raised. Gina clarified that the GNWT will also complete S. 35 consultation on the SLUP Ts'udé Nlǰíné Tuyeta Amendment. The GNWT is also aware, based on how the Tuyeta Amendment is currently drafted, of the need to have the Regulations for the Ts'udé Nlǰíné Tuyeta Protected Area in force before the SLUP Ts'udé Nlǰíné Tuyeta Plan Amendment is approved to avoid a gap in legal protection for the protected area. The process to legally establish the Regulations is ongoing. Gina did not have specific details on the timelines.



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

James identified that there are a bunch of elections coming up in communities, and the region this summer – the Charter Community of K'asho Got'jne/Fort Good Hope Dene Band, the Yamoga Land Corporation, and SSI. These changes in leadership could affect approval processes.

Dakota asked Gina if the GNWT would have to re-open Crown Consultation on the 5-Year Review Amendment to address the Addendum that the SLUPB just released? This question was deferred to the later discussions on process and timing.

Orlena responded to an earlier question about current Board appointments. They nominated someone earlier this year to fill the other vacant position. They have also recently identified a backup person to fill the vacancy, in case the first nominee is not successfully appointed. She also confirmed that SSI has received the Addendum for the 5-Year Review. They have a Board meeting scheduled to go through this. She responded to James' comment that while they have an election this year, they do not foresee this delaying their approval process.

Justin Adams asked if the SLUPB heard any questions raised by regulators on how CR 21's new engagement buffer would be implemented. Heidi and Justin Stoyko responded that no concerns or questions were raised.

## CIRNAC Presentation

Janice commended the Board on the amendment application. All federal partners noted how comprehensive, thorough, and accurate it is, and how well it reflected and responded to comments. They have not felt the need to provide much comment because of it. Their main questions are also regarding the sequencing of approvals. They do not want to leave this area unprotected. They also agreed that adding a map to illustrate the engagement buffer established under CR 21 is helpful.

Frank also commended Justin Stoyko for using their place names so much in the plan, in all the different sections, and for supporting that work. They encourage the use of their language in the SLUP as much as possible.

## 5-Year Review Amendment

Justin Stoyko presented the background and order of events leading up to the SLUPB issuing an Addendum to the 5-Year Review Amendment. This was to correct the zone boundary for Zone 39, to end at Mile 222, instead of continuing to the Yukon border.



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

Gina responded to Dakota's earlier question, that it is her understanding that the S. 35 consultation done for the 5-Year Review Amendment was sufficient, and there is no need to re-open consultations for this Addendum. GNWT staff will confirm and get back to the SLUPB.

**(ACTION)**

Janice also said that CIRNAC will also confirm that they will not have to open up consultations again. **(ACTION)**

## Process & Timing of Amendments

Heidi laid out what she saw as the logical order of events going forward, for discussion.

1. SSI to approve the 5-Year Review Amendment Addendum,
2. GNWT to approve the 5-Year Review Amendment & Addendum,
3. CIRNAC to approve the 5-Year Review Amendment & Addendum.

This process can unfold according to its own timeline. As both the GNWT and Canada have already completed their internal review processes, its just the final approval processes that are needed. The GNWT and CIRNAC participants were unable to provide a specific timeline for approval.

For the Tuyeta Amendment, Heidi suggested the logical order of steps would be:

1. SLUPB finalizes and adopts the Amendment Application,
2. SSI reviews and approves the Amendment,
3. GNWT and CIRNAC undertake S. 35 Consultation (~ 3 months at a minimum),
4. GNWT and CIRNAC complete their internal reviews for approval,
5. GNWT checks to make sure the Regulations for Ts'udé Nlǰǰné Tuyeta are in place,
6. GNWT approves the Ts'udé Nlǰǰné Tuyeta Amendment,
7. CIRNAC approves the Ts'udé Nlǰǰné Tuyeta Amendment.

Heidi suggested that the earliest that GNWT would likely be at the point of considering its approval of the Ts'udé Nlǰǰné Tuyeta Amendment is early 2022. If the Regulations will be complete before the end of 2021, there would be no need to delay the approval of the Ts'udé Nlǰǰné Tuyeta Amendment. If the Regulations are delayed beyond that, then the GNWT could delay its approval until the Regulations are complete and Tuyeta is legally protected.

James stated that they need to know the schedule regarding the Regulations development. They need to draft an intentions document for the Regulations first. Then Justice has its internal processes for drafting. Both the community and KGF do not want to unnecessarily slow down the development of the Regulations. It is something that is ongoing and KGF would have a better idea of a schedule if we knew what the Regulations are. Maybe the department of



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [info@sahtulanduseplan.org](mailto:info@sahtulanduseplan.org); Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

Justice still going through their internal discussions in terms of drafting. SSI has their own meetings scheduled, with a good chance of approvals (Regulations) being done before the end of the calendar year.

Gina committed to getting an update on the timing of the Regulations, and the key elements to be covered by the Regulations, and report back to the Board **(ACTION)**. Gina also noted that the earliest GNWT could start its consultation is after SSI approves the Tuyeta amendment. However, the GNWT may even wait until after the Regulations are approved to initiate consultation. Janice agreed, as it may lead to confusion if the Regulations are out for consultation at the same time as the Tuyeta amendment. Janice also stated that 3 months for Crown Consultation is the minimum time frame and that it could take longer.

Heidi summarized that each organization/government (SLUPB, SSI, GNWT and CIRNAC) is free to decide when to approve the Plan amendment in relation to the progress of the Regulations development. If any organization is not comfortable, they could delay their approval to allow more progress on Regulations development. At the same time, its important to understand that at least 6 months of time is needed after SSI approves the Plan amendment before the GNWT and CIRNAC would be in a position to approve the plan amendment due to the timing around Crown Consultation and their internal review processes.

Before closing comments, Justin Stoyko asked Janice about when he could expect a report from CIRNAC Lands on their authorizations issued for the last FY year. Janice responded that the main contact on that is Mike Roesch in the Yellowknife office, and she will follow up again. **(ACTION)**

Participants thanked the Board for their good work on the amendment process and for arranging the face-to-face meeting.

Frank: Went through an oil boom in 60s, 70s, and 80s. When the oil companies came onto our land, there was no land use regulations. My dad, on one of his hunting trips, he came upon a bulldozer. He did not even know that the oil companies were in the area. There were no regulations for bulldozing the top of the land right off. One of the first comments he made was that the tree roots kept the land together. We have come a long way from them, for the government agencies to come to us to talk about how the land be used.

Charles confirmed that SSI will be discussing these approvals at its next meeting. They meet quarterly and do not like sitting on things for long so it will move ahead quickly. He mentioned that they do these things for the youth, who are our future and they got to take care of them.

The meeting ended at 12:15 PM.