



# Board Meeting Minutes

October 20-23, 2015  
Edward G. Hodgson Building, Norman Wells  
Minutes by Joe Hanlon and Deborah Simmons

## List of Acronyms/Terms Used

ACCWM	Advisory Committee for Cooperation on Wildlife Management
BNE	Bluenose East ᑭᑦᑲᑦᑲᑦ
BNW	Bluenose West ᑭᑦᑲᑦᑲᑦ
ENR	NWT Environment and Natural Resources
SRRB/Board	ᑭᑦᑲᑦᑲᑦ ᑭᑦᑲᑦᑲᑦ ᑭᑦᑲᑦᑲᑦ ᑭᑦᑲᑦᑲᑦ (Sahtú Renewable Resources Board)
TK	Traditional Knowledge
WRRB	Wek'èezhì Renewable Resources Board
ᑭᑦᑲᑦᑲᑦ ᑭᑦᑲᑦᑲᑦ	Renewable Resources Council - RRC
ᑭᑦᑲᑦᑲᑦ	Barren-ground Caribou

## Agenda

### DAY ONE – OCTOBER 20

#### Regular Meeting

- Opening prayer, introductions, review of agenda
- Board member swearing-in

#### Public Hearing Workshop

*Facilitated by Lorraine Land*

#### **Part 1: Understanding the Public Hearing Process**

##### ***The Legal Framework of the Board's Obligations***

- Administrative Law Duties (Duty to Act Fairly, Knowing the Case to be Met, Right to be Heard, Right to an Impartial Decision-Maker)
- SDMCLCA Provisions (Powers and Jurisdiction of the Board)
- Rules of Evidence
- Dene Law re Good Process
- Case Studies and Discussion

## DAY 2 – OCTOBER 21

### Regular Meeting (continued)

- ENR presentation on compliance (Jaimie Chambers)

### Joint Meeting with Colville Lake and Fort Good Hope ʔehdzo GotʼJne Delegations

- Introductions
- Caribou monitoring (Heather Sayine-Crawford)
- Presentation by Colville Delegation (David Codzi and Joseph Kochon)
- Public Hearing Process Overview (Lorraine Land)

## DAY 3 – OCTOBER 22

### Regular Meeting (continued)

- Interim Measures in ʔekwé harvest management

### Public Hearing Workshop (continued)

*Facilitated by Lorraine Land*

#### **Hearing Process Options**

- Components of a Hearing
- Participants and Their Roles
- Evidence
- Media
- Pre-Hearing Conferences
- Building the Record
- Alternatives to a Formal Hearing
- Principles for Hearings in Aboriginal Communities
- Examples of Public Hearing Processes
- Group Discussion / Case Study
- The “Non-Negotiables” – Mandatory Aspects of Procedural Fairness
- Areas of Flexibility – Hearing Process Options
  - Public gathering options: formal community hearings, community-based informal workshops, technical workshops, integrated cultural activities, etc.

### Regular Meeting (continued)

- Bluenose West ʔekwé Background Document (Deborah Simmons and Lorraine Land)
- Community Mapping Initiative (Heidi Brown, via teleconference)
- Harvest Study Completion (Janet Winbourne, via teleconference)
- Harvest Monitoring options (Joe Hanlon)

## DAY 4 – OCTOBER 23

### Regular Meeting (continued)

- Bluenose West Background Document (continued)

- Letter to ENR Regarding Interim Measures for Bluenose East ʔekwé (continued)
- Other Possible Hunting Regulation Changes
- Harvest monitoring (continued)
- Colville ʔekwé monitoring proposal
- Draft Saoyú-ʔehdacho National Historic Park Management Plan review
- Environmental assessments
- Project reports
- Funding proposals
- Staffing
- Policy initiatives

## Day 1 – October 20

### List of Attendees

#### Board Members

Michael Neyelle (Chair), George Barnaby, Camilla Rabisca, Paul Latour, Lesley Allen, Jeff Walker, Keith Hickling, Leonard Kenny

#### Special Advisors

Leon Andrew, Frederick Andrew

#### Staff

Deborah Simmons (Executive Director), Joe Hanlon (Program Coordinator), Lori Ann Lennie (Office Manager)

#### Guests

Lorraine Land (Olthuis, Kleer, Townshend LLP)  
Edward Oudzi (Norman Wells ʔehdzo Got'jne)

### Opening Prayer (9:10 AM)

*Opening prayer by Michael Neyelle*

### Swearing-In of New Board Members

*Swearing-In of Michael Neyelle (Chair), George Barnaby (Member), Jeff Walker (Member), Camilla Rabisca (Member), Lesley Allen (Member)*

## PUBLIC HEARING WORKSHOP

### Public Hearing Presentation

*Presentation by Lorraine Land on 'Understanding the Public Hearing Process'*

#### Discussion topics

- Hearing participation
- Plain language communication

- Ensuring TK is accommodated
- Key issues to focus the hearing
- Cross-regional scope of Bluenose East caribou management
- Pre-hearing conference
- Importance of building in lead time for communities to prepare
- How the Board can make this process work for us, improving on the experience of the 2007 Bluenose West hearing
- Importance of all Board members hearing all evidence
- Role of Alternates and Special Advisors in assisting with development of consensus
- Approach to interpretation and translation
- Risk of Board member bias
- Role of ACCWM and cross-regional management plan
- Possible role of an independent facilitator for the hearing
- Role of the Chair
- Difference between SRRB and regulatory boards; the SRRB's mandate in relation to the land claim and RRCs and possible perception of bias
- Defining "effective and meaningful" consultation, and challenges due to lack of ʔehdzo Got'jneq capacity
- SRRB decision-making authority, including with respect to regulations
- Possible implications of self-government for wildlife management authorities
- Implication of distinction made between Bluenose West and Bluenose East caribou
- Role of the Sahtú Secretariat, Inc. in ensuring that the land claim agreement is properly implemented
- Differences in Board consultation requirements among land claim regions
- Nunavut caribou management and land use planning issues
- Option of supporting interim measures
- Timelines given consultation requirements for establishing new regulations
- Hearing is mandatory if the Board is considering restricting aboriginal harvest
- The Board can ask for certain types of evidence, so could include hunting or other issues, and can ask communities as well as government to present evidence
- The right to be heard must be met
- Cultural considerations, for instance an elder who wishes to take more time or do something that is not as formal
- Role of the chair in ensuring a good/fair process
- Value of encouraging speaking in Dene language at the hearing
- Electronic/video options for broadcasting the hearing

Meeting ends for the day at 4:54 PM

## Day 2 – October 21

### List of Attendees

#### Board Members

Michael Neyelle (Chair), George Barnaby, Camilla Rabisca, Paul Latour, Lesley Allen, Jeff Walker, Keith Hickling, Leonard Kenny

#### Special Advisors

Leon Andrew, Frederick Andrew

#### Staff

Deborah Simmons (Executive Director), Joe Hanlon (Program Coordinator), Lori Ann Lennie (Office Manager)

#### Guests

Lorraine Land (Olthuis, Kleer, Townshend LLP)

Jamie Chambers and Heather Sayine-Crawford (NWT Environment and Natural Resources)

Colville Lake ʔehdzo Got'Inę delegation, including Joseph Kochon, David Codzi

Fort Good Hope ʔehdzo Got'Inę delegation, including Frank Pierrot, Barthy Cotchille, Lawrence Manuel, Thomas Manuel, Gabe Kochon, Roger Boniface

## REGULAR MEETING (continued)

### Introductions (9:23 AM)

### Presentation on Compliance

*Presentation by Jamie Chambers*

#### Discussion topics

- Monitoring and community member participation
- Education and communication plan for Wildlife Act implementation
- Role of the Board in supporting effective communications
- ENR forest fire management approach

*Colville Lake and Fort Good Hope delegations arrive, second round of introductions (10:10 AM)*

## JOINT MEETING WITH COLVILLE LAKE AND FORT GOOD HOPE ʔEHDZO GOT'INĘ DELEGATIONS

### Presentation on Barren-Ground Caribou Monitoring

*Presentation by Heather Sayine-Crawford*

### Discussion topics

- Area monitored
- Effective communication about population trends (challenges in understanding graphs)
- Caribou on the Mackenzie Review in 1989 (Lawrence Manuel)
- Impact of collaring on caribou, including change in the taste of caribou meat from stress
- Traditional knowledge indicators of declining populations, including empty stomach (Thomas Manuel)
- Maintenance of traditional harvesting practices
- Concerns about access to caribou for subsistence and food security
- Caribou don't live by a law, we don't feed it, we can't govern it, it can go wherever it wants. (Frank Pierrot)
- Cost to conduct the BNE/Bathurst survey (\$750,000).
- Uncertainty on graph of population level from 2010, 2013, 2015.
- Reasons barren-ground caribou populations may be declining
- Wolf harvesting approaches to reduce predation on caribou

### Colville Lake Presentation

*Presentation by David Codzi, with Joseph Kochon interpreting*

#### Discussion topics

- In 1959 there wasn't that much caribou in the Colville Lake area; since then people have self-managed the caribou and the numbers have changed since then (Barthy Cotchille)
- Working together, among communities and organisations (Gabe Kochon)
- The SRRB is under community scrutiny
- There was one time where the caribou crossed the river, and a lot of the caribou never returned (Gabe Kochon)
- Roles of the SRRB and ENR in caribou management
- Need to provide funding support for ʔehdzo Got'ıne expertise and participation
- Importance of working with community knowledge
- Collaboration between Fort Good Hope and Colville Lake

### Public Hearing Process Overview

*Presentation by Lorraine Land, with Michael Neyelle interpreting*

#### Discussion topics

- The need for a hearing in order to fully consult with the public
- The elders are the ones that have the knowledge, they know everything about the past, about the stories, they have that knowledge and want to pass it on (Thomas Manuel)

## Day 3 – October 22

### List of Attendees

#### Board Members

Michael Neyelle (Chair), George Barnaby, Camilla Rabisca, Paul Latour, Lesley Allen, Jeff Walker, Keith Hickling, Leonard Kenny

#### Special Advisors

Leon Andrew, Frederick Andrew

#### Staff

Deborah Simmons (Executive Director), Joe Hanlon (Program Coordinator), Lori Ann Lennie (Office Manager)

#### Guests

Lorraine Land (Olthuis, Kleer, Townshend LLP)

Heidi Brown (Community Mapping Initiative lead, via teleconference)

Janet Winbourne (Harvest Study Completion lead, via teleconference)

### Interim Measures for Ɂekwé Harvest Management (9:28 am)

*Presentation of ENR letter regarding Ɂekwé harvest allocations, September 24, 2015*

#### Discussion

- Timelines – it is not possible to make a decision for the current harvest season because of time required for the hearing process
- The Minister of ENR is obligated to establish Ɂekwé harvest allocations because of the way the act is written
- Challenge of accommodating community opposition to the tag system while recognizing the need for cross-regional allocations and some way of monitoring harvest
- Benefits of the community-driven approach to harvest management and monitoring
- Update on Délı̄ne Ɂekwé conservation planning process
- Concept of “declining trend,” and causes of decline
- Perspectives from other regions, including Wek’èezhì Renewable Resources Board, Nunavut, and cross-regional ACCWM forum.
- Harvest monitoring in other regions
- Timeline imposed by ENR with September 24 letter and October 15 response deadline not feasible; the need to provide input to ENR on acceptable timelines (ENR response time is 45 days)
- ENR participation in Délı̄ne conservation planning process
- Challenges in effective communication by ENR regarding Ɂekwé population monitoring and trends
- Need for the SRRB to be strong in making decisions, and for community leadership in conservation to be strong
- SSI and Ɂehdzo Got’ı̄ne role in protecting treaty harvest rights (this is not within the mandate of the SRRB)

## Decision 2016-033

D2016-033	Staff and legal counsel to prepare a letter responding to ENR's letter of September 24 regarding timeline and process for interim measures on ʔekwé harvest management, and confirming land claim requirements.	Consensus
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## PUBLIC HEARING WORKSHOP (continued)

*Presentation by Lorraine Land*

### Discussion topics

- Review of concerns expressed by Colville and Fort Good Hope delegations at Joint Meeting
- Approach to collaborative hearing with WRRB
- Updating SRRB hearing rules
- Requirements and authority for determining meaningful consultation
- Key issues to focus hearing discussions
- Funding requirements for hearing
- Decision-making processes regarding Bluenose East and Bluenose West ʔekwé given scientific evidence regarding trends, and traditional knowledge perspective that ʔekwé are a single population
- Concepts of self-regulation and alternative harvest underpinning community conservation approaches
- Subpoena as a tool for compelling inputs – this is at the SRRB's expense

## REGULAR MEETING (continued)

### Bluenose West ʔekwé Background Document

*Deb Simmons reviews the BNW background document and makes changes as the Board provides input.*

### Community Mapping Initiative (1:58 PM - 3:19 PM)

*Teleconference presentation by Heidi Brown*

### Discussion topics

- Community engagement process to develop proposals to the Board for local initiatives
- Intellectual property rights and OCAP (Ownership, Control, Access, Possession) principles
- Spatial traditional knowledge, particularly placenames, as organised by clan areas
- Locations of existing documented spatial TK, including Protected Areas Strategy, Land Corporations, community researchers
- Role of the board in providing technical support for community initiatives

### Harvest Study Completion

*Presentation by Janet Winbourne regarding plans for community engagement to validate the Harvest Study.*

## Harvest Monitoring Options

*Comments by Joe Hanlon on options for harvest monitoring.*

Meeting ends for the day at 4:25 PM

## Day 4 – October 23

### List of Attendees

#### Board Members

Michael Neyelle (Chair), George Barnaby, Camilla Rabisca, Paul Latour, Lesley Allen, Jeff Walker, Keith Hickling, Leonard Kenny

#### Special Advisors

Leon Andrew, Frederick Andrew

#### Staff

Deborah Simmons (Executive Director), Joe Hanlon (Program Coordinator), Lori Ann Lennie (Office Manager)

### Review of Agenda (9:20 AM)

#### Bluenose West Background Document (continued)

*Presentation of document revisions by Deborah Simmons*

#### Discussion topics

- Intended audience, to be made explicit at the front of the document
- Fred – (in Slavey).
- Deb – can we have a motion, or how are we going to make decisions about these documents.

#### Decision 2016-034

D2016-034	Staff and legal counsel to finalize Bluenose West ʔekwé Background Document, addressing comments from the Board.	Consensus
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#### Letter to ENR Regarding Interim Measures for Bluenose East ʔekwé

*Presentation by Deborah Simmons*

#### Discussion topics

- Footnoted references to land claim agreement
- Jeff – Should include references to community work that has already been happening. Deb – It's here, later in the letter.
- Past voluntary harvest targets and proposed harvest limits

- Harvest data from check stations on the winter road in the Tłjchq region, and in Nunavut
- Délıne ʔekwé conservation planning process
- Health sampling approach and funding support
- Dialogue with ENR about communication issues

## Other Possible Hunting Regulation Changes

### Discussion topics

- Requirement for having snowshoes and appropriate winter gear in trucks if harvesting ʔekwé to prevent wounding loss (so hunters can walk after wounded animals)
- Regulation for no hunting corridor on the winter road
- Need for education on respectful handling of ʔekwé carcasses and meat
- Need to work collaboratively to develop proposed regulation changes through community conservation planning processes

## Harvest Monitoring Options (continued)

### Discussion topics

- ENR timeline for considering monitoring options (November)
- Involvement of ENR in Délıne ʔekwé conservation planning process, with a focus on harvest monitoring, providing technical support
- Discussion about tags/allocation
- Issues with tag system for monitoring harvest, and possibility that tags could promote harvesting (thus having the opposite of the intended effect)

## Colville ʔekwé Monitoring Proposal

*Presentation by Deborah Simmons*

### Decision 2016-035

D2016-035	Support the Colville monitoring proposal in principle, but it is not within the scope of the Wildlife Studies Fund; the SRRB will collaborate with Colville to develop a proposal to the Cumulative Impact Monitoring Program.	Consensus
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## Draft Saoyú-ʔehdacho National Historic Park Management Plan

### Discussion topics

- Process for SRRB review of this document, received October 22
- History that the SRRB wrote a letter to Parks Canada reminding that they must involve the Board in the management planning process

### Decision 2016-036

D2016-036	Paul Latour and Michael Neyelle to work with staff on review of Saoyú-ʔehdacho National Historic Park Management Plan	Consensus
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## Environmental Assessments

- Key items underway: fiber-optic line, Selwyn Resources road extension, ConocoPhillips well closure.
- Multiple small projects and potential communicative effects
- New Environmental Impacts Analyst soon joining the Sahtú ENR team, Jennie Vandermeer

### Decision 2016-037

D2016-037	Executive Committee to decide upon the consultant to be selected assist the SRRB on Environmental Assessment work.	Consensus
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## Project Reports

*Presentation by Deborah Simmons*

### Discussion topics

- Key projects: food security with Deline, finishing some multiyear projects (monitoring framework, TK guidelines, Dene mapping project, mercury synthesis), ongoing projects (winter track survey, water health, caribou planning, Sahtú Environmental Research and Monitoring Forum, harvest study completion, cross-cultural research camp, human biomonitoring, Willow Lake duck banding)
- Sahtú ERM Forum funding from ENR will end 2018-2019

## Funding Proposals

*Presentation by Deborah Simmons*

Three letters of intent prepared to the Cumulative Impact Monitoring Program:

- *Understanding Climate Change Impacts in the Great Bear Lake Watershed: A Cross-Disciplinary and Socio-Ecological Approach*, with Tsá Túé Stewardship Council
- *Exploring options for biocultural of monitoring ɔedə (barren-ground caribou) population status and trends using traditional knowledge and science*, with Colville
- *Sahtu Cumulative Effects Monitoring Forecasting*, with ALCES (A Landscape Cumulative Effects Simulator)

## Staffing

### Motion 2016-022

M2016-022	The SRRB to hire Daniel T'seleie on a limited contract to assist with ʔehdzo Got'jñę liaison and Sahtú Youth Network activities. Jeffery Walker/George Barnaby.	Approved with one abstention
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## Policy Initiatives

*Presentation by Deborah Simmons*

Two possible policy initiatives for future consideration by the SRRB:

- Science Integrity Principles developed by the Science Integrity Project, with involvement of Walter Bayha (<http://scienceintegrity.ca/>)
- Blue Dot initiative sponsored by the Suzuki Foundation, <http://bluedot.ca/>

## Closing Prayer

*Michael Neyelle*

*Meeting adjourned at 1:17 pm*

## Approval of Minutes

Approved by Board decision, June 29, 2016.



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Michael Neyelle, Chair

## Summary of Decisions

Number	Description	Result
D2016-033	Staff and legal counsel to prepare a letter responding to ENR's letter of September 24 regarding timeline and process for interim measures on ʔekwé harvest management, and confirming land claim requirements.	Consensus
D2016-034	Staff and legal counsel to finalize Bluenose West ʔekwé Background Document, addressing comments from the Board.	Consensus
D2016-035	Support the Colville monitoring proposal in principle, but it is not within the scope of the Wildlife Studies Fund; the SRRB will collaborate with Colville to develop a proposal to the Cumulative Impact Monitoring Program.	Consensus
D2016-036	Paul Latour and Michael Neyelle to work with staff on review of Saoyú-ʔehdacho National Historic Park Management Plan	Consensus
D2016-037	Executive Committee to decide upon the consultant to be selected assist the SRRB on Environmental Assessment work.	Consensus

## Summary of Motions

Number	Description	Result
M2016-022	The SRRB to hire Daniel T'seleie on a limited contract to assist with ʔehdzo Got'jne liaison and Sahtú Youth Network activities. Jeffery Walker/George Barnaby.	Approved with one abstention