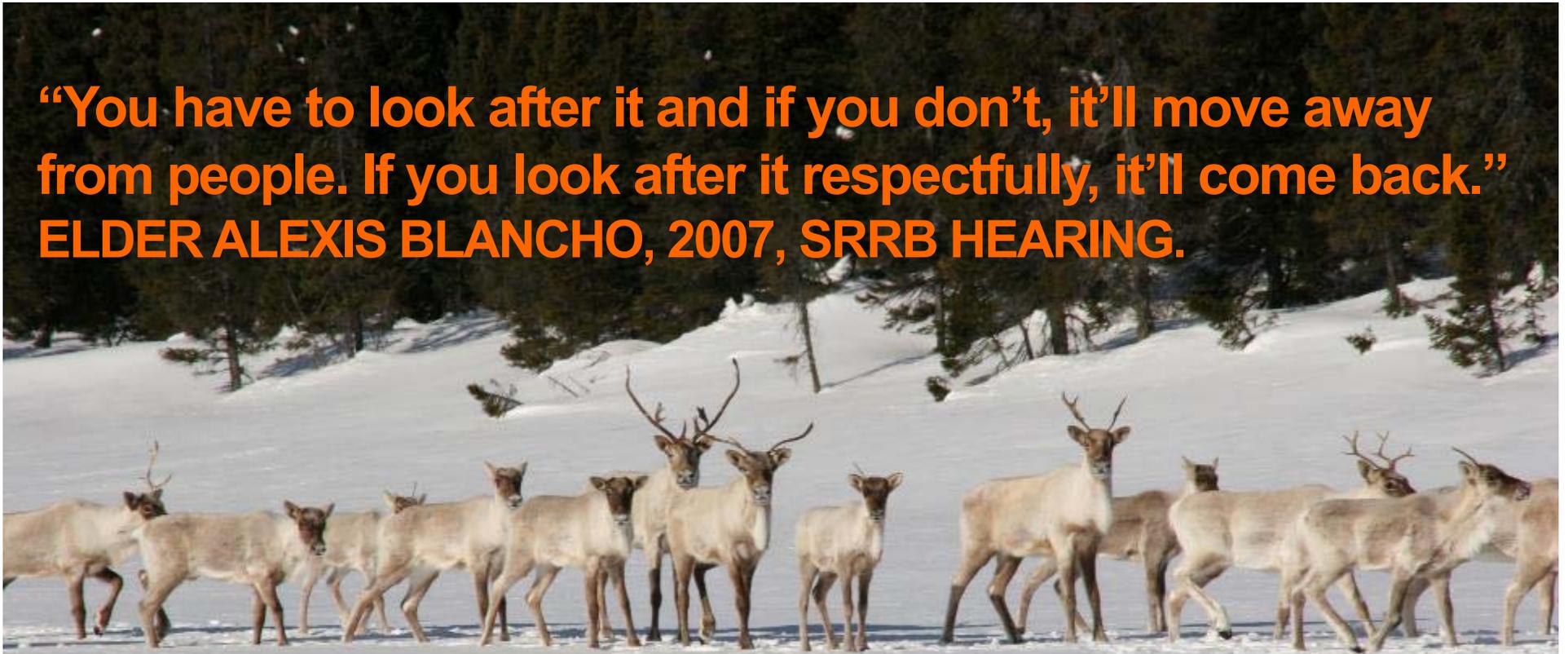


**“You have to look after it and if you don’t, it’ll move away from people. If you look after it respectfully, it’ll come back.”
ELDER ALEXIS BLANCHO, 2007, SRRB HEARING.**



**Colville Lake Renewable Resources Council
Behdzi Ahda” First Nation
Ayoni Keh Land Corporation
SRRB Bluenose East Caribou Hearing March 2, 2016**

Collaboration or Co-option?

Improved management and local empowerment cannot be achieved through any attempt to "include" local elders and hunters into the existing state-management system simply through the production and use of TEK... Instead, it will require that local beliefs, values, and practices themselves to be accepted as a valid basis for action.

This will require changes to current practices of resource management and environmental assessment to allow these people to play a meaningful role in these processes as decision-makers.

- Dr. Paul Nadasdy (1999) The Politics of TEK

Sahtu Context

The Sahtu Dene Métis Final Land Claim Agreement confirms:

- i) The priority of Aboriginal harvesting;
- ii) The primary role of co-management bodies – including the Renewable Resources Board and the local Renewable Resource Council to collect information and manage harvesting.
- iii) The process that must be followed before any limits on harvesting can be implemented.

The Wildlife Act confirms that the Act must be carried out in accordance with land claim agreements (s. 5) and land claim agreements prevail over the Wildlife Act. (s. 6)

Working for Co-Management

- **Colville Lake is here as an intervenor. We are not presenting proposals. We are here to ask questions and to talk about what we know and what we believe is right.**
- **We believe communities must take responsibility for continuing the Dene way of life. Doing what we have always done – and what we have a right to do – must be our priority. This is a responsibility that we all share.**
- **This is not a numbers game. Our relationship to caribou cannot be reduced to a quota.**
- **We do not take caribou, they are given to us.**
- **We will never tell our people to stop hunting caribou because being hunters is who they are.**

Working for Co-Management

- We are committed to fulfilling the purposes of the Land Claim and to achieving meaningful co-management through the implementation and **empowerment of the SRRB as the primary body for decision-making and the RRCs as the primary bodies for local harvest management across the region.**
- We recognize the need to work across regions with our neighbours and relatives in the Inuvialuit, Gwitchin, and Tlicho Region, and with the Inuit in Nunavut.

Sahtu April 22-23 2015 Resolutions

We are working to implement the resolutions that were adopted in a Special Assembly held in Colville Lake on April 22-23 2015 and recommended to the GNWT in a letter signed by **SSI, SRRB, Behdzi Ahada” First Nation and Deline First Nation:**

Sahtu April 22-23 2015 Resolutions

Governance. The plan to manage the caribou in the Sahtu region must be developed by the Sahtu Dene and Metis and SRRB and RRCs **based on the process of self-regulation and driven by community-based monitoring and decisions.** Any future conservation decisions or restrictions relating to caribou must be developed at in a public forum.

Caribou tags. The current imposition of tags on Aboriginal harvesters under the regulations of the Wildlife Act is rejected. **There is neither traditional knowledge nor science-based evidence justifying such conservation measures.**

Sahtu April 22-23 2015 Resolutions

Proposed Tundra Copper Exploration. The proposed Tundra Copper Exploration project is opposed until assurances are provided that the habitat of the Bluenose East caribou herd, including its calving grounds, are protected. If these areas are not properly protected, this development will be opposed.

Caribou collaring. The use of collars for monitoring purposes is opposed. The knowledge of the RRCs and harvesters can provide effective monitoring.

Funding for the RRCs. The RRCs must have funding in order to fulfill their mandate under the Sahtu land claim agreement with respect to caribou monitoring, research and management.

Co-Management Roles

- The Board may participate in harvesting studies, in data collection and in the evaluation of wildlife research.
- It is intended that the Board have an **independent research capability** (13.8.38)
- Wildlife research or harvesting studies conducted in the settlement area by government or by the Board or with government assistance shall directly involve Renewable Resources Councils and participant harvesters to the **greatest extent possible.** (13.8.40)

We do not believe that these roles are being fulfilled.

Co-Management Roles

- Renewable Resources Councils **shall participate** in the collection and provision, to government and the Board, of local harvesting data and other locally available data respecting wildlife and wildlife habitat. (13.9.6)
- Government **shall work with** the users of the Bluenose caribou herd for the purpose of establishing an agreement for the management of the herd. (13.6.3)

The ACCWM Plan does not meet the requirements of the Land Claim.

Empowering the Board and RRCs

- Currently, the SRRB is **not fully constituted**, and as a consequence **unable to fully discharge its mandate** as intended under 13.8.3 of the Land Claim.
- There are **currently 3 vacancies** in appointments of Sahtu beneficiaries as members and alternates.
- The appointment of a **full slate of members is a requirement of the Land Claim**, with vacancies to be filled by nominations **within 90 days** (13.8.5, 13.8.6, 13.8.7)

Empowering the Board and RRCs

- We have legitimate concerns about the current hearing process.
- As the Chair outlined yesterday, Colville has concerns about the conflict of interest of 3 members of the Board, Colville submitted a motion regarding the Board's conflict of interest this concern is shared by Norman Wells, and Fort Good Hope,
- Despite our concerns, the Board ruled there is no conflict, and proposed ways to ensure that a conflict of interest is avoided.

Empowering the Board and RRCs

- Our concern is that one ENR member who drafted and supports the ENR Plan is a board member, and two Deline members who drafted and support the Deline plan are Board members.
- Those 3 members will be participating in the decision making in this Hearing.
- If this process was about a mine or a road, and the developers and supports of those projects were also sitting as members of an environmental assessment panel, people might question the independence and impartiality of that panel.
- We have similar concerns about this process.

Empowering the Board and RRCs

- The solution we proposed was simple. We want the Board to work, and we want the Board to be able to deal with conflicts in the way the Land Claim intended.
- The Land Claim has provisions for alternate Board members. In the case of a conflict, the Alternate Board member would step in.
- Unfortunately, not all of the appointments to the Board have been made as required by the Land Claim Agreement
- We need these Board members to be appointed as soon as possible to ensure that Board decisions made in the best way.

Empowering the Board and RRCs

- The RRCs are underfunded and unable to perform their roles under 13.9 of the Land Claim.
- The impairment of Board and RRC functions and lack of Sahtu beneficiary representation in wildlife research and decision-making has major consequences for co-management.
- **This Hearing is dominated by government proposals and government science.**
- **Our knowledge is not being supported or integrated in research in a meaningful way.**
- **Government has ‘cherry picked’ our knowledge to support their own conclusions.**

Empowering the Board and RRCs



- As an example, research is not being done in accordance with Dene laws and values.
- The lack of meaningful response by ENR to our concerns about collars means that we are talking past each other, **not talking with each other about the most basic approaches to research.**

2007 Colville Traditional Survey

- In 2007, Colville RRC hired approximately 12 trappers to go out on the land to count caribou in a traditional manner, without the use of collars on caribou.
- Survey revealed there were approx. 20,000 BNW caribou in the immediate vicinity of Colville Lake.
- The 20,000 did not include the entire migration corridor of the BNW caribou.
- **We believe that our count of 20,000 in 2007 was a conservative estimate of the total size of the BNW caribou population at that time.**

Example - 2007 Hearings

- ENR presented evidence to the SRRB of a 'progressive decline' in caribou populations across the NWT since 2000. ENR stated that the Bluenose-West herd (BNW) declined from nearly 100,000 animals approximately 18,000 animals in the period between 1987 and 2006.
- ENR proposed that this decline was evidence of a 'Bluenose-West management problem'.
- Our estimate of 20,000 caribou in the Colville Lake area alone did not include the entire migration corridor of the BNW caribou **but the SRRB and ENR took the 20,000 number out of context and used it to justify their own conclusions about the need for a TAH.**

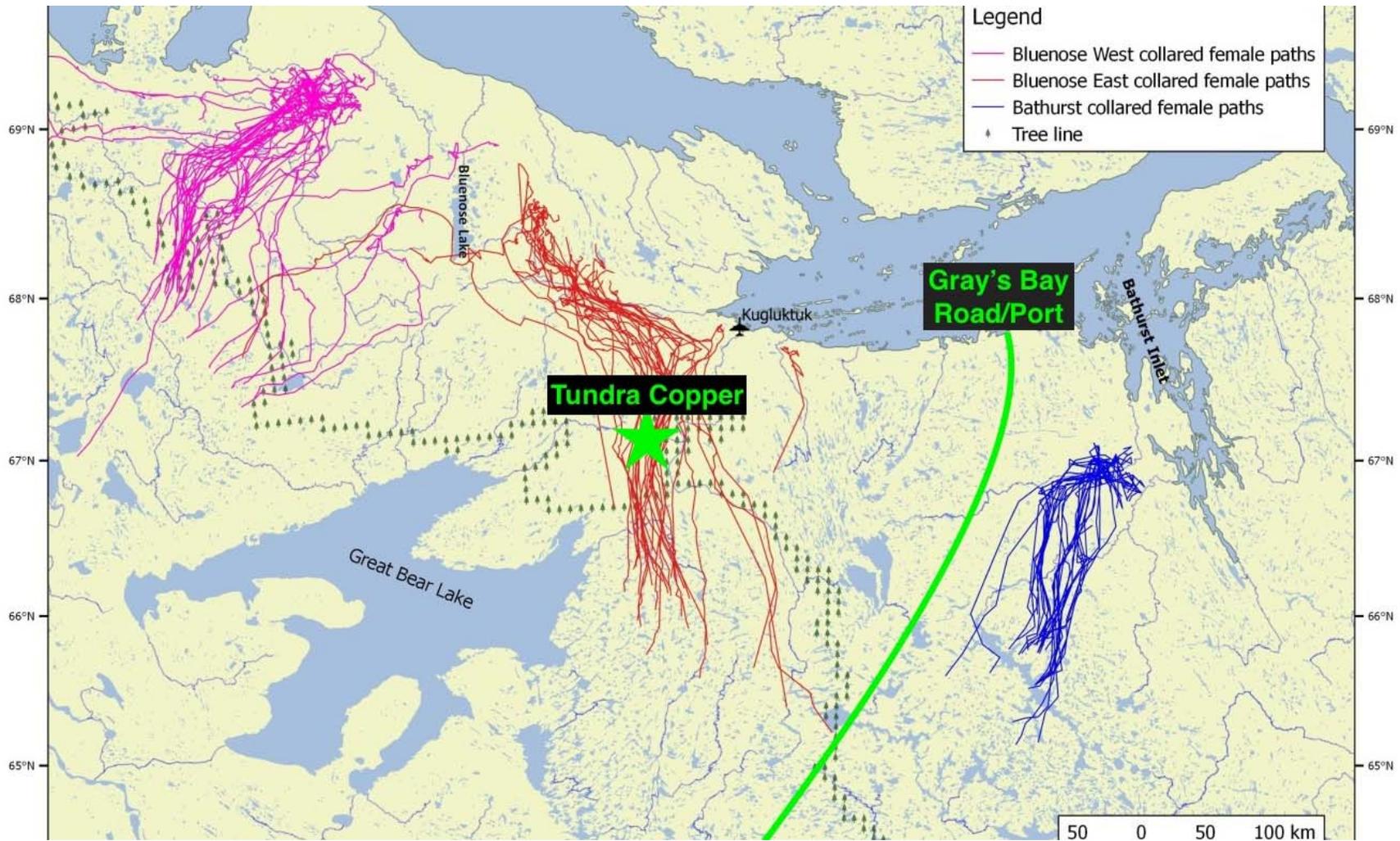
Numbers Don't Tell the Whole Story

- In 2007, the SRRB concluded there was a “**serious decline** in the BNW caribou herd over the last 9 years.” It relied on ENR numbers showing a decline from 100,000 in 1989 to 18,000 in 2007 (an 80% decline). It recommended that a Total Allowable Harvest be imposed.
- ENR's 2015 press release states that “surveys indicate the Bluenose-West herd population has dropped from 20,000 in 2012 to about 15,000”.
- However, ENR's own data suggests that the BNW herd is **currently stable**, with **survey results fluctuating between 15,000 – 20,000 animals over the past 9 years**.

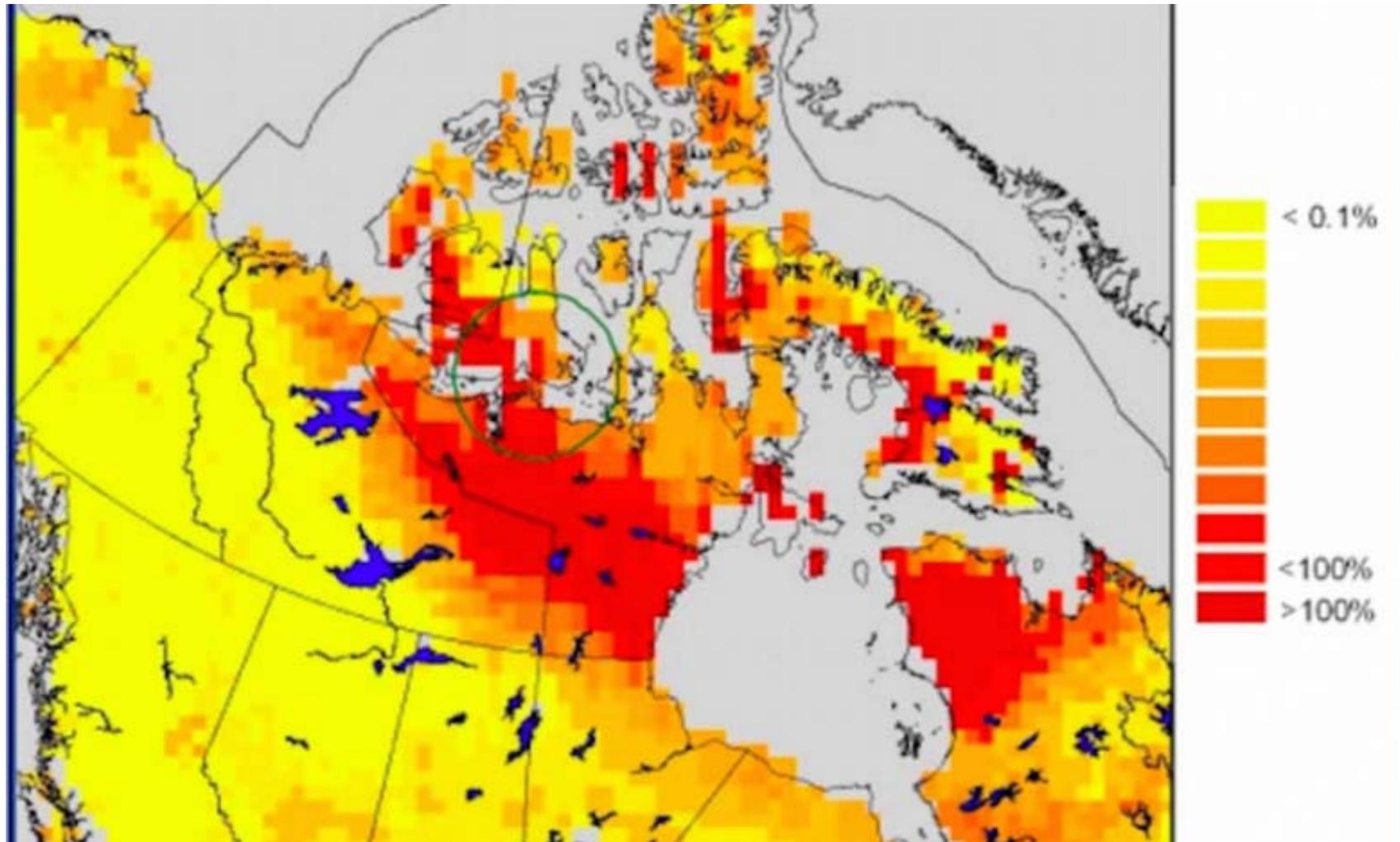
Numbers Don't Tell the Whole Story

- In the 2016 Bluenose East Hearings, ENR has provided future population estimates and trends that are derived from a model in which predicted caribou survival doesn't correlate with observations of caribou on the ground.
- **ENR admits the impact of harvesting on the BNE is uncertain** stating “the reduction of adult survival by an assumed range of harvest levels cannot fully explain the recent rapid decline of the Bluenose-East herd.”
(Bluenose East 2015 Calving Ground Survey Report)
- **We are concerned that ENR is defaulting to attributing the decline to harvesting, when there are multiple and compounding factors that affect caribou.**

Many Threats to Caribou



Many Threats to Caribou



Source: Kathryn Lindsay (Environment Canada) from models and data provided in "Projected climate-induced faunal change in the Western Hemisphere" J.J. Lawler, S. L. Shafer, D. White, P. Kareiva, E. P. Maurer, A. R. Blaustein, and P. J. Bartlein. 2009.

Our Participation Must be Meaningful

- Statistical models and predictions only give us numbers, not the wisdom to decide in the best way.
- We are concerned that harvest restrictions are being put forward as the only effective mechanism, and that other options are not being meaningfully considered in these hearings.
- **The benefits of harvest restrictions are scientifically uncertain, but the impacts of harvest restrictions on Dene/Metis people and the Dene/Metis way of life are significant and well understood.**

Our Participation Must be Meaningful

- The 2007 Hearings and the subsequent decisions by the Board and ENR did not respect the process set out in the Sahtu Agreement.
- The differences in our perspectives were never reconciled by the Board or the ENR. *Instead of enabling Dela Got'ine to meaningfully participate to the greatest extent possible in the research, unilateral decisions were made.*
- **Colville Lake is supported by the whole Sahtu region in wanting to see meaningful change in how such decisions are made in the future.**

Taking Action

Currently, the Colville RRC has implemented the following procedures to monitor the size and health of the BNW herd:

- Before harvesters depart, they inform the RRC of their intended destinations, and when they return from the land, they report to the Colville RRC the location they travelled to, the number of caribou they observed, the number of caribou harvested for subsistence, and any indication of caribou tracks to estimate the number of caribou not observed directly.
- We harvest in the *Arake Tue* (Horton Lake) every fall, and monitor both the health and size of the herd.

Taking Action

- This winter, Colville RRC is conducting a second formal traditional survey of the BNW herd in the area of Colville Lake.
- This involves trappers out on the land at different locations. To maximize success, trappers are at strategic locations along a 150km traditional caribou corridor.
- Trappers are reporting to the RRC about the caribou they observe.
- Colville RRC is seeking support from ENR and SRRB to engage additional trappers on the corridor to conduct further ground-based monitoring activities.

Taking Action

- Dela Got'ine harvesters will continue to follow Dela Got'ine laws, which already ensure that the harvesting of BNW caribou is respectfully managed for subsistence without overhunting.
- Colville Lake RRC would like to explore a number of options to ensure that Dela Got'ine laws are followed including the possibility of engaging Dela Got'ine monitors in our area to ensure that Dela Got'ine laws are followed by all harvesters.

Working Together

- Colville Lake isn't trying to "go it alone" or diminish the role of the Board in co-management, but feels strongly that more needs to be done to work together.
- We need research isn't focused just on gathering data, and we need analysis that provides a more balanced and comprehensive view than what we can do on the ground or what ENR can do from the air.
- We want ENR to work with the Board and the Colville RRC, to use what we have all compiled to date to conduct a collective planning and implementation process to ensure that we are all participating to the extent possible, using science and indigenous knowledge going forward.

Dela Got'ine Caribou Plan

- Colville Lake is also developing a caribou plan. We want that plan to be fully supported by our community members, by other communities, and by the SRRB.
- We will be asking our community members to approve the plan before it is made public. We will set a threshold for ratification. If we don't have consensus or can't meet the threshold for approval, we'll take it back to our members until we get it right.
- Our plan must be something that our members not only support, but believe in.

Planning Together

- Colville Lake, SRRB and ENR agreed in December 2015 to a process of learning and working together in the development of a caribou plan.
- The purpose of the process is to enable Colville Lake to continue fulfilling our responsibilities as stewards.
- We agreed to share information and analysis to support stewardship.
- Colville Lake knowledge will be shared subject to terms and conditions to protect Dela Got'ine intellectual property and respect Dela Got'ine traditional laws
- The SRRB and ENR agreed to respect our terms and conditions for intellectual property and Dela Got'ine traditional laws.

Talking Together

- Fundamentally, we need to start this conversation from a different premise, one that respects Dene/Metis values and perspectives.
- Management isn't just a numbers game. People need the caribou, and the caribou need the people. **Management has to be a real discussion, not an exercise in getting us to agree with the GNWT or enabling GNWT to pick and choose from our knowledge to support their positions.**
- Harvesters need to share information with each other – it's not enough for biologists to tell us what they think.
- Dene/Metis peoples need to talk together. We want people to share what they know based on their own experiences and observations. That's how we test and validate our knowledge to get the right answers.

Using all the Tools

- We need to talk about all of the conservation tools. **There are more tools in the box than restricting harvesting. Any harvesting limits should be the last resort, and only after the full range of other tools have been tried as part of a comprehensive plan.**
- “conservation” under the Land Claim means “the management of wildlife populations and habitat to ensure the maintenance of the quality and diversity including the long term optimum productivity of those resources, **and to ensure a sustainable harvest and its efficient utilization.**” (2.1.1)
- There are other things affecting caribou – things like climate change, fires, mining and exploration in the BNW calving grounds, other industries, insects and other animals like bears, muskox and wolves. There may be other things that we’ve not yet considered.

Using all the Tools

- **Even ENR admits that harvesting quotes do not provide an assurance of improved outcomes for caribou populations.**
- We need to better alternatives to harvesting quotas. There have been declines in the past. We need to talk about how people managed then.
- We need to plan our future actions together as Dene and Metis peoples for the whole Sahtu region, not just talk about quotas on this herd or that herd.
- We are in this together – we should know what we are doing before we take actions that have will have long term consequences.

Conclusion

- 1. Communities must take responsibility for continuing the Dene/Metis way of life. Doing what we have always done – and what we have a right to do – must be our priority. Our plans must reflect that priority.**
- 2. As Dene/Metis people, we must do what we know is right, and be full participants in bringing our knowledge and our values forward when we make decisions about how to manage our relationships with caribou.**
- 3. We must stop relying entirely on ENR for research and monitoring data. Our knowledge must be recognized.**
- 4. The RRCs and the Board must be fully staffed, implemented, and empowered to carry out meaningful co-management.**