



Northwest Territories Legislative Assembly

Standing Committee on Economic Development and Infrastructure

Public Meeting on

Bill 9: Wildlife Act

Bill 16: An Act to Amend the Motor Vehicles Act

Bill 17: An Act to Amend the Territorial Parks Act

Bill 18: An Act to Amend the Public Utilities Act

May 28, 2011

Norman Wells, Northwest Territories

Chair: Mr. David Ramsay

STANDING COMMITTEE ON ECONOMIC DEVELOPMENT AND INFRASTRUCTURE

Chair

Mr. David Ramsay, MLA, Kam Lake

Committee Members

Mr. Bob Bromley, MLA, Weledeh
Mr. David Krutko, MLA, Mackenzie Delta
Mr. Norman Yakeleya, MLA, Sahtu

Witnesses

Mr. Rocky Norwegian, Fort Norman Metis Land Corporation
Mr. Frederick Andrew, Tulita Renewable Resource Council
Mr. Ricky Andrew, Tulita Renewable Resource Council
Chief Frank Andrew, Tulita Dene Band
Mr. Chris Hopkins, Sahtu Renewable Resource Board

Committee Staff

Ms. Jennifer Knowlan, Committee Clerk
Ms. Alicia Tumchewics, Committee Researcher

STANDING COMMITTEE ON ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
Public Meeting on Bill 9, Wildlife Act;
Bill 16, An Act to Amend the Motor Vehicles Act;
Bill 17, An Act to Amend the Territorial Parks Act; and
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May 28, 2011
Norman Wells, Northwest Territories
6:00 p.m.

CHAIRMAN (Mr. David Ramsay): Good evening everybody. Welcome to the Standing Committee on Economic Development and Infrastructure. We're going to begin tonight's public hearing with a prayer, and for a prayer we're going to go to Chief Frank Andrew. So, if everybody could rise and join Chief Andrew.

---Prayer

CHAIRMAN (Mr. David Ramsay): [Microphone turned off] Because we're on the road, we're also travelling with Bill 16, An Act to Amend the Motor Vehicles Act; Bill 17, An Act to Amend the Territorial Parks Act; and Bill 18, An Act to Amend the Public Utilities Act. Copies of those bills are located on the back table, for anybody who wants to avail themselves of those, as well as plain language summaries and some facts sheets from the Department of ENR that outline the major elements of Bill 9, Wildlife Act.

Before I go any further with the proceedings this evening, I'm going to have the members of the Standing Committee on Economic Development and Infrastructure that are with us this evening introduce themselves for the record.

MR. BROMLEY: Good evening. Bob Bromley, MLA for Weledeh.

MR. KRUTKO: David Krutko, MLA, Mackenzie Delta.

MR. YAKELEYA: Norman Yakeleya, MLA for the Sahtu.

CHAIRMAN (Mr. David Ramsay): Thanks, gentlemen. My name is David Ramsay, MLA for Kam Lake, chair of the Standing Committee on Economic Development and Infrastructure.

Tonight with us, as well, I'd like to introduce the staff that we have. To my far left is Ms. Alicia Tumchewics. Alicia is our committee researcher. To my far right is Ms. Jennifer Knowlan. Jennifer is our committee clerk.

The Standing Committee on Economic Development and Infrastructure is a committee of Regular Members of the Legislative Assembly. The bills we are reviewing today were introduced by the government, given first and second reading in the Legislative Assembly as a whole, and then referred to this standing committee for review.

It is our responsibility as a standing committee to consult with residents of the Northwest Territories on what they like or they don't like about the bills. We want to hear your views and your comments, which we will then report back to our colleagues in the Assembly.

These hearings began on Monday, April 4th, with opening comments from the Minister of Environment and Natural Resources, and copies of those opening remarks from the Minister can also be found on the back table. Public hearings were held on Bills 16, 17 and 18 this week in Yellowknife, Whati, Dettah and Deline. The committee has held public hearings on Bill 9, Wildlife Act, in Yellowknife, Fort Smith, Ulukhaktok, Inuvik, Aklavik, Hay River, Whati, Dettah and Deline, and will be going to Fort Good Hope and communities in the Nahendeh, including Fort Simpson, Fort Liard and Jean Marie River, later in June.

We have a list of presenters that are scheduled to make presentations to the standing committee this evening, and I'll just go over that list really quickly: Andrew Etchinelle from Tulita Dene Band; David Etchinelle from the Tulita Dene Band; Rocky Norwegian, Fort Norman Metis Land Corporation; Valerie Yakeleya, Fort Norman Metis Land Corporation; Arsene Menacho from the Tulita Land Corporation; Frederick Andrew from the Tulita Renewable Resource Council; Ricky Andrew from the Tulita Renewable Resource Council; Chief Frank Andrew, and Chris Hopkins from the Sahtu Renewable Resource Board.

Now, if I didn't call your name out and you want to make a presentation to the standing committee this evening, at any time just raise your hand and we'll get Ms. Knowlan's attention and she can add you to the list.

This microphone isn't really amplifying anything and I just want to let people know if you are making a presentation, this is more for us recording the proceedings of tonight's meeting than anything else. So if you just have the microphone, speak clearly into the microphone so that we can get a good recording of the events that take place here this evening with this public hearing. When you do get a chance to speak, we'll get Ms. Knowlan to come by with the other microphone so that you can make your presentation.

I wanted to explain, if I could just briefly, the bills that we have before us this evening.

Bill 16, An Act to Amend the Motor Vehicles Act, makes it an offence to drive while using an electronic device such as a cell phone, smartphone or MP3 player, unless the device is designed as a hands-free device and being used that way.

Bill 17, An Act to Amend the Territorial Parks Act, allows the superintendent of territorial parks to prohibit people from entering certain territorial parks if they have unpaid fines or have been charged with certain offences under the Territorial Parks Act. It would also give the court the power to make orders prohibiting people who have been convicted of certain offences from entering territorial parks. The bill would also authorize the making of regulations for temporary prohibitions or restrictions on alcohol, pets, and the operation of motor vehicles within territorial parks.

Bill 18, An Act to Amend the Public Utilities Act, would give the Cabinet authority to provide policy directives to the Public Utilities Board and would authorize the making of regulations on information to be submitted with rate applications.

Finally, Bill 9 -- the reason perhaps most of you are with us this evening -- is the Wildlife Act. It replaces the 1988 Wildlife Act, it modernize modern wildlife management processes in a way that is consistent with land claim agreements, and includes updated provisions on harvesting and protecting wildlife and habitat in the Northwest Territories. The act would apply to any wild animal or invertebrate in the Northwest Territories. If it is passed later this year in August -- we are back for seven days in August -- the act would come into force in the year 2012.

With that, I want to again welcome everybody to the public hearing that the standing committee is hosting this evening in Norman Wells. It's always great to be in the Sahtu. We're going to be spending a few days here in the Sahtu. We've been to Deline, as I mentioned earlier. We're going to Fort Good Hope later this coming week, and we're in fact going to have the rest of the Regular Members Caucus be in Norman Wells tomorrow for a retreat. Cabinet gets here on Monday and we're going to have a full Members Caucus and retreat for a day and a half later this week, as well, in Norman Wells.

So we're glad to be here in the community of Norman Wells. The weather is beautiful outside. I guess the good news is there's no hockey game tonight, so we're fortunate that way. We always seem to run into competition with hockey this time of the year.

We're going to move forward now with our presentations. First on our list to present to the committee tonight is Andrew Etchinelle from the Tulita Dene Band. Or David Etchinelle, perhaps...

---Interjection

CHAIRMAN (Mr. David Ramsay): David's not here? Is Andrew here? Andrew Etchinelle?

---Interjection

CHAIRMAN (Mr. David Ramsay): Okay. That must be a mistake of some kind. So we'll go to... Next on the list is Rocky Norwegian from the Fort Norman Metis Land Corporation.

Presentation by Mr. Rocky Norwegian

MR. NORWEGIAN: I guess I'd like to welcome you all here. I've been involved with the Sahtu now for some 30 years. I've lived here all my life, grew up. My grandparents were here.

I guess some of the things that kind of disturbs me is that we were always restricted at certain times in our life, where, I believe, that we live here, we're never going to leave

here. We save our animals here; we make sure we take what we need. We were taught that by our elders.

I remember myself trying to get a licence. I was taught how to hunt right from when I was five, six years old, but yet I was restricted because of certain laws wouldn't allow me to go hunting. Now when I start seeing things here where they start changing acts that allows other people that are not from the area that survived on the area, on the wildlife and the animals, given the certain same rights as us that we fought hard for under the land claim agreement, sacrificed a lot. Years and years and years we fought for these rights, only to see things change so easily, or wanting to be changed so easily.

I know it's there to try to accommodate people that are coming from out of town on some of the changes in the acts. But I say to our people here, we share all the time. That's something we learned when we were young, to always share, it didn't matter. Even then, when I remember growing up, it was hard to share with the RCMP or the churches or whatnot, because there were laws. But we wanted to. We'd have to sneak it and try to give people some wildlife. They had no problems.

I've talked to a lot of people in the local community of Norman Wells and they have no problems with the way things are. Most of them that are here, they're staying here for a long time. So that sort of kind of bothers me.

I was one of the originals from the land claim negotiators and it took a lot of toll out of a lot of us, to try to convince our people that this is what we want. Now they want us to open up development. We do that. We open up development for Canada, but leaving less lands for us to survive and live off of. I say survive, because when I was young, my parents and the old people, I couldn't understand that they meant when they said I gotta have my wild food, I have to have my wild food, I can't stand food that they sell in stores. I'm that way today. I don't like eating food from the stores; pork chops or steaks or anything like that. I've gotta have my wild food.

When I see our grandchildren growing up today, those are the ones that are going to be continuing on, my great-grandchildren that are going to be surviving off the wildlife that we have in our area here. They all believe, our people now and our younger people now, that they have some kind of they call it their bible, the land claim agreement book. Now when they see things that are being changed to accommodate things, other people that didn't have to really sacrifice anything, it makes them wonder what we suffered so hard for to try to put something in place for our people, and eventually it's going to come around.

I guess I just want to let you know there's some things in the act I want to say now that I believe for safety, yes, but when you start talking about animals around this here, it gets pretty sensitive. I know you guys are doing your consultation and whatnot, but I also believe that we fought hard for certain things in our claim, and one of them is proper consultation to the landowners, and how do they plan to accommodate when they consult with us. Everything is under Chapter 22, I believe.

I have yet to see the committee sitting in the community of Tulita, where there's 85 to 90 percent Aboriginals that survives and have to live with these changes that are being proposed to them. So I believe that the committee needs to come right to the heart of the communities, every community, and start meeting with people. We know how hard it is. I'm sitting here looking in front here. There are negotiators there that were part of our claim, that worked very hard, and they know and I know how hard it is to try to explain things to our people, going through an educational thing with putting on workshops, having to have workshops with them to make them understand.

So I'd just like to say that I believe there's more work that needs to be done here, in regard to coming back to the communities and starting to talk with the elders and the younger people who are going to be taking on this stuff next. Thank you.

CHAIRMAN (Mr. David Ramsay): Thank you very much, Mr. Norwegian, for the presentation that you made to the committee tonight. We appreciate you being here and providing your comments to us. Just so that the folks are aware, and I mentioned earlier, the standing committee is trying to get into as many communities as we possibly can in the time allotted to us to review Bill 9. We were in Deline yesterday. We had a three hour meeting with predominantly elders in the community in Deline yesterday. It was a very good meeting.

I agree with you; I think the more people we can listen to and hear their concerns about Bill 9, the better off we'll be. And now our role in all of us this is to get out and listen to people across the Northwest Territories, from north to south to east to west, to try to cover as much ground as we can, hear from as many people as we can, and then what we will do as a committee is deliberate on a report back to our colleagues in the Legislative Assembly, identifying the concerns and the issues people have with the new legislation. That's our role in this, is to do that.

Now, we've heard good things and we've heard some bad things, and for us it's going to be a real challenge to come up with a balanced report that's going to take into consideration everything that we've heard. We've got a ways to go yet before we're concluded the public hearing process. Like I mentioned, we're in Fort Good Hope late this coming week, and the following week we're down in the Deh Cho; we're in Liard, Fort Simpson and Jean Marie River. So we are trying to balance it off, too, with smaller communities and larger communities and getting the best cross-section of the population that we can to talk to us about Bill 9.

We're fortunate here, we have the Member for Sahtu who is a member of the committee, very familiar with the communities here in the Sahtu. We had a good visit in Deline yesterday and we're fortunate to have had that happen.

The other thing I wanted to mention before we go any further, if anybody in the audience wants to provide the committee with a written submission, we'd be more than happy to accept written submissions up until June the 10th. So if you're not comfortable providing a verbal presentation or something in writing here at this meeting, you can still get us any comments or concerns that you have on Bill 9 before June the 10th.

So with that, does the committee have anything they'd like to clarify with Mr. Norwegian, or should we move on? Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Chairman. Rocky, just a clarification. Under the new legislation they were reducing the residency clause, which used to be two years, to now 12 months consecutive. Also there's a change in regards to age. I know this has come up in regards to you could be 12 years old and hunting, as long as you're with an adult. Again, the question came of safety and whatnot.

So just clarification on your question with restriction to hunt, and now we're reducing the residency from two years to one. I know before that, anybody that wanted to hunt, say, within a community, had to get permission usually from the renewable resource council. So I'm just wondering, when you talked about those other people not having to fight the same battle you had to fight to get these rights but now it seems they're getting an easy pass. So I'd just like to know, is that the issue you're trying to refer to, where it's been reduced from two year residency to one year? Thank you.

---Interjection

CHAIRMAN (Mr. David Ramsay): Thanks, Mr. Krutko. Mr. Norwegian, we are recording this, so we'll get you the mike so we can get that on the record. Mr. Norwegian.

MR. ROCKY NORWEGIAN: Yes, what I'm referring to is going from two years to one year for hunting. That's the question you asked?

CHAIRMAN (Mr. David Ramsay): Thank you, Mr. Norwegian. Anything further, Mr. Krutko? Alright. Thanks, committee, and thanks, folks. We're going to go to our next presenter and that is Frederick Andrew from the Tulita Renewable Resource Council.

Also, if you make a presentation to us tonight and you want to get us that in writing, we'll take that too. So any way you can communicate with us on Bill 9 or any of the other legislation out there tonight... [Recording difficulties]

MR. FREDERICK ANDREW: First of all I just want to welcome all of you to come and listen to our concerns.

I have a real concern on some of the issues. I'd like to say it in my own language, but I think you guys should have brought the interpreter. That might have been the best. So I'm going to talk in my own language. Maybe Frank can translate it for you guys later.

---Interjection

MR. FREDERICK ANDREW: Okay, well.

---Interjection

MR. FREDERICK ANDREW: Yeah, because...

---Interjection

CHAIRMAN (Mr. David Ramsay): Thanks you, gentlemen. [Recording difficulties] ...you're saying, but what we can commit to is getting that interpreted so that we can read it after we get it transcribed. We can read your comments that way. We'll do our best to... [Recording difficulties] ... any way you want to provide us comments, if it's in your own language, go ahead and we'll get that transcribed when we get back.

MR. FREDERICK ANDREW: I was just wondering, because it is a really important, touchy issue going back and up to now in the modern day, so I'd really like to talk in my own language. It would be more comfortable for me that way. If I talk in my own language, you guys aren't going to understand anyway, so I don't know who. Maybe I should talk to somebody later on. I don't know how you guys will get my message; I don't know.

---Interjection

Presentation by Mr. Frederick Andrew

MR. FREDERICK ANDREW: Okay. [Translation] What I want to talk about today, white people hunting, we have to buy a licence for our gun. Long ago, before white people, Aboriginal people used bows and arrows and nets to go hunting and fishing. Today, since white people came, they gave us guns and axe and shells, too, but there's no licence. We didn't have any in 1870, somewhere around there. Today we're all changed to modern times, we're into white man's world.

We never see government. They don't come and visit our land. We don't see them, and they talk for us. I'm not going to get them to talk for me and then I have to do what they tell me.

They said today we have to have a licence to buy a gun. If we have to buy the gun, then we have to have a licence. If we don't have a licence paper, then if we go hunting, we're going to get hungry if we can't go hunting.

Rocky said, myself today, I was born in the bush and we live on caribou, fish and that. And Rocky is right; I don't like to buy meat from the store. I can't eat it. I prefer traditional food.

David Yayelle, (sic) an elder, said he wanted to buy a gun and shells but he had no paper. He can buy a gun but no shells. He's really upset. He wanted to go hunting for moose but he has no shells. "What am I going to do," he said. See, the elders are treated like that.

Long ago, we still have elders today, but they like to eat their own food from the land. They don't like white man's food. The MLAs, people that represent us, you should help us and we're thankful that you're here. So if that program didn't apply to us, it would be good. We lived on the land without that before. Ever since they brought that program to us, it's really been difficult for us.

What are the children going to do? If we can buy a rifle and shells and not have to acquire a paper. White people, they can have the paper, but it shouldn't apply to us.

We grew up on the land and God gave us traditional food for us to eat, and so that's our life. So government, they made that law for us and it shouldn't apply to us. They should come up here and be amongst us and tell them to go hunting. I wonder how he would feel without a licence. So they have to listen to us.

We live in the Sahtu. They have to listen to us. They need to know us. They need to know our culture. They need to know how animals live, too, so that they can work with us for the future.

Down south, government shouldn't make laws for us when they don't know how we live. And I don't want to listen to it. It's our life up here. They should be listening to us and work for us, and we should be thankful. So, thank you. That's all I wanted to say.

CHAIRMAN (Mr. David Ramsay): Thanks very much, Frederick, for your presentation. As I mentioned earlier, we will get that translated, fully translated, and the committee will have that available to them before we make our recommendations and we finalize our report. We will take into consideration what you've said, and have it fully transcribed so that we can understand exactly what you said. Norman, you might be the only one who might have questions for clarification for Frederick. You're okay?

MR. YAKELEYA: I'm okay.

CHAIRMAN (Mr. David Ramsay): Okay. Thanks, Norman. And thanks again, Frederick, for your presentation. Next we've got Ricky Andrew from the Tulita Renewable Resource Council.

Presentation by Mr. Ricky Andrew

MR. RICKY ANDREW: Thank you for coming here. I wasn't quite prepared to talk on this. I wasn't too sure what we were coming here for. They just said for the Wildlife Act, so I said I'll check it out.

Like what they said like about resident hunters and starting to give them breaks, it seems like for me...(inaudible)... Like Rocky said, it seems like we always live off moose, caribou, and things like that. When we start giving breaks to other people, maybe another 30, 40, maybe 50, maybe 60 years when there are more resident people than natives up here, what are we going to do then? I don't know. We'll have to worry about that not only now but especially if a road comes up the river, up the highway. Just like Frederick and them, I like to eat meat, I like to eat fish. I still hunt; I still trap. That's how I make a pretty good living. If I have a hard time to make moose hide -- and I sell moose hide -- if I get hungry, I set a snare. I don't have a hard time. It's good eating like that, working like that. People have exercise and everything.

Lots of time they say native people are much more easy to catch diabetes because they don't eat their food. I'll have to think about things like that for the future, not just now. That's why I'm worried about some of this stuff.

I never really read the Wildlife Act and I don't really know how much changes and stuff like that. The same in Tulita, there's a lot of the elder people that talks, saying that, when you ask about that, they hear it on the radio but don't really know. Me too; I don't really know. So that's all I could say for now. Mahsi. Thank you for coming.

CHAIRMAN (Mr. David Ramsay): Mahsi, Mr. Andrew. [Recording difficulties] ...this evening that we've got. We've got the information on the back table. If you take that away with you and you have any comments, issues or concerns that you want to get back to the committee, as I mentioned earlier, June the 10th, we accept written submissions up until June the 10th. So if you want to take that stuff away, have a look at it and get back to us, I would be more than happy to entertain a written submission from you at any point before June the 10th. Thanks again for your words this evening.

Next we've got Chief Frank Andrew.

Presentation by Chief Frank Andrew

CHIEF FRANK ANDREW: I wanted to speak in my language too, but I just want to explain why I want to speak in my language, because I know that you don't have an interpreter or anybody here, but I went to quite a few meetings in the past and people talk about your culture, your language, how important it is, and it recognizes you as who you are, your language, you know? So I think in that case, that's how the Aboriginal people or the Dene people are getting weak, because we don't use our language. That's the reason why I want to speak with my language today. It's not that I want to be funny or anything like that, but I want to do it because I feel much stronger with my Aboriginal language. So you're going to get it transcribed anyway, so if you do that, then send me a copy of it. I want to understand if your interpreter is going to do a good job on it.

Mahsi. [Translation]

...all the river that flows into the Arctic Ocean, the elder has talked about that in our past meeting here. He said that's what's keeping the ocean alive, he said, all the water that goes straight into the ocean. You know, I thought that was a really good comment from the elder to say that.

A lot of our elders have good knowledge but they can't speak English as good as all of us here, I guess. I can't speak as good as you guys. I don't have the education, you know? That's why I normally speak my language everywhere I went, because I'm better on that. I'll tell you I'm probably grade 12 on that one, but in the English no, I'm way low.

But anyway, I touched on a few things and there are a lot of things that our elders have taught us in the past about wildlife and everything, how we managed it long ago. It's very different from the way the white people are doing things today. You know, they see

a lot of meat that's wasted, at the dump and stuff like that. I don't think in the Wildlife Act there should be something like that, because that's part of Dene law. The Dene always express their feelings on that. They said you can't throw meat into the garbage, even the bones you can't do that, they said. The elders, they used to take the bones and that and put them in a different place. They always keep it sacred. There's always words for something they do all the time, even hunting beaver, springtime, when you shoot a beaver, the mother, and then you take the babies, you throw it back in the lake and say next year I want to see beaver here again. They always say those kinds of things. Those are the laws of the Dene people a long time ago, and our elders have taught us well on those things. I remember all the things my father taught us before he passed on. All my bush life had been with my father until I was about 22 years old, so there are many things.

In the springtime there are many ducks that come back from the south. Our elders always said the Creator has blessed us again. There's a lot of food coming back to us again they say. This spring a lot of our young people still go out hunting yet, you know, supplying food for their family. Even young ones. I'm happy to see that.

We're talking about residency for people to come north and have hunting rights. The Wildlife Act is talking about hunting, I guess, I don't know, but residents will have the rights to go hunting or trapping or whatever it is, I think that's a little bit too early. Even two or three years or something like that would be better, because, you know, as you talk about the highway that's coming in, when the highway is coming I'm pretty sure we'll see many people here, at the end of the highway here.

You know, when we talk about the outfitters, back in the '60s when the outfitters first came around in the mountains, at that time it was the laws from the territorial government I think where it came from. You know, they gave them all their rights across there to have hunting rights across there. In return they promised the native people... Well, they were in Tulita -- Fort Norman at that time -- talking about how they were going to give jobs to the people and everything like that. They did that for a couple years and after that nothing happened.

From the '80s you don't hardly see anybody going back. I don't know if they made any attempt to get anybody to go back there with them, you know?

The Wildlife Act, as a lot of them said, we've never gone through it, but we know that there's going to be changes. But we also want you guys to know that we have rights under the land claim agreement, and the rights are made for the Dene of the Sahtu, and the Metis, the Aboriginal people, the beneficiaries of the land claim agreement. That's who has the rights within the Sahtu region. For me, when we talk about the Wildlife Act, when I heard about it the first time I said I don't think we should be talking about the Wildlife Act here in the Sahtu because we have a land claim agreement. If we're going to have a Wildlife Act, we should be the one who's putting it together for our region here. I think that's the implementation of the land claim, that's part of the implementation. For me I think that's how the land claim is supposed to work. I've heard that from a lot of people. We're not going to leave out anybody who wants to be a

resident of the Sahtu region, he will be. But I said it may be two or three years to become that.

In my leadership, my term of leadership here in Tulita, I've listened to many people not only from the North but also from the South, and many people are telling us about how as the population is growing, all the wildlife is disappearing, they said.

They used to go hunting not too far away from Edmonton, they used to tell us. Now we have to drive three or four hours to get back to the food we want, they're saying. And those things are always with me, thinking about those things here.

I don't know how long we're going to be like this, but we've been talking about the road and all these other things, pipeline and stuff like that, so things might be happening.

As my brother Ricky mentioned, we have to think about the future and I really believe that we have to. I don't know how this wildlife, once it's passed, how long it's going to be reviewed. Is there a limit on it for five years or something like that to be reviewed, or is that going to be for the next hundred years? If it's going to be for the next hundred years, we have to do it right.

So within the Sahtu region we have a land claim and I think I'm right when I said we have to implement our own Wildlife Act in the Sahtu region. With that, mahsi cho.

CHAIRMAN (Mr. David Ramsay): [Recording difficulties] ...I do appreciate the fact that both you gentlemen provided your presentations in your own language. Anybody that's in the audience that wants to get a translated version because you're here with us this evening, if you want a translated version of what Mr. Frederick Andrew or Chief Frank Andrew spoke to us about tonight, please give your fax or e-mail address to Ms. Knowlan at the end of the table here by the end of the night so we can get you a translated copy. I know, Chief Andrew, you wanted to get one for your records and we'll endeavour to get a transcribed version to whoever wants it, whoever is here that wants it.

To your last comment, Chief Andrew, the committee recommended the act be reviewed by the Legislature every seven years. So that mechanism is in place so that after seven years, whoever is there in our capacity at the time will review the legislation after seven years. So that safeguard is in place.

Did the committee want to have any questions or clarification of Chief Andrew, or we're okay to move on to our next presenter? Okay, thanks folks. Once again mahsi, Chief Andrew, for your presentation.

Next we have Mr. Chris Hopkins. Chris is with the Sahtu Renewable Resource Board. Mr. Hopkins.

Presentation by Sahtu Renewable Resource Board

MR. CHRIS HOPKINS: Thanks and welcome to Norman Wells and the Sahtu.

My name is Chris Hopkins. I'm the executive director of the Sahtu Renewable Resource Board. Myself along with Walter Beyha, the chairman of the Sahtu Board, were participants in the authoring of this bill through a group called the Aboriginal Working Group. We met separately and then jointly with ENR staff, going over the old bill and the new bill. I've been at it for about a year and a half. I've spent a lot of time on it; a lot of us did.

I have some comments that represent those of the Sahtu Board. I'd like to make it clear that the board participated on this major project with the financial assistance of ENR over the past year, and we thank them for that and the opportunity to participate.

This process has been going on for longer than I myself have been working on developing this new act -- I believe it started in '05 -- and many thousands of man hours has gone into it.

The Sahtu Renewable Resource Board felt that it was an important step forward for all of the NWT, but especially for the Sahtu, to have a new wildlife act.

The new act was envisioned to be built around the principles and language contained in the modern land claim agreements that have been bringing prosperity to the Sahtu, and to be including the traditional knowledge and values of the Sahtu Dene/Metis into a modern piece of legislation.

Of particular note was the language involving co-management of wildlife. The Aboriginal Working Group along with the dedicated staff of ENR worked especially hard at bringing in the true meaning and benefits of cooperative wildlife management as it can relate to wildlife and wildlife habitat, and many, many long hours were spent on it. It took up a lot of our time, especially in the final six months.

We took this act out to the Sahtu communities for consultation in December, and discussed it and what the meanings of the sections meant to the Sahtu people. We garnered a lot of comments, and those that have been echoed here tonight, especially about residency, that was brought forward along with just about every land claim group that was involved in this process, that was a concern that was heard in all communities.

Further on in this presentation I'll refer to what we took out in December, is the Consultation Draft of December 2010.

The Aboriginal Working Group was made up of representatives of the renewable resource boards and governments of the settled land claim areas, along with a stellar legal team that we couldn't have done without them, basically. It should be noted that the only representation from unsettled areas was the South Slave Metis. The Dehcho and Akaitcho were continually invited throughout the whole process to join in, and both refused as they did not have any staff focussed on wildlife and habitat. Fair enough. They didn't participate and it was their decision to not participate.

In mid January we met for the final time and went over all of the comments that had been heard and sent in during the consultation period. We ended that meeting with

consensus by all involved and present that we had what we felt was the best possible act, and agreed to submit it to the Minister and Cabinet. It was with great shock and disappointment -- the emphasis on that -- that the act that we had worked so hard on for the last two and a half years and submitted in good faith to the Minister was changed without consultation with the Aboriginal Working Group and basically the authors of the act.

In late March we found out that the whole meaning, direction, language and principles of cooperative wildlife management had been changed, and all mention of co-management and management authorities within land claim areas given to the renewable resource board in settled claim areas had been removed. A very important vehicle of this NWT-wide cooperative management principle was a conference of management authorities, and it would have been made up of representatives from all land claim areas renewable resource boards, the territorial government's ENR staff and the Canadian Wildlife Service. No politics involved. And we now find this CMA, we'll call it, has been removed and replaced with a watered down group entitled the NWT Conference of Wildlife Managers. This grouping now included unsettled land claim political organizations that had initially refused to participate in the working group.

It should be noted that under the Section 15 of the Consultation Draft December 2010, the Minister represents the unsettled areas and all other users and harvesters of wildlife outside settled land claim areas. It's not that they were forgotten or ignored, but the unsettled areas do not have any wildlife management authority. The wording in the Consultation Draft of December 2010 noted that that and the language was contained in the section to allow for their full inclusion on the CMA, the Conference of Management Authorities, once their claims were settled and the RRB was established. Until such time as their claims were settled, they were invited to participate in the meetings, but as they have no authority over wildlife, they would not be part of any decision-making of the conference.

Here in the Sahtu it is the SRRB and, as the claim states, we are the main instrument of wildlife management. In the new wording of the revised Section 15, those authorities that were negotiated in the claim are gone and not mentioned in the new act, Section 15.

To us, the Sahtu Renewable Resource Board, the Minister has politicized the management of wildlife. It is no longer a cooperative venue to be able to discuss wildlife and habitat issues amongst the co-management boards.

It should also be noted that even though the land claim governments were at the table while we drafted this act, specifically SSI here for the Sahtu had a lawyer present, the Gwich'in, Inuvialuit and the Tlicho Government were involved along with the RRBs in developing this act, but they were never going to be part of the Conference of Management Authorities as the governments had no authority over wildlife. That was given to the RRBs through the claims. So one must ask why, then, did the Minister changed Section 15 to allow Dehcho, Akaitcho and the South Slave Metis into this new

group, this NWT Conference of Wildlife Managers, that didn't, or doesn't as it's written, include SSI, the Gwich'in Tribal Council, the Inuvialuit or the Tlicho.

It is the Sahtu Renewable Resource Board's position that the changes made by the Minister, changes that we and the rest of the Aboriginal Working Group were not consulted on, is unworkable, and we, the SRB, will not participate in this new Conference of Wildlife Managers as is it set up to fail. That failure will be the result of the fact that the Minister has turned it into a political forum which will not be about, or assist, in wildlife management. This act was drafted with wildlife and wildlife habitat as its main focus, not politics.

I would also like to point out that another change from what we agreed on in January was the residency. All the land claim areas wanted it to remain at two years, and that was how we presented it to the Minister in mid January, and that's another change that he made without consultation, lowering it to one year.

If Bill 9 is not restored to the complete language of the Consultation Draft December 2010, including the principles of cooperative wildlife management in the NWT, then the Sahtu Renewable Resource Board will not be supporting it and will be lobbying our MLA right there at the table to vote against it.

Thank you for the opportunity to voice the Sahtu Renewable Resource Board's concerns over Bill 9 as it was presented to the Assembly.

CHAIRMAN (Mr. David Ramsay): Thank you very much, Mr. Hopkins, for the presentation on behalf of the Sahtu Renewable Resource Board. Much appreciated. Again, we have heard concerns from other groups across the Northwest Territories. I know you were at our meeting in Inuvik, where we heard from the IGC and the Gwich'in, as well, about their concerns similar to those of the Sahtu Renewable Resource Board.

On the changes, we had some serious issue with what happened and how it happened. In fact, during the last week of session, I believe last week, the end of last week, we had asked the Minister to appear before the committee to explain exactly why it was that he felt it was necessary to take such a drastic departure from the consultation draft that the working group had in December of last year and change it so much so that we're hearing the concerns from the groups across the Northwest Territories. His only response to us at the time was it was a political decision. I guess that's open for interpretation on exactly why the Minister would make a political decision. I'm not going to speculate. I have my own reasons why I think he did it, but at the end of the day, he made the call.

This is a big issue for the committee and I just wanted you to know that. We are taking the issue very seriously. I don't want to predict the future, but, you know, it will be something we have to really grapple with as this all moves forward and we draft a report back to our colleagues in the Legislative Assembly.

I was wondering if any other committee members wanted to comment on the meeting we had with the Minister or the issue Mr. Hopkins brings up.

MR. KRUTKO: Thank you, Mr. Chair. Thank you, Mr. Hopkins. Yes, I know this issue, for me you don't play politics with managing wildlife and you turn it into a football, and that is exactly what has happened. For me, someone who has been involved in the claims process for quite a few years, it's a slap in the face to the whole land claim process in the Northwest Territories and I think it really undermines the fundamental principle of land claims and what they really stand for. I think it's apparent that... My view is that the Minister agrees to reinstate the wording in the November draft or this legislation is in jeopardy. That was the message we were trying to send to him, but, again, he just made the comment, well, it's a political decision and we'll see what you come back with, but I think he pretty well knows what's out there.

I think the other issue you touched on is the area of the residency stuff. We also heard from the Tlicho in regards to something that was our presentation last week which was Section 17, which 17 basically outlines the management authority has been able to develop different things amongst themselves and if they can agree to it, they can forward it off to the Minister to consider those changes. For me, that's an important element of the whole process. I don't know if you want to elaborate a little more.

We touched on 15, but I know that 15, 16 and 17 altogether have to be encompassed not as a whole package. You can't take out one clause and say, well, it's solved. So maybe I'll allow you to elaborate.

CHAIRMAN (Mr. David Ramsay): Thanks, David.

MR. CHRIS HOPKINS: Like I said at the start, the whole basis of writing the new act was to bring in the language, values and principles of the land claims and modernize the act overall, but that was the underlying reason. So when you take out the whole theory and values of cooperative and co-management of wildlife and habitat, it affects the whole act. It is a political decision. Caribou don't understand politics, just like they don't understand borders. We have a lot of migratory species in the Territories and that was the idea of the whole basis of the cooperative and co-management process, because the animals don't know.

I've heard comments from the Minister to take it or leave it. We'll take the whole thing out and we'll write some regulatory-making powers there in Section 15 and take your chances with that. I mean, after all the work and the commitments that the land claim groups and his own staff have put into this in the last two and a half years, it's just disheartening.

There will be a major lobbying effort made by the land claim groups on their MLAs and all your good friends, to defect this bill if it doesn't change. So...

CHAIRMAN (Mr. David Ramsay): Thank you very much, Mr. Hopkins. Anything further there, Mr. Krutko? Mr. Yakeleya.

MR. YAKELEYA: Thank you, Chris. I want to say it's good to what you're saying. We heard it in the Gwich'in on Section 15, we heard it in the Inuvialuit. We also heard it in the Tlicho presentation. Changes that were made without talking to us, that is just not

good. So I want to ask you, Chris, to which you really solidify it for me to say, okay, something major is not right here with the new draft of the Wildlife Act. If that's going to be our new Wildlife Act, then we're off to a rocky and not a good start on having a Wildlife Act through the whole Northwest Territories. So we need to amongst ourselves really buckle down and look at if it's good for us or if it's something that we need to do some more work on. As you say, vote against it.

I want to ask you, Chris, what are two or one of the points that this is something we could live with or if it's not going to... If this is fundamental that this is not going to change, to give me a call or to, like you say, start lobbying the MLAs to say no go for the Sahtu. Could I just ask that so I can get some clarification?

CHAIRMAN (Mr. David Ramsay): Mahsi, Mr. Yakeleya.

MR. HOPKINS: [Microphone turned off] ...of your clause-by-clause review in Yellowknife? It's just before you guys sit again?

CHAIRMAN (Mr. David Ramsay): Yes, it would be perhaps the day before session starts. We have yet to determine a date for the clause-by-clause review of Bill 9. There's no date set yet, but it would be before...

MR. HOPKINS: [Microphone turned off] ...we be there. I've had the opportunity to speak to three out of the four of them and they are just dumbfounded that the Minister did this. Like you say, it's a political decision.

CHAIRMAN (Mr. David Ramsay): Thank you, Mr. Hopkins. [Recording difficulties] ...in order to support Bill 9 it would have to be reverted to the November/December Consultation Draft that the working group agreed to, the language that was in that consultation draft, then you'd support.

MR. HOPKINS: Yes.

CHAIRMAN (Mr. David Ramsay): Okay. I just wanted to get that clarified. Thanks very much, Mr. Hopkins. Anything further from the committee? Mr. Bromley.

MR. BROMLEY: I'm just looking at what was provided to us is a November 9, 2010, draft.

---Interjection

MR. BROMLEY: Okay. Yeah.

---Interjection

MR. BROMLEY: Yes, presumably the same one, but we'll check. Okay, good.

CHAIRMAN (Mr. David Ramsay): Thanks very much, Mr. Bromley. We don't have any other presenters on our list to provide comments to the committee tonight. If there's

anybody else, I'll call it out if anybody else wants to provide comments or has concerns on Bill 9 or any of the other bills that we mentioned earlier, 16, 17 and 18, please let us know. Frederick. Don't forget your microphone.

MR. FREDERICK ANDREW: I had one question. It's an outfitter, it's in the Wildlife Act? If it is, I need to say something in regards to an outfitter in the Mackenzie Mountains, but again I have to say it in my own language. So it is in the Wildlife Act, uh? Can I say something?

[Translation] Thank you. We're talking about the Wildlife Act. We're talking about animals. I thank you for we're sitting with you. We have lots to talk about. Long ago, since the beginning of the land, our people lived off the land and animals. Today it's different. Our people, our elders are gone, but as young people today we're living off the land now. We're talking about our future youth now. We're thinking about them so we're talking like this. So we talk about things here.

We sit and talk about it, and we're going to use it and the children are going to use it in the future. They want to so that they can use this program. We fix land claim for them too. 1921 treaty hunting and trapping we fix that too. The Metis and Dene settled their land for people.

We live in the Sahtu region, all of us. We're working on everything for us and our children and for the children in the future. Our food, it's our food given to us. Every spring when the ducks come, our elders and our people are thankful, and the children too are thankful so they can hunt and they're out all night hunting. They're happy. They can bring one or two ducks. In the morning we have good soup. So that's very important to us.

This Wildlife Act, two years now, they should sit on it. One year is too short. We talk about the highway and everything else, so when that happens there's going to be a lot of people, white people will be coming to our region and the Simpson area where there's going to be a lot of white people it's going to happen. It's going to happen to us too when the highway opens.

We talk about the pipeline too. There are a lot of things we talk about. We have to help each other, but the hunting act, we're Aboriginal and we live here as long as the land is here, we're Aboriginal people, there's going to be hunting for our people. So it's for our people. When they talk to us, they talk about the importance of animals. They say, take care of them. They work with the animals, take care of them and don't throw them on the land like garbage. They take care of them. But it's not like that today. We have a Wildlife Act, but there's no law to take care of them.

People, our elders, talk. They said they have that law to take care of disposing animals and how they dispose they have a law for that. Here, us too, we want to keep that law. Our language, our hunting, our animals. In the spring a lot of the elders and the young people in the evening go hunting across for ducks. That's carrying on the tradition from the elders. They're thankful, even though the elders are not with us, they're thankful

because we're carrying on their tradition. Spring, they're thankful. Summer, they're thankful. In the fall time they're thankful, too. Winter they're thankful, too. They're thankful because we remember them.

So they should all look at it, how can we use it, how can white people use it, so really look at it and talk about it. It's not like that today. It's always one-sided. It's not right. When we talk about something, it's always one-sided. When Aboriginals talk, we have rights, and it's right, it's true. We're talking from the past. We have our own food, our own meat and ducks. We have ducks. We have to really work with it and clean it. Before we eat, we clean it, we singe it, we pluck it and we fix the meat, and then we really clean it, take care of it, and then we eat it. But white people, they're not like that. Them, whoever they hire is the one that works for them and they get their cow meat and they sell it, but us Aboriginal people, we don't do that. We do it ourselves.

Fish too is like that. As Aboriginal people, how we learn from our people, that's what we do, we can't leave it. We're Aboriginal people. The elders talk about the great rivers and lakes, and that the river flows to the ocean and whatever is fed to the mighty Mackenzie River it feeds as we eat from it. Arctic Ocean, that's where the water goes to. The elders talk about it. He said that's what's keeping the ocean alive is the water that comes from Mackenzie to the ocean.

CHAIRMAN (Mr. David Ramsay): Thank you very much. Alright, we're going to...[Microphone turned off]

I want to, on behalf of the committee, thank everybody for your attendance here during the public hearing that the standing committee is having on Bill 9...(inaudible)...Bills 16, 17 and 18. [Microphone turned off]

We were happy to hear the presentations we got from the public here in Norman Wells...(inaudible)... I wanted to again say that we're very happy to be here in the Sahtu and in Norman Wells, and it's still early enough that hopefully we can get out and enjoy some of the rest of the evening. I want to wish you a very good night and thank you. Mahsi.

---ADJOURNMENT