

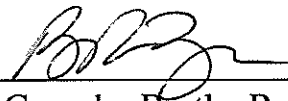
# TEJCHQ GOVERNMENT

## TEJCHQ LAND USE PLAN LAW

Pursuant to section 66 of the Tjchq Assembly Rules of Order, the Tjchq Assembly enacted this law on April 25, 2013 by unanimous consent.

Eddie Erasmus, Grand Chief of the Tjchq Government, signed this law on April 25, 2013.

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

April 25/13

Certified as a True Copy by Bertha Rabesca Zoe as of April 25, 2013.

Laws Guardian, Tjchq Government


### DISPOSITION

DATE OF INTRODUCTION	CONSIDERATION	CONSENSUS	EFFECTIVE DATE
April 24, 2013	April 24, 2013	April 25, 2013	April 25, 2013

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# TŁICHQ LAND USE PLAN LAW

## Title

1. This law shall be cited as the *Tłichq Land Use Plan Law*.

## Definitions

2. In this Law,

“Tłichq Assembly” has the same meaning as in the Tłichq Constitution.

“Tłichq Government” means the Tłichq Government and its institutions as defined in the Tłichq Constitution.

“Tłichq lands” has the same meaning as in the Tłichq Agreement.

“Tłichq First Nation” has the same meaning as in the Tłichq Agreement.

## Preamble

3. WHEREAS on the effective date of the Tłichq Agreement, the Tłichq Government, on behalf of the Tłichq First Nation, was vested with title to lands totalling approximately 39,000 square kilometres, including the mines and minerals that may be found to exist within, upon or under such lands (Tłichq lands);

AND WHEREAS the Tłichq Government has the power to enact laws in relation to the use, management, administration and protection of Tłichq lands and the renewable and non-renewable resources thereon;

AND WHEREAS the Tłchq Government has the power to enact laws respecting land use plans for Tłchq lands;

AND WHEREAS the Tłchq Government, with the advice and guidance of the Elders of the Land Use Plan Working Group, and after community meetings and other consultations and engagements, have completed a Tłchq Land Use Plan for Tłchq lands and submitted the Tłchq Land Use Plan for adoption under this law.

### **Tłchq Land Use Plan**

4. The Tłchq Land Use Plan attached as Schedule A to this law is hereby adopted and is in effect.
5. The Tłchq Land Use Plan forms part of this law.

### **Regulations**

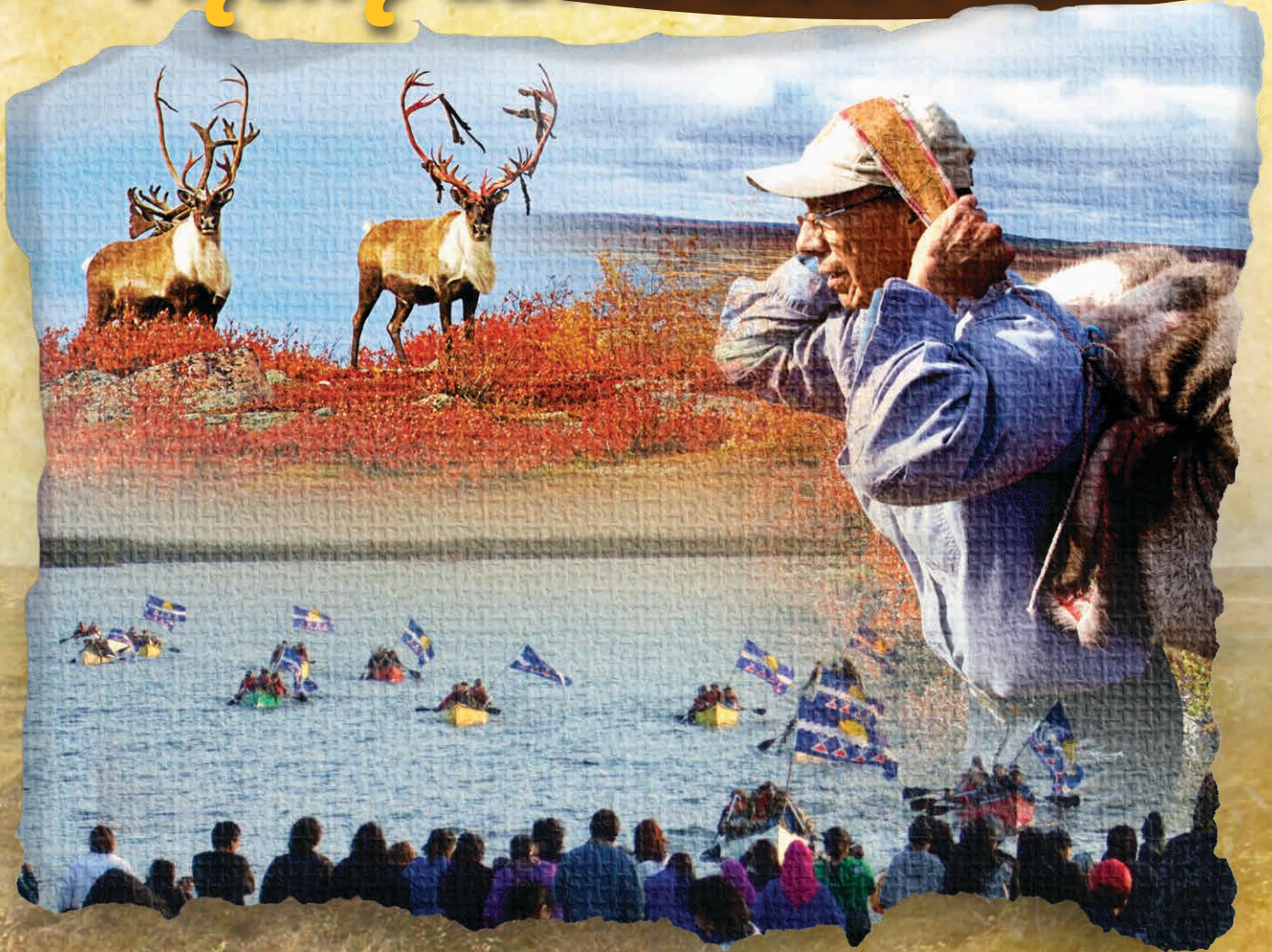
6. The Tłchq Assembly may enact regulations for the carrying out of the purposes and provisions of this law.

### **Coming into Force**

7. This law shall come into force on June 1, 2013.



# Tłıchǫ Wenek'e Tłıchǫ Land Use Plan



Tłıchǫ Ndek'awoo



Tłıchǫ Government



“Tłıchǵ Wenek’e”  
“Tłıchǵ Land Use Plan”

This document can be downloaded free of charge at [www.tlicho.ca](http://www.tlicho.ca)

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# Dedication

This document is dedicated to the memory of Tłıchǫ ancestors and elders, who have shared their knowledge and wisdom over time. Without their knowledge this plan could never have been developed.

We also dedicate this document to future Tłıchǫ generations, who will take on the responsibility for the stewardship of Tłıchǫ lands and the implementation of this plan, following the guidance of their elders.

# Pronunciation Guide

<b>Tł̥chq</b> (meaning “Dogrib”)	<b>tlee-chon</b>
<b>Tł̥chq Ndek’awoo</b> (meaning Tł̥chq Government)	<b>tlee-chon Deh-ka-woo</b>
<b>Mqwhí Gogha Dè Nł̥tlèè</b> (the traditional area of the Tł̥chq described by Chief Monfwi during the signing of Treaty 11 in 1921)	<b>mon-fwee go-ga de-neat-lay</b>
<b>Wek’èezhì</b> (the “management area” of the Agreement)	<b>way-keh-zi</b>
<b>Behchokq</b> (also known as Rae-Edzo)	<b>bay-cho-ko</b>
<b>Whatì</b> (also known as Lac La Martre)	<b>what-tea</b>
<b>Gamèti</b> (also known as Rae Lakes)	<b>gam-ma-tea</b>
<b>Wekweèti</b> (also known as Snare Lake)	<b>wek-way-tea</b>
<b>Ezqdzìti</b> (a Tł̥chq heritage area)	<b>eh-zod-ze-tea</b>
<b>Wehexlaxodiale</b> (Land Use Exclusion Zone)	<b>way-he-ho-dia-lay</b>
<b>Tł̥chq Nawoo Ké Dèt’ahot’ì</b> (Cultural Heritage Zone)	<b>tlee-chon Na-woo Ke-dah-ho-tea</b>
<b>Gowhadq Yek’e t’ì k’e</b> (Traditional Use Zone)	<b>Go-wha-doo Yah-kay-tea ke</b>
<b>Asì Haxowì Gha Enehatq</b> (Enhanced Management Zone)	<b>Ah-see-ha-ho-we-ga-eh-ni-ha-to</b>
<b>Dèk’èasìzedaà wehoodia</b> (Habitat Management Zone)	<b>Deh-ke Ah-see-eh-da-Way-hoo-dee</b>

<b>Nqđì</b> (meaning plateau or upland)	<b>No-dee</b>
<b>Gots’qkàti</b> (known as Mesa Lake)	<b>Goo-sho-ka-tea</b>
<b>Hoòdoòdzò</b>	<b>Hoo-do-zoe</b>
<b>Tatsqti</b> (known as Grenville Lake)	<b>Ta-sho-tea</b>
<b>Dehtì</b> (meaning lakes that river runs through)	<b>Deh-tea</b>
<b>Ewaàghoa</b> (Chief Monfwi’s father’s name)	<b>Eh-wha-goo</b>
<b>Nł̥hshì</b> (known as Old Fort Rae)	<b>Knee-she</b>
<b>Kweéka</b> (meaning a rocky place)	<b>kway-ka</b>
<b>Gamè Dì</b>	<b>Gah-may De</b>
<b>Nł̥lł̥</b> (meaning waterfall)	<b>Nine-lean</b>
<b>Whaweà</b> (meaning a sandy area)	<b>Wah-weh</b>
<b>Nàowo</b> (meaning law)	<b>Na-woo</b>
<b>Nł̥ht’è htìa</b> (known as Skinny Lake)	<b>Neat-lay-ta</b>
<b>Idaà Trail</b> (known as trails of our ancestors)	<b>Eye-Dah</b>
<b>Dìnàgà Wek’èhodi</b> (known as North Arm of Great Slave Lake, a protected area site for migratory birds)	<b>De-na-ga-weh-ke-hodi</b>





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# 1 The Setting

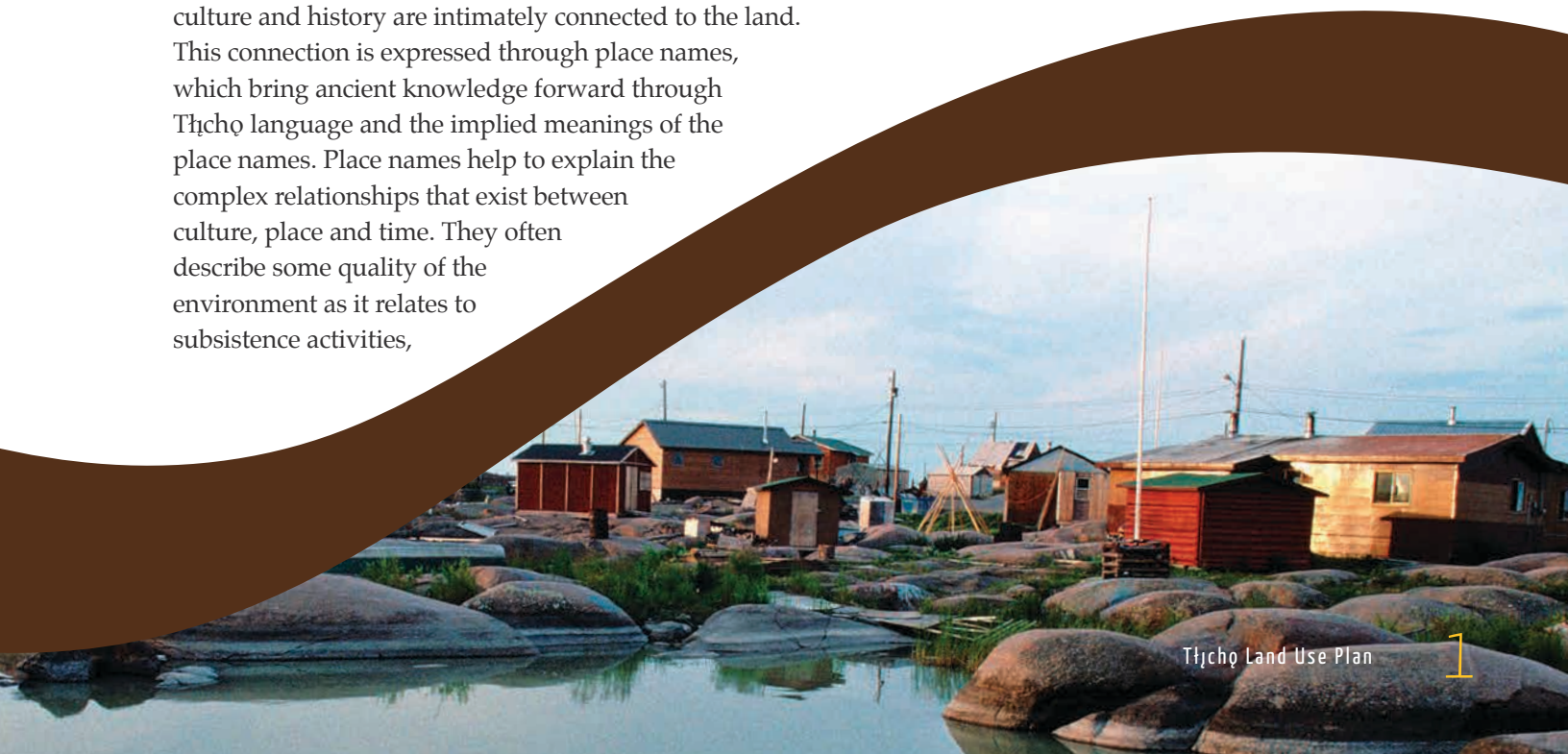
## 1.1 Tłıchǫ Land Use Planning

Land use planning is about thinking for the future. It does not dictate how the future will unfold, but instead is a tool for planning for the unknown. The Tłıchǫ Government has prepared the Tłıchǫ Land Use Plan to assist in managing approximately 39,000 km<sup>2</sup> of Tłıchǫ lands. The Tłıchǫ Land Use Plan uses maps, policies and written information to manage Tłıchǫ lands, with the goal of protecting Tłıchǫ culture, heritage and a traditional way of life. The Plan provides a guide for future development by outlining how Tłıchǫ land will be protected and how activities and development on Tłıchǫ lands should occur.

### 1.1.1 What Makes the Tłıchǫ Land Use Plan Unique

The Tłıchǫ have had an intimate relationship with the land since the beginning of time. Tłıchǫ livelihood, culture and history are intimately connected to the land. This connection is expressed through place names, which bring ancient knowledge forward through Tłıchǫ language and the implied meanings of the place names. Place names help to explain the complex relationships that exist between culture, place and time. They often describe some quality of the environment as it relates to subsistence activities,

but can also have meanings of a metaphorical nature, referencing events, individuals, landmarks and history. Wherever one goes on Tłıchǫ lands, the trails are connected by place names, showing how the landscape has been traditionally utilized and that it is intimately connected to the narratives that convey knowledge about Tłıchǫ history. The Tłıchǫ Land Use Plan is meant to protect the land for its inherent worth and ecological integrity, but it is also equally important to protect the land in order to experience and learn Tłıchǫ history – the stories and legends are all connected to the land. The Tłıchǫ Land Use Plan serves to protect the transfer of this knowledge to future generations, which requires the retention of the ability to experience the land, to learn the place names, and the stories and knowledge associated with it.



The Tłıchǫ Agreement provides the Tłıchǫ Government the opportunity to develop and implement a Land Use Plan that reflects the values and traditional land uses of Tłıchǫ citizens. The Tłıchǫ Land Use Plan delivers on that opportunity – it is first and foremost a Land Use Plan that is focused on the protection of Tłıchǫ culture and way of life. It has done so through a detailed process of:

- Identifying those areas of Tłıchǫ lands that are important to Tłıchǫ culture and way of life; and
- Providing an appropriate level of protection for these areas.

With this focus, and having regard to the powers of the Tłıchǫ Government set out in the Tłıchǫ Final Agreement, the Tłıchǫ Government has developed a land use planning process that connects the land with Tłıchǫ culture and history and that helps to preserve the ‘collective memory’ of the Tłıchǫ. The Tłıchǫ Land Use Plan acknowledges the special characteristics of Tłıchǫ lands such as:

- Tłıchǫ ownership of approximately 39,000 km<sup>2</sup>;
- Being rich in surface and subsurface resources such as:
  - Water,
  - Wildlife,
  - Plants and vegetation, and
  - Minerals;
- Being self-managed by the Tłıchǫ Government through the Department of Culture and Lands Protection; and
- Tłıchǫ citizens having rights to continue to use the land for traditional activities.

A crucial difference between the Tłıchǫ Land Use Plan and other regional land use plans in the Northwest Territories is that the lands that are the subject of the Tłıchǫ Land Use Plan have one owner – the Tłıchǫ Government. As a result:

- There is no Land Use Planning Board in the Tłıchǫ region of the Northwest Territories;
- The Tłıchǫ Government has developed the Tłıchǫ Land Use Plan;
- Authority for the approval of the Tłıchǫ Land Use Plan rests solely with the Tłıchǫ Government; and
- Decision-making authority regarding the use, and subsequent access to Tłıchǫ lands for those uses, rests solely with the Tłıchǫ Government.

While the Tłıchǫ Government, as the landowner, decides on the use and related access to its land, the review and permitting of specific activities on Tłıchǫ lands is the responsibility of the Wek’èezhìı Land and Water Board. The role of the Board is considered in more detail at Section 1.3.2.

After the Tłıchǫ Agreement came into force on August 4, 2005, the Tłıchǫ Government identified the need for a Land Use Plan for Tłıchǫ lands. The Tłıchǫ Agreement provides authority for the Tłıchǫ Government to establish a land use plan for Tłıchǫ lands. In order to provide an opportunity to complete a land use plan, the





Tłchq Government introduced a moratorium on land disposition – a general prohibition on development. This allowed for the creation of a planning process and the completion of a land use plan that reflects Tłchq priorities and reinforces Tłchq culture and tradition. The completion of the Land Use Plan is a major implementation step for Tłchq self-government.

The Tłchq Land Use Planning Working Group (LUPWG) was established. The LUPWG is introduced at Section 3.1.1. The LUPWG determined the vision and the planning process for the creation of the Land Use Plan. To ensure that the Tłchq Land Use Plan and the planning process adequately reflects Tłchq culture, workshops were held with representatives from Tłchq Government and Tłchq Elders to develop goals for the Tłchq Land Use Plan and to gather traditional knowledge, largely through detailed cultural mapping exercises.

### 1.1.2 How to Read and Interpret the Tłchq Land Use Plan

When reading the Tłchq Land Use Plan, it should be understood that:

- a) The planning process has primarily focused on the need to contribute to the preservation of Tłchq language, culture and way of life;
- b) Zoning and Land Protection Directives (policy statements) provide direction for the management and protection of Tłchq lands by the Tłchq Government;

- c) The maps in the Plan illustrate, complement and provide clarity for Plan text; and
- d) The Tłchq Government retains the authority over final interpretation on the intent of the provisions of this Land Use Plan.

The Tłchq Government will use the Tłchq Land Use Plan to:

- Set out Land Protection Directives (policies) for the protection, management and use of Tłchq lands;
- Identify a process for the review of proposed developments or activities on Tłchq lands;
- Provide a basis for decision-making by the Tłchq Government regarding the approval or denial of development proposals on Tłchq lands;
- Outline the role of outside agencies in contributing to Tłchq decision-making on Tłchq lands; and
- Adapt to changing needs through regular reviews and public reporting of the Plan.

## 1.2 The Foundation of the Tłchq Land Use Plan

### 1.2.1 Purpose of the Plan

The purpose of the Tłchq Land Use Plan is to protect the land for future generations by developing goals, planning statements, and a set of rules and regulations that are administered by the Department of Culture and Lands Protection (DCLP) and followed by all parties and individuals.

*“The LUP’s purpose is also to protect the Tłchq traditional way of life passed down from our ancestors to let others know our way of life is protected.”*

– Tłchq LUPWG quote





The Tłı̨chǫ Land Use Plan:

- Is the guiding document for the Tłı̨chǫ Government's land use planning responsibility as set out in the Tłı̨chǫ Agreement;
- Gathers information and knowledge from the past in order to plan for and manage the land for the future; and
- Is a living document that will be revised and updated.

### 1.2.2 Goals of the Land Use Plan

The goals of the Tłı̨chǫ Land Use Plan are to:

- Protect land, water and wildlife;
- Protect the traditional land uses of Tłı̨chǫ;
- Document significant sites and features on the land;
- Promote a Tłı̨chǫ approach to sustainable land management;
- Provide greater certainty for the future; and
- Help connect Tłı̨chǫ youth and future generations with the land.

## 1.3 Scope

The Tłı̨chǫ Land Use Plan has been developed for the approximately 39,000 km<sup>2</sup> of Tłı̨chǫ lands. Tłı̨chǫ lands are situated in the boreal forest north of Great Slave Lake and south of Great Bear Lake. Tłı̨chǫ lands are one of the largest single blocks of privately owned land in Canada. The Tłı̨chǫ Government owns both the surface and subsurface rights to the entire block of land.

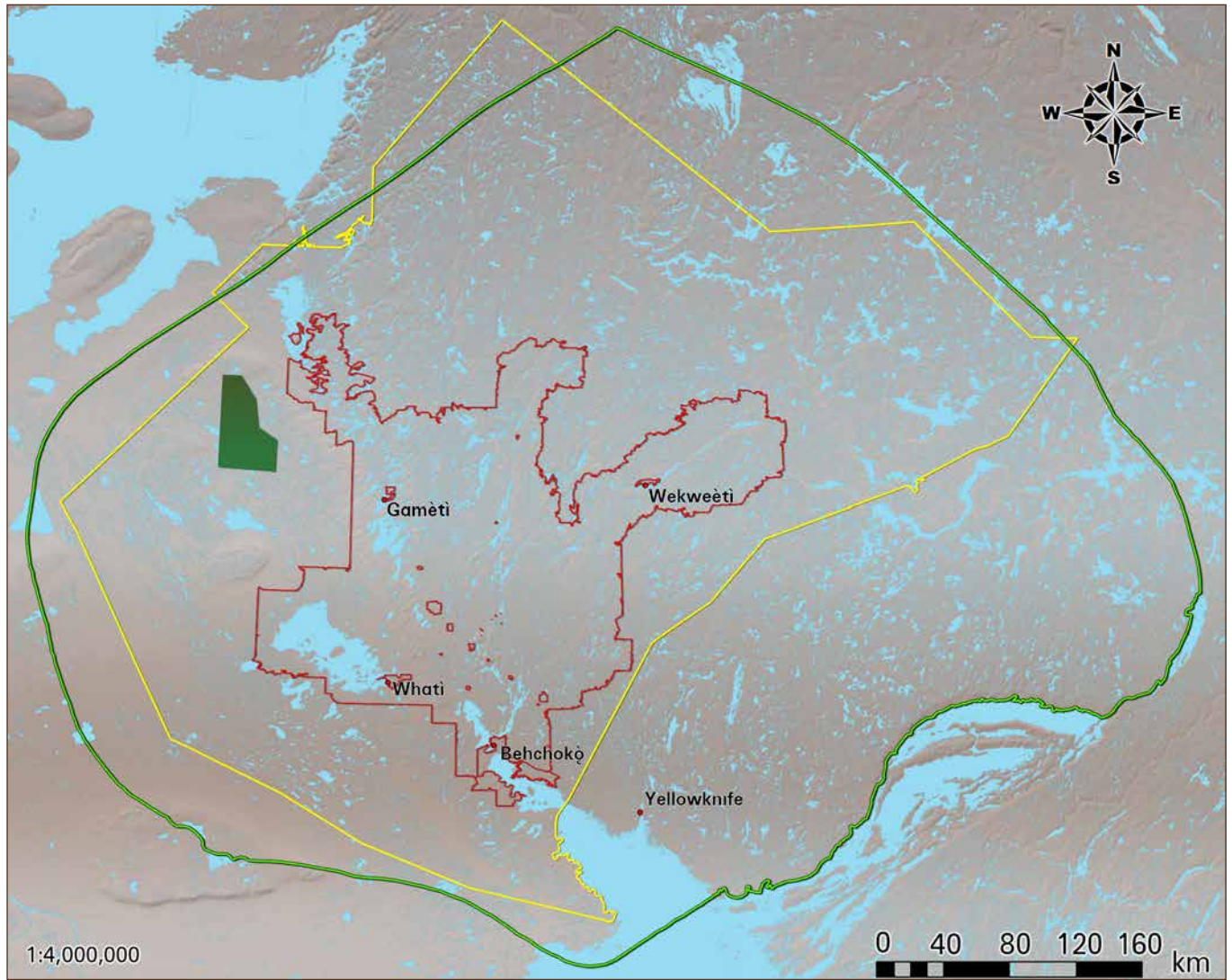
### 1.3.1 Land Area

Tłı̨chǫ lands are shown on Map 1. As well as establishing the extent of Tłı̨chǫ lands, the Tłı̨chǫ Agreement created further boundaries, within which certain rights and obligations apply, including:

1. Mǫwhì Gogha Dè Nı̨tłèè is the traditional use area of the Tłı̨chǫ, the boundaries of which were settled by Chief Monfwì during the signing of Treaty 11 in 1921. In this area, the Tłı̨chǫ are able to exercise their traditional land use activities as set out in the Tłı̨chǫ Agreement; and
2. Wek'èezhì is the area of land for which regulatory management boards (under the provisions of the Tłı̨chǫ Agreement and the Mackenzie Valley Resource Management Act) are established. Wek'èezhì includes Tłı̨chǫ lands, the four Tłı̨chǫ communities of Whatì, Gamèti, Wekweèti and Behchokò, as well as Crown land.

Map 1 shows these boundaries.





## Map 1 Tłıchǫ Agreement Boundaries

- Mowhí Gogha Dè Nııłłèè Boundary
- Wek'èezhì Boundary
- Tłıchǫ Boundary
- Ezǫdzıfı



Mowhí Gogha Dè Nııłłèè Boundary as drawn is for illustrative purposes only.

Maps may not be to scale.



### 1.3.2 Regulatory Boards

The Wek'èezhì Land and Water Board (WLWB) and the Wek'èezhì Renewable Resources Board (WRRB) are management boards created as a result of the Tłı̨chọ Agreement. A regional co-management regime for the area that includes and surrounds Tłı̨chọ lands was determined to be the appropriate vehicle for the Government of Canada, the GNWT and the Tłı̨chọ for the management of lands and water in Wek'èezhì. This approach is similar to that taken in the Gwich'in and Sahtu regions. Since their establishment in 2005, the WLWB and the WRRB have been making decisions and recommendations while building capacity and gaining expert knowledge of the region.

The Wek'èezhì Land and Water Board is responsible for regulating the use of land and water and the deposit of waste throughout Wek'èezhì. The Board is an institution of public government and must provide for the conservation, development and utilization of land and water resources to provide the optimum benefit for all Canadians and, in particular, for residents of Wek'èezhì.

The Wek'èezhì Renewable Resources Board is an institution of public government responsible for the management of wildlife and wildlife habitat, plants, forests, and protected areas in Wek'èezhì. The Board provides direction and guidance on wildlife management and monitoring actions in Wek'èezhì.

One-half of the members of each Board are appointed by the Tłı̨chọ Government, while the other half are appointed by the governments of Canada and the Northwest Territories. The establishment of the Wek'èezhì management region was an important consideration in Tłı̨chọ support for the Tłı̨chọ Agreement because this arrangement provides a true co-management relationship in a regional context.

The Tłı̨chọ Land Use Plan only applies to Tłı̨chọ lands. The authorities and responsibilities of the Wek'èezhì Land and Water Board and the Wek'èezhì Renewable Resources Board do extend to Tłı̨chọ lands. In exercising their authority, the Boards must comply with the provisions of the Tłı̨chọ Land Use Plan.

### 1.3.3 Tłı̨chọ Community Governments

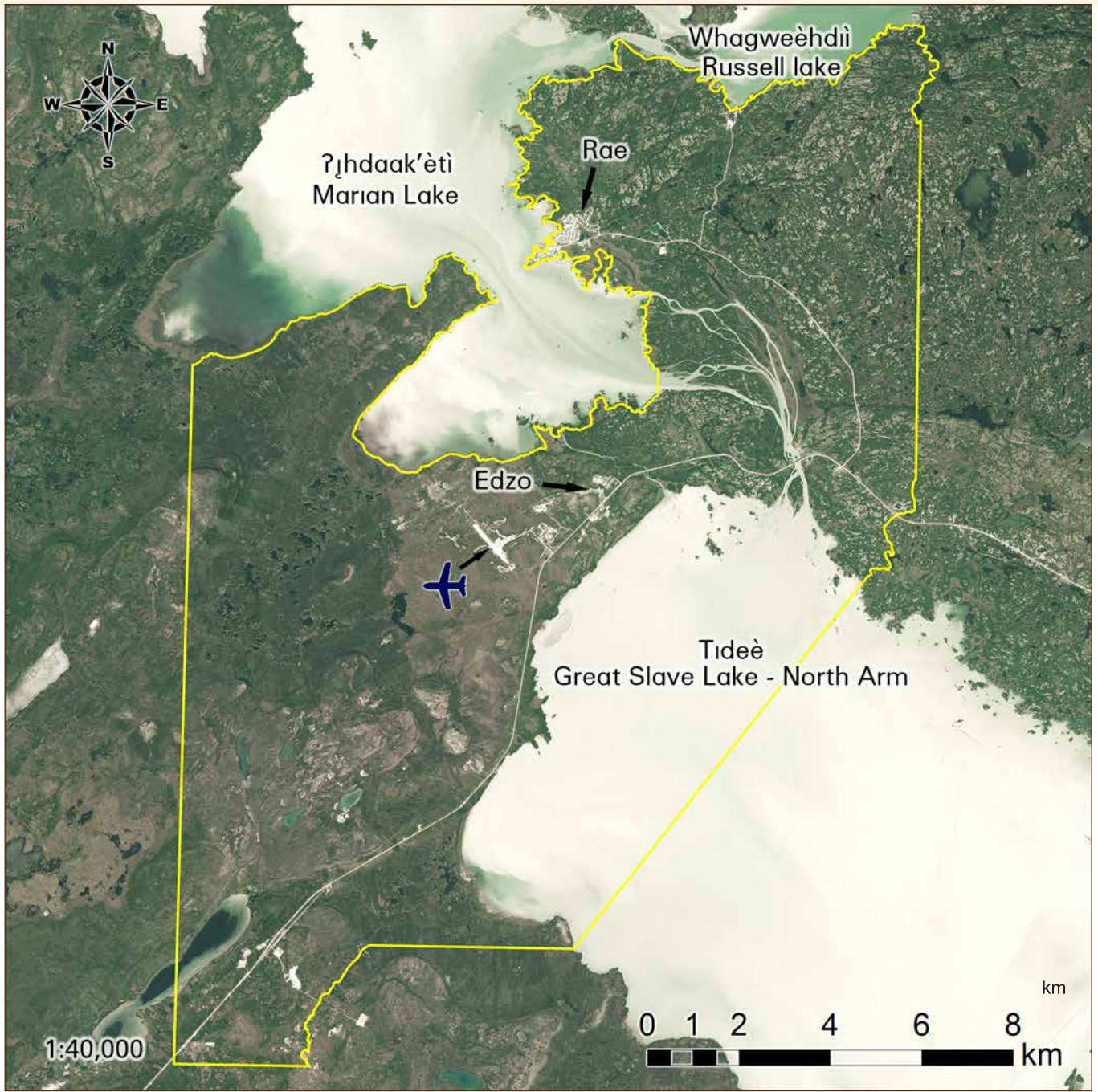
The community governments of Behchokò, Whatì, Gamètì and Wekweètì were established with the signing of the Tłı̨chọ Agreement on August 4, 2005. The Tłı̨chọ Community Government Act establishes the authority and powers of the community governments as well as the composition of the community council, voting eligibility and the duties of the Chief.

Each community government is a municipal corporation with responsibilities for community planning, public works and community improvements, supporting local economic development, public utilities, such as water quality, water delivery and sewage services, as well as emergency response planning and fire protection, recreation and bylaw enforcement.

The Tłı̨chọ Land Use Plan does not apply within the boundaries of the community governments. The Tłı̨chọ community governments own and administer nearly all lands within the community boundary and have the authority to regulate land use and development through approval of Community Plans and Zoning By-laws. Generally, land owned by community governments may not be sold. Therefore, community governments grant and administer leases for the use of land for development purposes within the community boundary.

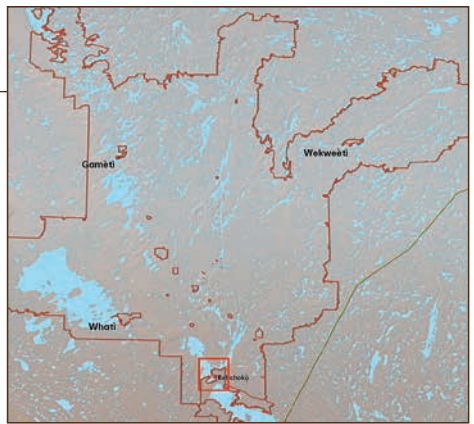
The community government boundaries created by the Tłı̨chọ Agreement are purposely large, in order to ensure that community infrastructure, such as airstrips, sewage facilities, quarries, etc., are within community boundaries.

See Maps 2, 3, 4 and 5 for community locations and boundaries.



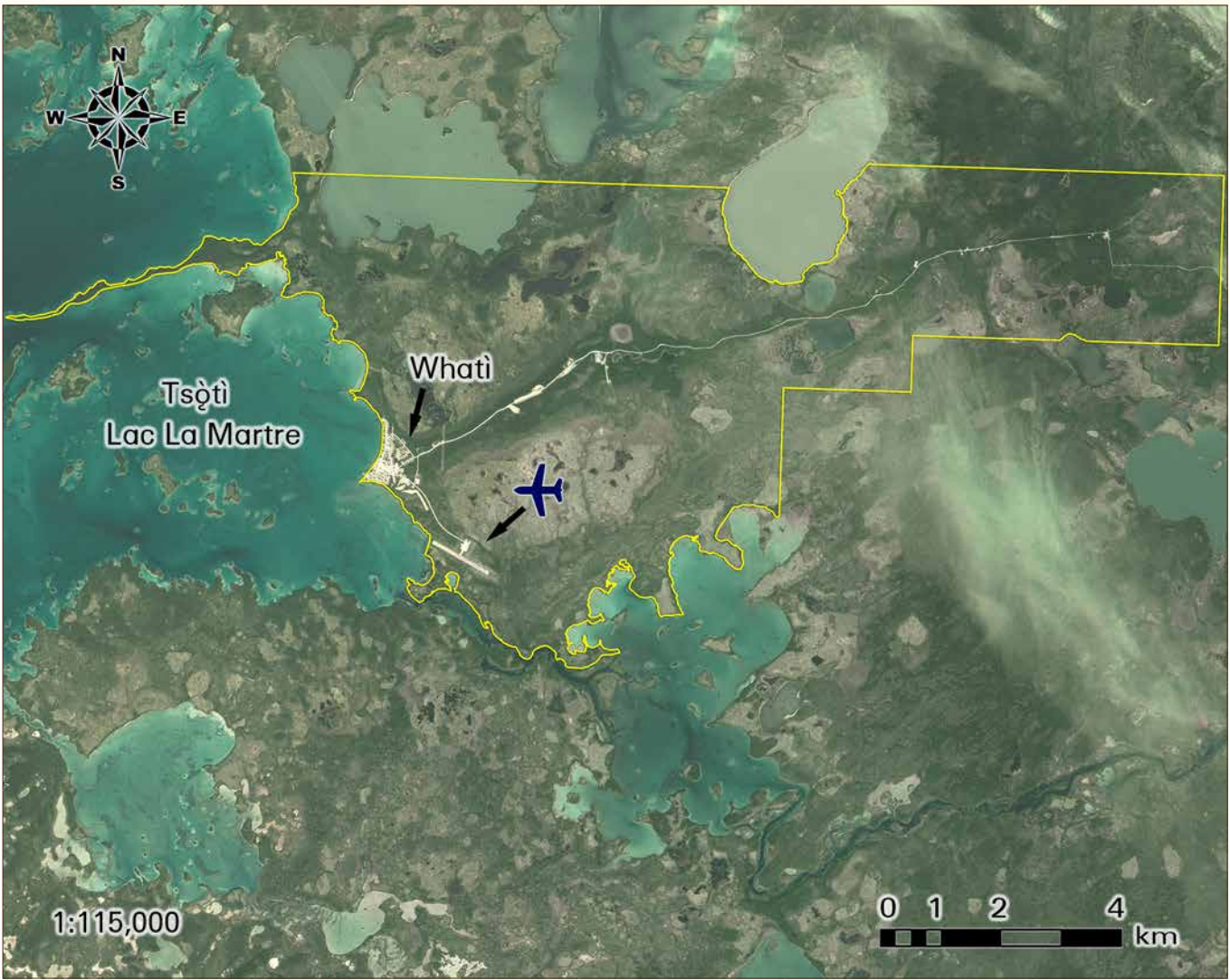
## Map 2 Behchokò

 Community Boundary



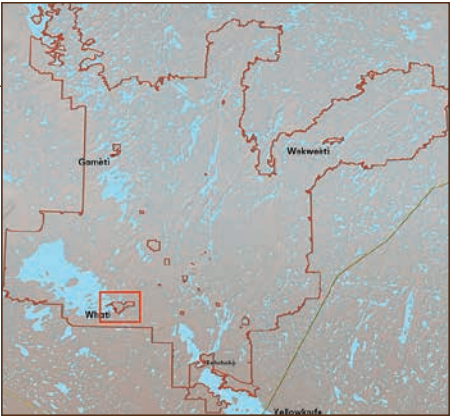
Maps may not be to scale.





### Map 3 Whati

Community Boundary



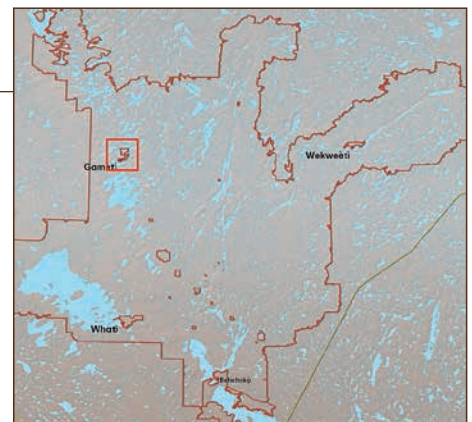
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## Map 4 Gamètì

 Community Boundary



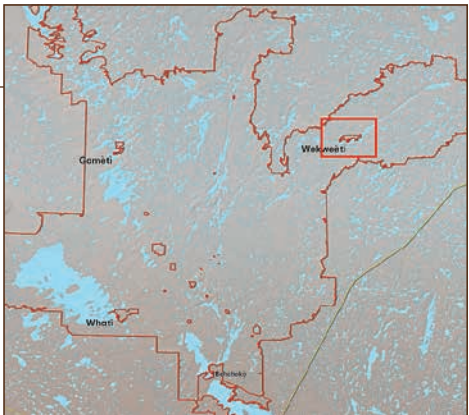
Maps may not be to scale.





## Map 5 Wekweètì

 Community Boundary



Maps may not be to scale.

## Behchokò

*Traditional Knowledge: Mqwhì's father, Ewaàghoa, was the first person to build a house at Behchokò. In the past, Tłı̨chò used to live at Nìhshùì (Old Fort Rae), an area on the shores of Great Slave Lake. There remain many gravesites and old houses at Old Fort Rae. Because of the challenges of travelling on Great Slave Lake, many Tłı̨chò people decided to move to Behchokò because it is good area for fish. It was kweèka (a rocky place), making it a good landscape to build houses. Ewaàghoa once said that there used to be so many people at Behchokò that the whole Game Dui (the present day Bay Island) looked like a white island because of the many white tents set up for people to live in.*

Behchokò is the largest of the Tłı̨chò communities, with approximately 1,950 people, located 105 km northwest of Yellowknife, close to the North Arm of Great Slave Lake. Behchokò means 'Big Knife'. It is the only Tłı̨chò community that is accessible by an all-season access road.

Behchokò consists of two communities – the original community of Rae is the larger of the two and home to the Tłı̨chò Government offices, Community Government offices and Tłı̨chò Community Services Agency (TCSA) offices. The development of Edzo began in the 1960s. Edzo was a great Tłı̨chò leader who arranged peace between the Tłı̨chò and the Yellowknives. Edzo is the home of Chief Jimmy Bruneau High School.

## Whatì

*Traditional Knowledge: Whatì is a place where conflict occurred long ago between the Tłı̨chò and the Chipweyan. It was Mqwhì's brother-in-law who was the first person to build a house in Whatì. The area has been a good trapping area – Whatì means 'marten'. Nearby is the Nìlłı̨ (waterfall), where sometimes one can see a rainbow over the falls, which is taken as a sign and a reminder of the history of the Tłı̨chò.*

Whatì is located on Lac La Martre, 210 km northwest of Yellowknife, with a population of approximately 520. It is accessible by winter road and year round by daily scheduled flights. The Mezi Community School provides Grades K-12. The community is known for its great fishing, scenic beauty and decorative arts.

## Gamètì

*Traditional Knowledge: The father of the late Johnny Arrowmaker was the first to build a house at Gamètì. In addition to being an important place for caribou, it was also known as a fine place for furbearing animals and for its good fishing. There is also a fine whagweè (a sandy area) at Gamètì. Gamètì is named after Gamè, and tì means 'lake'. It was known to be a beautiful area, surrounded by many islands and hills, and people began to move there.*

The community of Gamètì is located along the chain of waterways connecting Great Slave Lake and Great Bear Lake; it is 300 km northwest of Yellowknife, with a population of approximately 300. The Jean Wetrade School has been recently updated and contains a large gymnasium. There are daily scheduled flights from Yellowknife to Gamètì and in winter there is access to Gamètì via a 213 km winter ice road from Highway 3 near Behchokò.

## Wekweètì

*Traditional Knowledge: The area around Wekweètì was a common boat and sled route as the Tłı̨chò travelled towards the nearby barren lands every fall in search of migrating caribou. Wekweètì came to be seen as a perfect location for those who wanted to live a life more closely associated with the land and caribou. Johnny Simpson was the first Elder to build a house at Wekweètì, around 1960. Soon after, ten more houses were built and today there are approximately 30 households living in this still traditional community. Wekweètì means 'His rock lake' (Snare Lake).*

The smallest of the Tłı̨chò communities, Wekweètì has a population of 130. The Alexis Arrowmaker School is located in Wekweètì. Wekweètì is accessible by scheduled flights to and from Yellowknife or by a winter ice road. It is the Bathurst caribou herd that traditionally passes through this area on its way north to calving grounds in the spring and then to the south as the winter approaches.



### 1.3.4 Exclusions to Tłıchǵo Lands

The Tłıchǵo Land Use Plan applies to the approximately 39,000 km<sup>2</sup> of Tłıchǵo lands as outlined on Map 1.

However, under the terms of Chapter 18 of the Tłıchǵo Agreement, certain lands within this large block of Tłıchǵo land are 'excepted out' from Tłıchǵo ownership and, therefore, from the provisions of the Land Use Plan. Some of these parcels of land are held in fee simple, owned primarily by the Northwest Territories Power Corporation for the purposes of hydroelectric generation facilities in the Snare River area. As well, there are former mine sites that are excluded from Tłıchǵo lands and have been retained by the federal government. There are also parcels of land retained by the federal government where leases were granted for mining purposes.

### 1.3.5 Existing Interests and Contaminated Sites on Tłıchǵo Lands

There are a number of third party interests, which are primarily in the form of leases, that have been specifically noted under the provisions of Chapter 18 of the Tłıchǵo Agreement. The Tłıchǵo Land Use Plan may not apply to all instances of existing third party interests on Tłıchǵo lands.

Section 18.6.1 of the Tłıchǵo Agreement provides for continued management of these interests by the Government of Canada, until such time as the interest is no longer operative (for example, when the term of a lease has expired).

The Tłıchǵo Agreement specifically makes reference to several contaminated sites on Tłıchǵo lands, for which the programs of the Government of Canada for contaminated sites cleanup will apply.

## 1.4 The Legislative Context

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### 1.4.1 Tłıchǵo Agreement

Tłıchǵo land use planning is addressed in the Comprehensive Self-government and Land Claim Agreement among the Tłıchǵo, the Government of the Northwest Territories and the Government of Canada (the "Tłıchǵo Agreement"). The Tłıchǵo Agreement was signed in August 2003, and represents years of hard work negotiating a modern treaty with the Government of Canada and, for the first time, making the Government of the Northwest Territories a party to the modern treaty. The Tłıchǵo Agreement enjoys the protection of s. 35 of the Constitution of Canada (2.2.1).

On August 4, 2005, the effective date of the Tłıchǵo Agreement, the Tłıchǵo Government came into existence. Chapter 7 of the Tłıchǵo Agreement sets out law-making abilities of the Tłıchǵo Government.

### 1.4.2 Tłıchǵo Government – Law-making Powers and Tłıchǵo Lands

On the effective date, the Tłıchǵo Government, on behalf of the Tłıchǵo First Nation, was vested with title of approximately 39,000 km<sup>2</sup> of land. Those lands, known as "Tłıchǵo lands" in the Tłıchǵo Agreement, represent part of the land component of the land claim of the Tłıchǵo.

Because the Tłı̨chǝ Agreement also deals with the self-government of the Tłı̨chǝ, law-making powers of the Tłı̨chǝ Government relating to land, administration and planning are set out in the Tłı̨chǝ Agreement.

The Tłı̨chǝ Government may, by Tłı̨chǝ law, deal with land use planning for Tłı̨chǝ lands. The Tłı̨chǝ Agreement states that:

- 7.4.2 The Tłı̨chǝ Government has the power to enact laws in relation to the use, management, administration and protection of Tłı̨chǝ lands and the renewable and non-renewable resources found thereon, including, for greater certainty, laws respecting...
- (b) Land use plans for Tłı̨chǝ lands.

This Tłı̨chǝ Land Use Plan came into effect under Tłı̨chǝ law. The law is called the Tłı̨chǝ Land Use Plan Law. It was passed by the Tłı̨chǝ Assembly on April 22, 2013, and came into force on June 1, 2013.

### 1.4.3 Consistency with the Tłı̨chǝ Land Use Plan

The Tłı̨chǝ Agreement requires that the Tłı̨chǝ Land Use Plan be respected by other institutions and the Governments of Canada and the Northwest Territories:

22.3.16 The Wek'èezhì Land and Water Board and government, including a Tłı̨chǝ community government, must exercise any discretionary powers relating to the use of land that they may have under legislation in a manner consistent with any Tłı̨chǝ laws made under 7.4.2, including any conditions on the use of Tłı̨chǝ lands provided in a land use plan or otherwise.

### 1.4.4 Tłı̨chǝ Agreement Implementation Plan

The parties to the Tłı̨chǝ Agreement agreed on a document that details how the Tłı̨chǝ Agreement would be operationalized and implemented as well as making sure that all the promises and commitments made in the Tłı̨chǝ Agreement are kept. For example, the Implementation Plan:

- Identifies the Government of Canada's responsibility to clean-up existing contaminated sites on Tłı̨chǝ lands; and
- Identifies the Government of Canada's responsibility to survey the boundaries of Tłı̨chǝ lands.





# 2 The Tłıchǰ

## 2.1 The Tłıchǰ

Tłıchǰ are Dene, part of the Athapaskan language family. For many centuries, Tłıchǰ have existed and survived through an intimate knowledge of the land and its wildlife. They are a traditional nomadic culture, who used birch bark canoes to travel to the barren lands to hunt caribou in the fall and moved below the treeline during the cold winters to wait for the warmth of spring. They travelled the land in winter by dog sled – catching fish, hunting caribou and trapping fur bearing animals. The Tłıchǰ have had an intimate connection to the land and the wildlife dependent upon it since time immemorial.

In the last 150 years, significant change has come to the Tłıchǰ region. Fur traders came in the 1800s in search of fur bearing animals for sale to European markets. This eventually led to the fur trading post at Nı̀hshı̀ (Old Fort Rae) being established in 1852 and the eventual establishment of permanent communities for the Tłıchǰ people.

In the last 30 years, the Tłıchǰ have changed with the times. Natural resource development and governments have brought a wage economy to the North and the Tłıchǰ have been affected both positively and negatively by these changes. People work in the mines, government offices and the service sector, which has altered Tłıchǰ dependence upon the land and their livelihoods. Though the Tłıchǰ people have come to rely partly on store-bought food and modern comforts, such as insulated homes, running water and electricity,

many Tłıchǰ still maintain their connection to the land, depending on it for their livelihoods, whether for food, trapping for furs or crafts.

The sacred connection the Tłıchǰ have with the land has driven the development of this Land Use Plan. Protecting the land and ensuring its sustainable use in the future is critical in protecting Tłıchǰ language, culture and way of life.

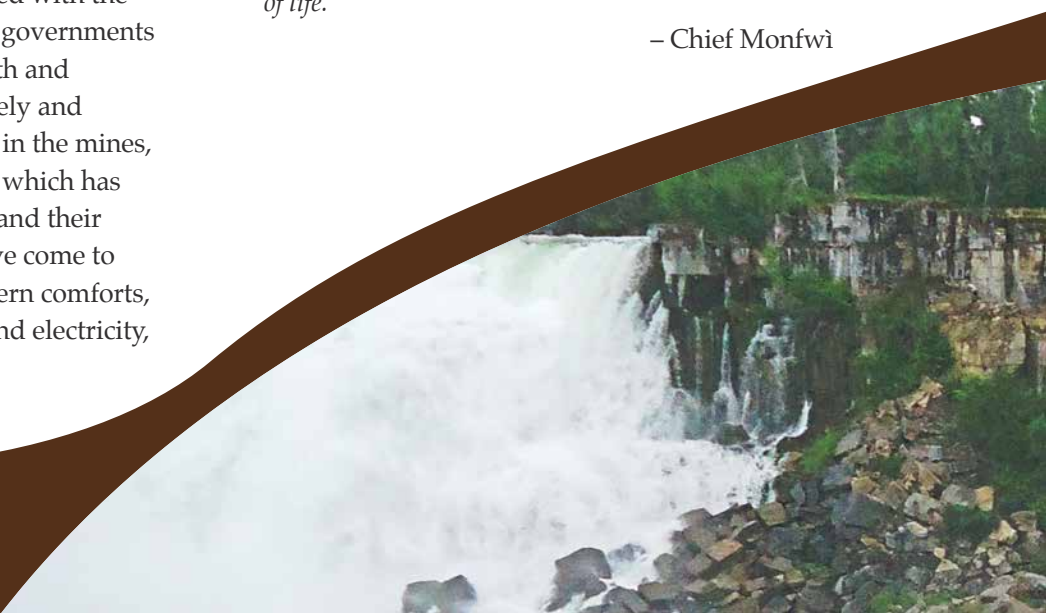
## 2.2 The Land Use Plan is based on Tłıchǰ Values

Throughout the land use planning process described in Chapter 3, core values that help define the Tłıchǰ were the focus of developing the goals and policies of the Land Use Plan.

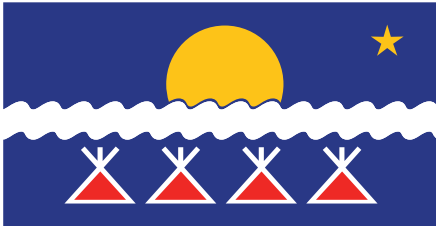
Particularly important are the words of Chief Monfwı as spoken during the signing of Treaty 11 in 1921:

*“As long as the sun rises, the river flows, and the land does not move, we will not be restricted from our way of life.”*

– Chief Monfwı



These words have been captured in the Tłıchǰ flag, which symbolizes the unity and strength of the Tłıchǰ people.



The tents represent the four Tłıchǰ communities, the royal blue represents the northern Tłıchǰ territory, the rising sun and flowing river represents Monfwi's famous words. The North Star represents the future for Tłıchǰ citizens.

### **Tłıchǰ Place Names**

The Tłıchǰ have used their language to record their presence and use of the land. In many cases, certain places are associated with the history, cultural settings and identity of the Tłıchǰ. Tłıchǰ culture is closely tied to the land and Tłıchǰ place names for sites and regions give the identity of what events took place in the area, the landscapes of an area, the history of an area, the wildlife and vegetation of an area –

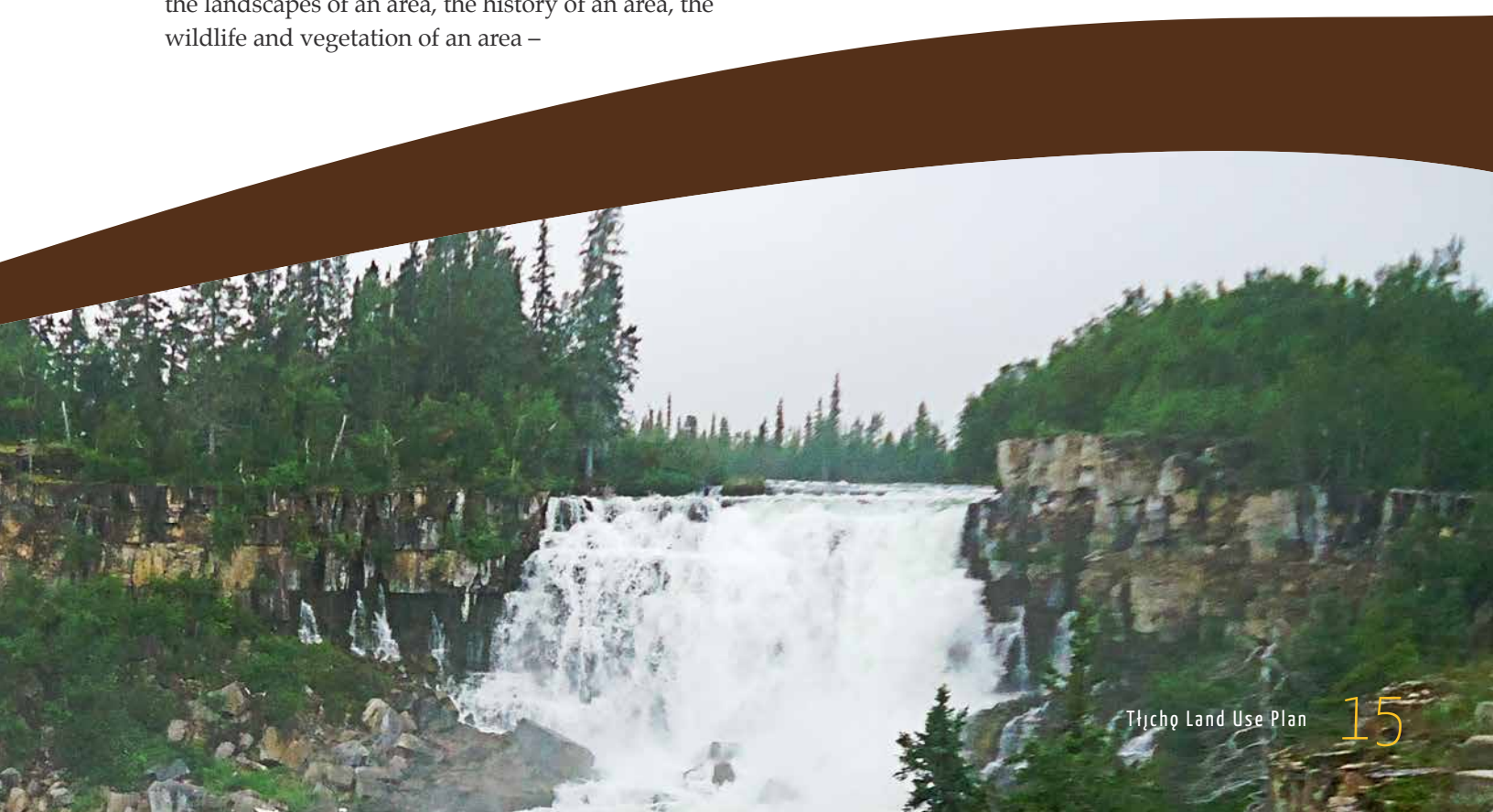
all of these are central to defining Tłıchǰ culture and heritage. Tłıchǰ place names are an important way of sharing the memories of what has taken place in particular areas and help to show what is of importance to the Tłıchǰ.

*"Our Elders have been passing these memories (stories) and knowledge (naawo) about our culture, our language, our traditions, our heritage and the history as Tłıchǰ down the line, so that we can continue to follow and practice them and so that we don't forget them..."*

– Louie Zoe

### **Tłıchǰ Stewardship**

With rights come the responsibilities associated with those rights. This is especially so with respect to the land. Tłıchǰ lands are central to Tłıchǰ culture, heritage and way of life; Tłıchǰ lands must be protected and cared for by Tłıchǰ and non-Tłıchǰ alike. Tłıchǰ citizens are expected to respect their land as they exercise their traditional uses and treaty rights.



# 3 The Process

## 3.1 Plan Development

### 3.1.1 The Tłıchǵo Land Use Planning Working Group (LUPWG)

To ensure that the development of the Tłıchǵo Land Use Plan reflected Tłıchǵo culture and identity, a Land Use Planning Working Group was established. The LUPWG consisted of two Elders from each Tłıchǵo community:

- Harry Mantla, Behchokǵ
- Harry Apples, Behchokǵ
- Jimmy B. Rabesca, Whatı
- Louie Wedawin, Whatı
- Joe Zoe, Gametı
- Louie Zoe, Gametı
- Joeseeph Judas, Wekweetı
- Jimmy Kodzin, Wekweetı

#### Harry Mantla 1940 - 2012

We are very proud to have had Harry Mantla as a member of our Land Use Planning Working Group during the development of the Tłıchǵo Land Use Plan. Harry was respected as a trapper and hunter, and was someone who possessed a great wealth of knowledge and information about Tłıchǵo lands. Harry readily shared his valued knowledge of our cultural traditions. Harry spoke with a soft voice that showed his strong character and his respect for Tłıchǵo knowledge. Harry wanted our young generations to keep our traditions and he was always willing to tell the stories and memories of the way he was raised on the land. His passing of traditional knowledge, stories and memories will never be forgotten.

The LUPWG has overseen the establishment of planning goals and contributed knowledge and direction throughout the planning process.

### 3.1.2 The Department of Culture and Lands Protection

The Department of Culture and Lands Protection is a department of Tłıchǵo Government. The DCLP is responsible for managing Tłıchǵo lands and its resources. To achieve this, the Department works closely with numerous environmental agencies, government agencies, resource development companies and the Tłıchǵo Assembly to help serve and protect Tłıchǵo lands. Tłıchǵo law provides direction for the DCLP.

The title of the Department includes the words "Lands Protection". These words were chosen to reflect the priorities of the Tłıchǵo Government in managing Tłıchǵo lands. The Tłıchǵo Government's priority is to ensure that Tłıchǵo will never be restricted from their traditional way of life. The Department's name helps others understand the important values held by the Tłıchǵo Government – in fostering and encouraging traditional activities, being stewards of the land, and protecting the lands and resources for present and future generations.

The DCLP has worked through the LUPWG to produce the Tłıchǵo Land Use Plan. The DCLP is the departmental 'window' through which the Tłıchǵo Government directs all inquiries concerning Tłıchǵo lands, and where issues related to proposed activities and development are reviewed. The DCLP will provide recommendations on proposed activity and development to the Tłıchǵo Government for decisions.



The DCLP is responsible for planning and administrative duties associated with land management. The responsibilities that have been assigned to the DCLP by the Tłıchǫ Government include:

1. Developing, implementing and maintaining the Tłıchǫ Land Use Plan;
2. Providing land administration services;
3. Monitoring activity on Tłıchǫ lands;
4. Providing recommendations regarding the use of Tłıchǫ lands;
5. Communicating information on land use activities;
6. Maintaining a GIS library of digital mapping; and
7. Communicating, as required, with other agencies on matters arising from proposed activities or development.

The continuation, for future generations, of Tłıchǫ culture and way of life will in large part depend on effective land management by the DCLP. The Tłıchǫ Land Use Plan is the key document that will guide the work of the DCLP.

## 3.2 Incorporating Tłıchǫ Values

The process for creating the Tłıchǫ Land Use Plan incorporates the values of Tłıchǫ, who have lived on the land for generations. The process also considers the economic and social well-being of Tłıchǫ citizens for the future.

In order to develop a plan that best serves Tłıchǫ, it was important to incorporate Tłıchǫ values into the land use planning process. These values were the starting point for discussions on land use planning and are not only incorporated into land use directives and mapping, but also the directives guiding development control, access provisions and monitoring of activities. In incorporating Tłıchǫ values:

- The Tłıchǫ Land Use Plan relied on a traditional knowledge database (gathered since 1993) and extensive cultural mapping exercises done with the guidance of knowledge of the Elders.
- Tłıchǫ language was used first and foremost in the discussion of the plan's direction.

- The process was designed, driven and guided by Elders and their experience on the land is reflected in this Plan.
- Tłıchǫ place names identify key locations throughout Tłıchǫ lands.
- There was full opportunity for community consultation and involvement during the preparation of the Tłıchǫ Land Use Plan.
- Workshops were undertaken in all four Tłıchǫ communities.
- The Tłıchǫ storytelling process was used to explain and understand the land and its importance.

## 3.3 Elements of Plan Preparation

In preparing for the development of the Tłıchǫ Land Use Plan, the (then) Tłıchǫ Lands Protection Department and the LUPWG initiated a number of activities that helped with the compiling of information about Tłıchǫ lands. This process included data collection and workshops, which used cultural and traditional knowledge.

### 3.3.1 Developing the Tłıchǫ GIS Library

The Tłıchǫ Land Use Plan utilized a traditional knowledge database, supplemented by a series of cultural mapping exercises. This information is maintained as a GIS library by the Tłıchǫ Government. The traditional knowledge database (which first began as a traditional knowledge study that occurred over a period of ten years starting in 1993) was developed through:

- Informing Tłıchǫ that traditional knowledge was being gathered;
- Community consultations and workshops to identify important cultural resources;
- Transcribing traditional history regarding Tłıchǫ place names;
- Fieldwork, on the land, led by Elders; and
- Recording the information into a series of digital maps.

### 3.3.2 Identifying Significant Cultural Features

Land and water are central to the Tłıchǫ culture and way of life. The Tłıchǫ Land Use Plan is intended to protect significant features of Tłıchǫ culture, including:

- Spiritual gathering places;
- Special sites;
- Lakes and watercourses;
- Caribou trails;
- Gravesites;
- Cabins;
- Wood and timber gathering sites;
- Berry picking sites;
- Traditional trails, including winter and summer trails; and
- Good fishing, hunting and trapping areas.

These significant features were identified through the cultural mapping exercises and the information was organized through the use of the Tłıchǫ GIS resources. The knowledge gathered has assisted in the development of the directives and protective measures incorporated into this Land Use Plan.

### 3.3.3 Identifying Significant Environmental Features

The Tłıchǫ Land Use Plan protects and manages significant features of the natural environment. In addition to traditional knowledge, consideration of a variety of environmental features and biophysical information is incorporated into both the mapping information available to the DCLP and in the consideration of land use proposals. This information covers topics such as:

- Watersheds;
- Geology;
- Climate;
- Terrestrial biology and animal habitat;
- Areas of bio-diversity;
- Animal migration routes/patterns; and
- The impacts of past forest fires.

The incorporation of both traditional knowledge and modern science in the Tłıchǫ Land Use Plan enhances the management and protection of Tłıchǫ lands.

## 3.4 Tools for the Protection and Management of Tłıchǫ Lands

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The Tłıchǫ Land Use Plan uses a variety of ‘tools’ to protect and manage Tłıchǫ lands. These tools assist in ensuring that important features of land and culture are protected. Tłıchǫ have a unique relationship with the lands. Tłıchǫ identity is tied to the relationship with the land. Protecting these lands, while balancing that protection with a view to the future needs of Tłıchǫ, has informed the choice of ‘tools’ used to develop the land use zones in this Land Use Plan as well as the policies guiding this Land Use Plan. The Elders have shared information on the historical and cultural significance of areas, sites, trails and watercourses. This information, held sacred to Tłıchǫ, forms the basis for the creation of zones and specific site protection.

### 3.4.1 Buffers Around Tłıchǫ Places

Tłıchǫ places refer to sites of historic and cultural significance, which can include specific areas, such as the location of gravesites, or much larger areas that include historic trails and gathering spots. Buffers have been established around these sites of significant importance for Tłıchǫ culture and heritage for the purposes of management and protection. A buffer is an area of land in the vicinity of a site of value where development would be restricted.

The extent, or size, of buffers is related to:

- a) The importance of an area, trail, watercourse or other feature;
- b) The degree to which a site is sacred to Tłıchǫ;
- c) The appropriate separation of development from important Tłıchǫ places; and
- d) Opportunities to continue traditional transportation practices.



The placement of buffers also depends on the nature of a particular site. Buffers have been considered for areas and sites, such as:

- a) Gravesites and stone chimneys; and
- b) Physical features such as heritage trails and existing waterways.

The establishment of an appropriate distance, or buffer, around each important site results in specific areas of protection, which are set out in the zoning categories listed in Section 3.4.2.

The resources needed to fully document traditional activities are extensive and there is still a significant amount of work to be done in documenting this important knowledge. It is expected that information about traditional activities will continue to be gathered and incorporated into the GIS library and mapping resources. This information may be gathered in cooperation with government partners as well as those who intend to use Tłıchǫ lands. Further information may result in updates to the requirements for buffers.

### 3.4.2 Identification of Tłıchǫ Land Protection Zones

The result of this work led to the formal identification of the land use zones, which are referred to in this Tłıchǫ Land Use Plan as “Tłıchǫ Land Protection Zones”. Five separate Tłıchǫ Land Protection Zones are identified:

1. **Wehexlaxodiale** (Land Use Exclusion Zone)  
**Area: 976 km<sup>2</sup>**  
**Percentage of Tłıchǫ Land: 2.5%**
2. **Tłıchǫ Nawoo Ké Dét’ahot’ıı** (Cultural Heritage Zone)  
**Area: 16,658 km<sup>2</sup>**  
**Percentage of Tłıchǫ Land: 42.2%**
3. **Gowhadó Yek’e t’ıı k’e** (Traditional Use Zone)  
**Area: 5,521 km<sup>2</sup>**  
**Percentage of Tłıchǫ Land: 14%**
4. **Asıı Haxowıı Gha Enehatǫ** (Enhanced Management Zone)  
**Area: 16,042 km<sup>2</sup>**  
**Percentage of Tłıchǫ Land: 40.6%**
5. **Dèk’èasıızedaa wehoodıa** (Habitat Management Zone)  
**Area: 280 km<sup>2</sup>**  
**Percentage of Tłıchǫ Land: 0.7%**

Each Tłıchǫ Land Protection Zone is described in detail in Chapter 5 of the Tłıchǫ Land Use Plan.



### 3.4.3 Land Protection Directives

The key tool that accompanies zoning for Tłı̨chǫ lands are Land Protection Directives (LPDs). Land Protection Directives are the policies which will guide the Tłı̨chǫ Government in consideration of development proposals. The purpose of LPDs is to ensure the protection and appropriate management and use of Tłı̨chǫ lands. Land Protection Directives address a wide variety of land use matters, including renewable resource management, environmental protection and Tłı̨chǫ lands management. Land Protection Directives are set out in Chapter 6 of this Land Use Plan.

### 3.4.4 Ecological Representation

Ecological representation is a scientific method that aims to protect the diversity of land and freshwater features or habitats in a region. A computer program can be used to help identify areas of land that incorporate as many different combinations of ecological features within the ecoregions as possible. Two types of ecological features were used in the ecological representation analysis:

- Physiographic units (e.g. valleys, hills, plateaus, etc.); and
- Land cover (e.g. vegetation types).

These features represent basic environmental variables which help dictate ecological diversity on the landscape. Different combinations of these basic environmental variables create different habitats. Therefore, protecting a subset of all the features that make up habitats will help protect the ecological diversity of the ecoregions within Tłı̨chǫ lands.

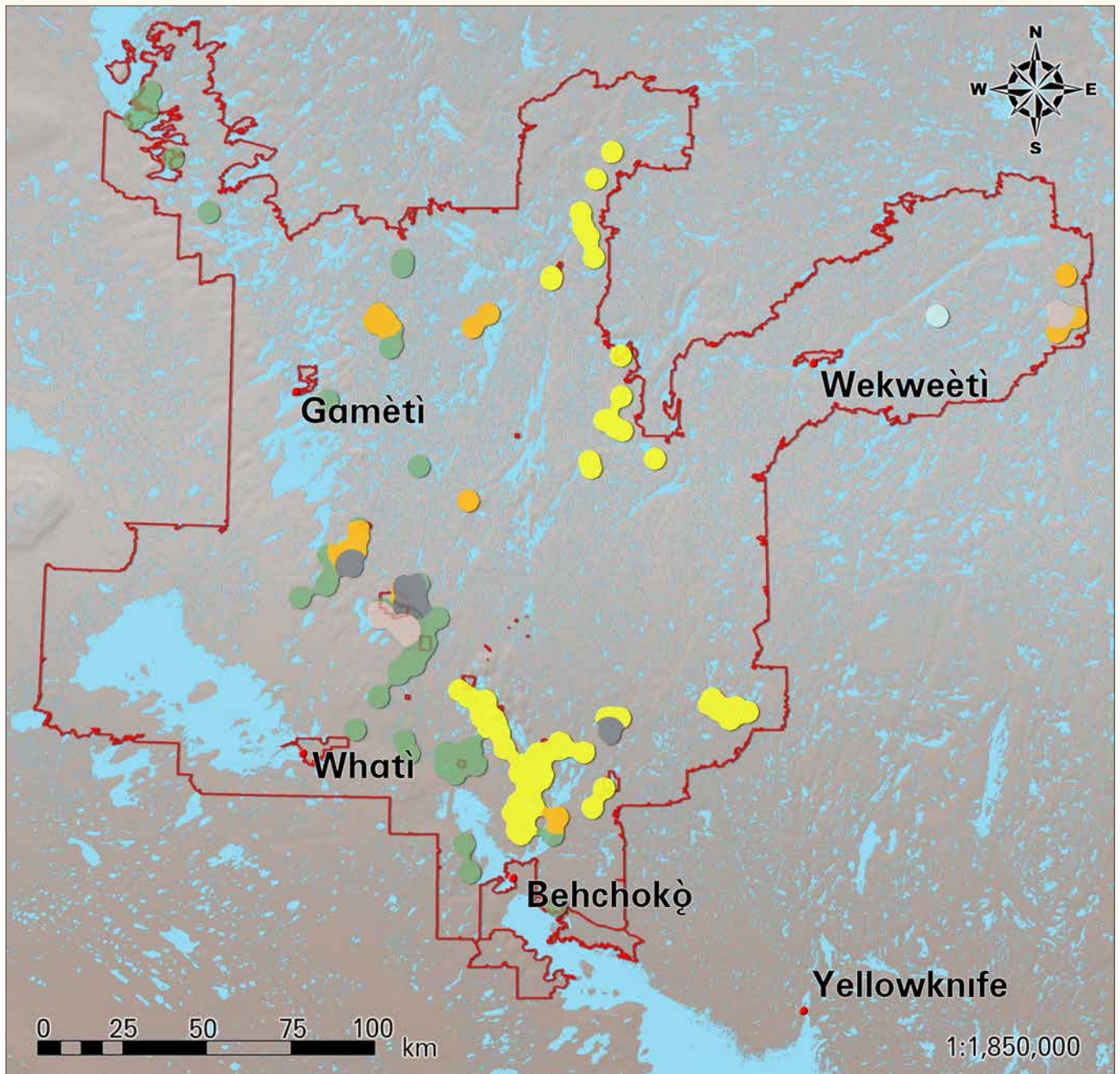
This method is described in more detail at Section 6.1.E of this Land Use Plan.

### 3.4.5 Geological Assessment

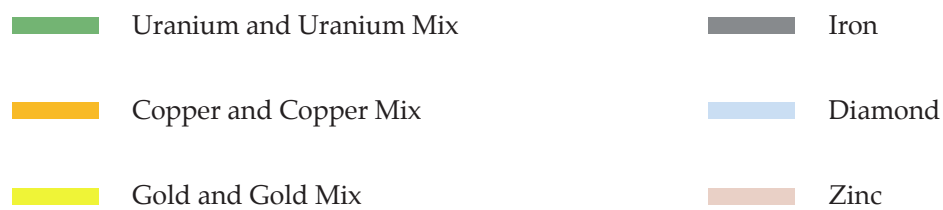
Tłı̨chǫ lands can be divided into three geological provinces, each characterized by distinctive features: the Slave Province, the Bear Province and the Interior Platform. These provinces cover areas characterized by unique geological attributes and an equally diverse variety of minerals and mineral deposits. Past and present prospecting, advanced exploration and extraction activities conducted within or in the proximity of Tłı̨chǫ lands suggest that commercially valuable mineral occurrences may be present within the three geological provinces. Known mineral showings based upon past exploration and prospecting activities are identified on Map 6.







## Map 6 Mineral Showings on Tłıchǫ Lands



Maps may not be to scale.

# 4. The Land

## 4.1 Boundaries

Tłıchọ lands encompass approximately 39,000 km<sup>2</sup> of taiga and boreal forest north of Great Slave Lake and south of Great Bear Lake. The boundary of Tłıchọ lands defines the spatial extent of the Tłıchọ Land Use Plan and is shown on Map 1. The four Tłıchọ community governments own the land within their community boundaries. Also, as outlined in Chapter 1, there are small pockets of excluded lands held by government and third parties.

The Tłıchọ traditional territory lies between Great Slave Lake in the south and Great Bear Lake in the north. The westernmost range of the Tłıchọ traditional territory extends into the eastern edge of the Mackenzie River lowlands. These traditional lands are known to the Tłıchọ as the Mǫwhì Gogha Dè Nı̀tlèè and the boundary was settled by Chief Mǫwhì. The boundary of Mǫwhì Gogha Dè Nı̀tlèè is shown on Map 1.

When Tłıchọ began to negotiate a new agreement in the 1990s, the negotiating team representing the former Dogrib Treaty 11 Council (now the Tłıchọ Government) travelled to each community and asked the Elders to draw a boundary around their traditional areas. Because of the intimate knowledge Tłıchọ Elders have of the land, this process was done quickly. Once the Elders had drawn a boundary, the negotiating team connected the areas and presented the territory's boundary for negotiations.

Tłıchọ lands, the resources at the surface and below the land, and the beds of rivers and lakes are all owned in fee simple by the Tłıchọ Government. Title held by Tłıchọ Government does not include title to water in, on or under the lands. Tłıchọ lands may only be conveyed by the Tłıchọ Government and cannot be sold in a private sale to individuals or corporations. The Tłıchọ Government has the ability to grant leases and issue licenses for the use of Tłıchọ lands.

Although the Tłıchọ Government is the authority for granting access for the use of Tłıchọ lands, it is not responsible for the issuance of permits for land and water uses on their land. The Wek'èezhì Land and Water Board (WLWB), created in 2005 with the signing of the Tłıchọ Agreement, is the agency responsible for regulating the use of the land, water and the deposit of waste throughout the Wek'èezhì area. The Wek'èezhì Land and Water Board is a regulatory body, and the Tłıchọ Government is entitled to appoint half the members. Within Wek'èezhì, the WLWB is guided by the Tłıchọ Agreement. On Tłıchọ lands, the Tłıchọ Land Use Plan provides direction on acceptable land and water uses. The Wek'èezhì area shares its boundary with Nunavut, the Sahtu, Dehcho and Akaitcho regions. The boundary is shown on Map 1.

At the time the Tłıchọ Land Use Plan was completed, no land use plan existed for the non-Tłıchọ lands in the Wek'èezhì area. The Tłıchọ Agreement states that "government may establish a mechanism for the preparation, approval and implementation of a Land Use Plan that applies to all parts of Wek'èezhì, other than Tłıchọ lands, national parks and lands in a community." (Chapter 22.5.1)



## 4.2 The Biophysical Environment

Throughout their existence as a people, Tłıchǫ language, culture and way of life has been intimately connected to the land and surrounding environment. Tłıchǫ have traditionally relied on the environment to provide them with their subsistence needs, including traditional foods, fresh water, medicine, clothing, shelter and housing. The Tłıchǫ had and, to this day, still have an intimate connection with the land. Their traditional trails or transportation routes followed the seasonal migration patterns and lifecycles of the animals, particularly the caribou, which could be considered the basis of Tłıchǫ culture and way of life. The caribou is the basis of Tłıchǫ traditional knowledge and legends, traditions and practices. With their traditional trails following the paths of the caribou to the barren lands, campsites, gravesites and places of spiritual significance are described by place names along the way.

In order to appreciate the Tłıchǫ perspective of land and land use, it is necessary to understand basic attributes of the physical environment, landscape and ecosystems, which were created and shaped by geophysical and hydrological processes and climatic conditions.

### 4.2.1 Tłıchǫ Lands and Ecoregions

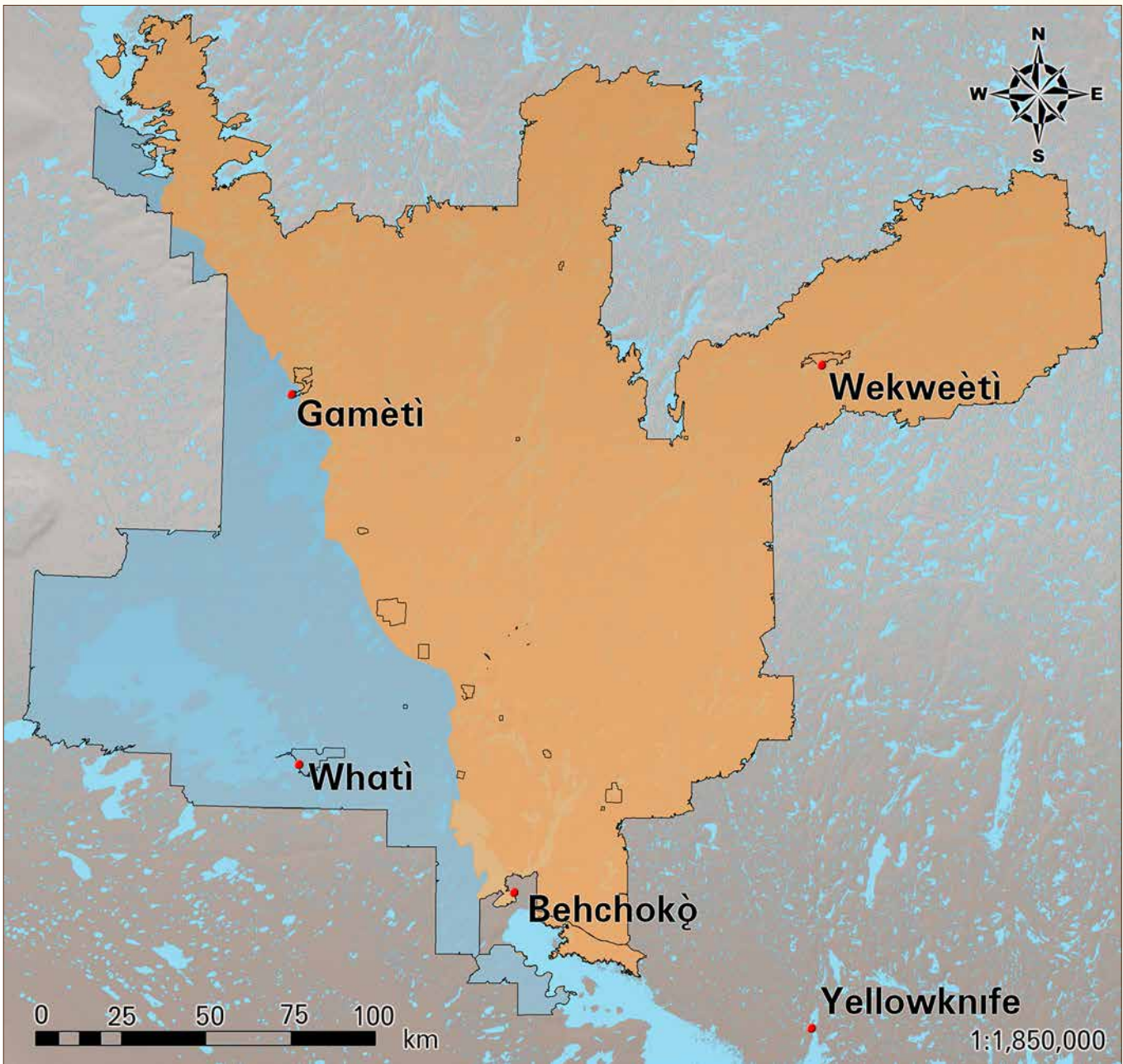
Tłıchǫ lands are below the treeline and occur within the Taiga Ecoregion, which is characterized by both subarctic and boreal plant communities and climates. A unique aspect of Tłıchǫ lands is the change in physical geography that is observed as a well-defined bedrock boundary between the Taiga Plains and the Taiga Shield Ecoregions. The bedrock boundary is defined by the westward extent of Precambrian granites that are characteristic of the Taiga Shield, and occurs approximately from the northern tip of Marion Lake to the southeast arm of Great Bear Lake (see Map 7). The westernmost community of Whatı occurs within the Taiga Plains, Gamèti and Behchokǫ are situated along the bedrock boundary, whereas Wekweèti is located within the Taiga Shield.

The Taiga Plains are characterized by flat or slightly rolling terrain, deeply cut river valleys and vast forests. The trees in the Taiga Plains include white birch, willows, trembling aspen, tamarack, balsam poplar, white spruce, lodgepole pine, jack pine, black spruce and balsam fir.

The Taiga Shield is part of the Precambrian Shield. It is characterized by flat rolling hills with a large amount of exposed bedrock. Due to retreating glaciers and the shallow bedrock, much of the flatter lands are temporarily or permanently saturated. The trees in the Taiga Shield include black spruce, jack pine, white spruce, white birch and trembling aspen.

### Tłıchǫ Ecoregions or ‘Landscape Units’

The Tłıchǫ have divided the land into ‘landscape units’, which go beyond the physical landscape, incorporating topographical, ecological, biogeographical and cultural aspects. These units overlap somewhat with the western science ecoregions described above; however, the added cultural dimension makes them difficult to define by these boundaries. These landscape units are open-ended and lack a defined boundary as they were beyond a person’s direct experience and thus ‘knowledge’ of the land. The Tłıchǫ describe their landscape units. For example, in the south of Tłıchǫ lands is the region of Nǫdı, understood to be the ‘plateau’ or ‘upland’ and has denser vegetation and a greater availability of Boreal species such as woodland caribou and moose. To the northeast of Tłıchǫ lands is the region of Hozııdeè, which is understood to be the ‘barrens’ where hunters need to carry firewood when they go there as it is just beyond the treeline. This area is characterized by low growing dwarf shrubs, herbaceous plants and infrequent patches of stunted trees, and this is where caribou are found in the late summer and fall. These units helped the Tłıchǫ to identify broad regions with particular cultural and biogeographical features that helped them to survive within a significantly large landscape. Map 8 provides further information on the names and locations of these landscape units.

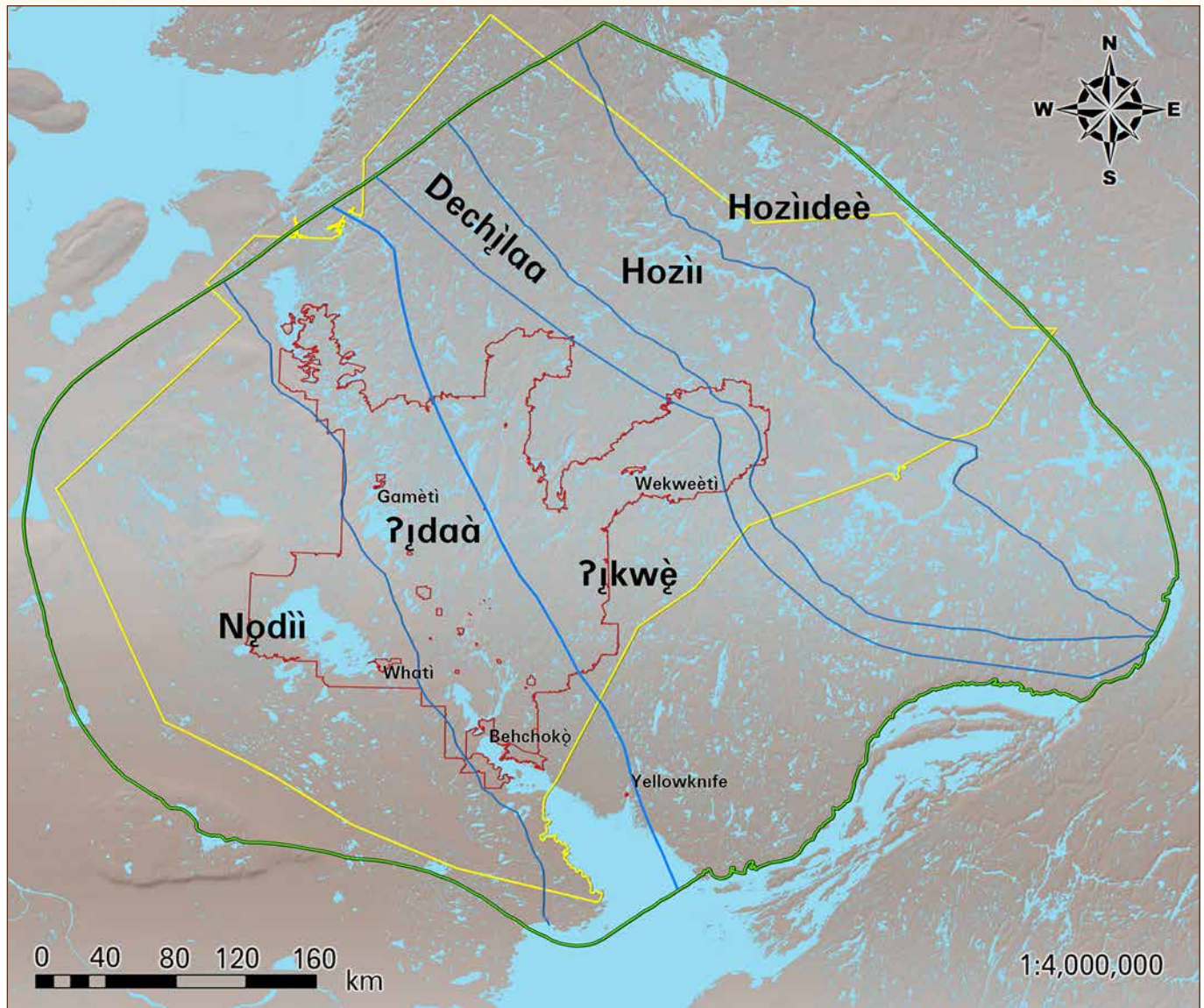


**Map 7 Scientific Ecoregions**

- Taiga Shield
- Taiga Plains

Maps may not be to scale.





**Map 8 Traditional Tłı̨chǫ Ecoregions**

- Mǫwhí Gogha Dè Nı̨łłèè Boundary
- Wek'èezhù Boundary
- Tłı̨chǫ Boundary
- Tłı̨chǫ Ecoregion Boundary



Mǫwhí Gogha Dè Nı̨łłèè Boundary as drawn is for illustrative purposes only.

Andrews, T.D., (2011) *"There will be Many Stories" Museum Anthropology, Collaboration and the Tłı̨chǫ* (Doctoral Dissertation). University of Dundee, Scotland.

Maps may not be to scale.

## 4.2.2 Geophysical Landscape

The geophysical landscape on Tłıchǫ lands is shaped by bedrock geology and glacial geomorphology. The bedrock also acts as the parent material from which most of the surface material originates. Through the process of erosion from rain, wind and glacial activity, the underlying bedrock has been weather-beaten and combined with organic material to make up the majority of the soil within the region.

The surface geology in the Northwest Territories was shaped by the most recent glacial period, which covered the land less than 11,000 years ago. During this time, the immense weight of the glaciers moving across the land reshaped the landscape to what we generally see today. The surface of the earth was scraped to bare rock, while glacial till was deposited in other areas. The result is a patchwork of surficial materials covering the earth that tell a story of the giant sheets of ice which moved across Tłıchǫ lands.

One of the most significant of the surficial geological glacial features found on Tłıchǫ lands are eskers. Eskers are a relic of the last glacial period, formed through the deposition of sediments within glacial streams inside and beneath glaciers. Eskers provide a wide range of soil moisture and micro-climatic conditions for plants, which can vary from relatively productive and sheltered treed communities to sparse upper slope areas suitable only for low shrubs and lichens. Eskers are an important habitat for denning animals, such as grizzly bears, wolves, foxes, wolverines and ground squirrels, and are often used by barren-ground caribou for insect relief and as travel corridors. Due to the well sorted gravel associated with eskers, they are commonly used to supply gravel for construction of roads and dams. Recently the increasing popularity of adventure/ecotourism has opened the door for local outfitting companies to offer guided and self-guided hiking trips along the eskers in the barren lands. There may be competition for use of eskers between competing land use interests.

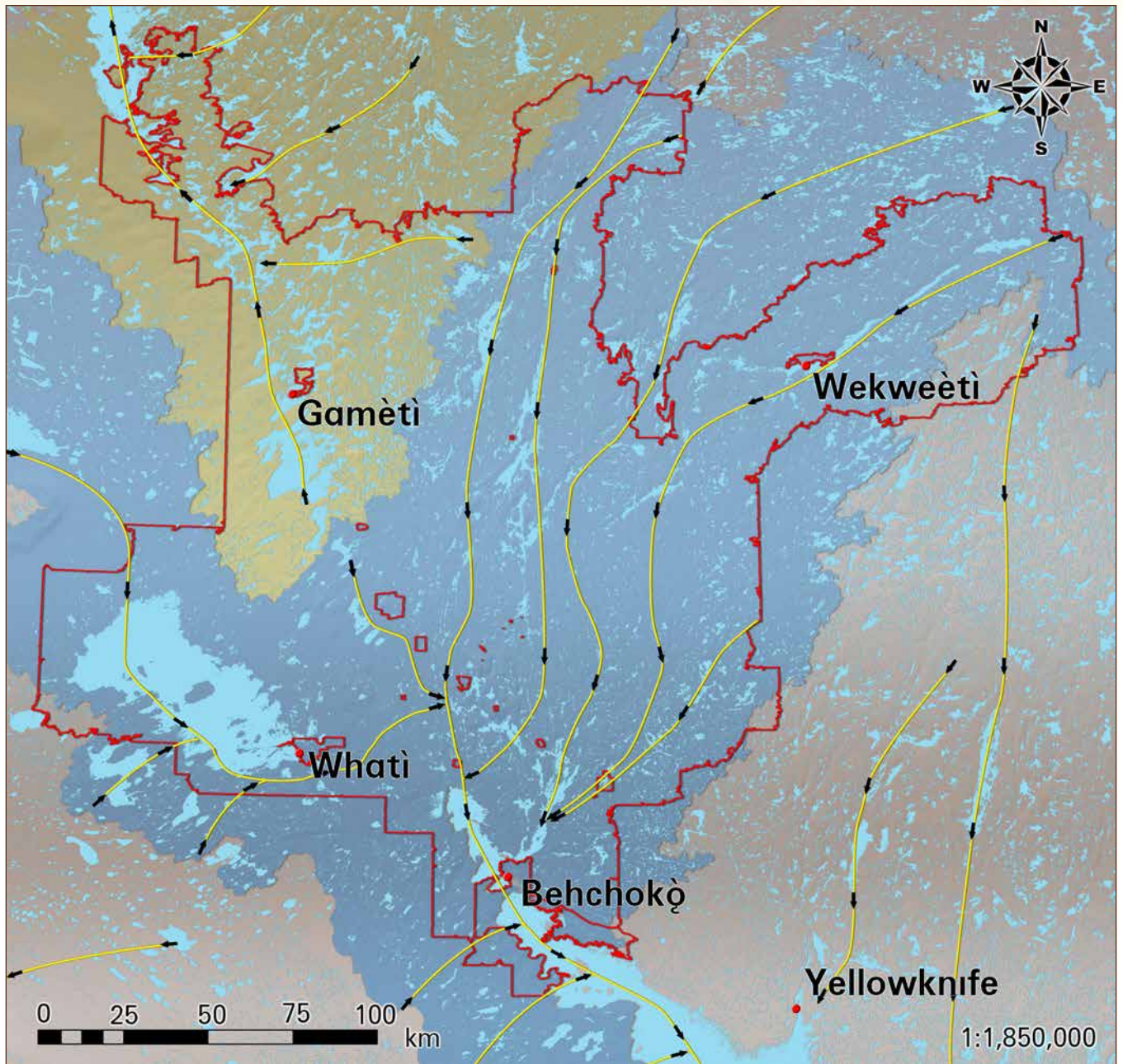
## 4.2.3 Hydrology

Tłıchǫ lands are part of the Arctic Ocean watershed and occur within the Mackenzie River Basin, which represents approximately one quarter of the land area of Canada's boreal forest. The basin includes Great Bear and Great Slave Lakes, as well as the Mackenzie River – Canada's longest river – and carries one fifth of the country's freshwater and nutrients to the Arctic Ocean.

On Tłıchǫ lands there are three main sub-drainage areas: the Great Bear sub-drainage area occurs in the north, and the Marian Lake and northeastern Great Slave Lake sub-drainage areas are in the south (see Map 9). These sub-drainage areas act like funnels, collecting all the rain and snow within the area and channelling it into larger bodies of water through, above and below ground flow, i.e. Great Bear and Great Slave Lakes. Because of the natural flow of water, human-created pollutants and contaminants can also flow into lower lying water bodies within a drainage area and, ultimately, end up in the Arctic Ocean.

The hydrologic regime (i.e. water cycle) is driven by climate and precipitation, but is also strongly influenced by underlying geology, soils and drainage. On Tłıchǫ lands, the landscapes formed during the last glaciation (over 11,000 years ago) have an important influence on hydrology in the region. For example, within the Taiga Shield, soils are shallow, the bedrock is at or very near the surface and there is limited infiltration of water. Therefore, water sits on the surface, forming a network of lakes, rivers and wetlands. This hydrologic network provided the basis for traditional Tłıchǫ travel routes which were accessed by canoe and dogsled. The Land Protection Directive in Section 6.1.B provides further guidance on how issues related to water on Tłıchǫ lands will be considered.





**Map 9 Watersheds on Tłı̄chǵ Lands**

-  Water Flow
  -  Tłı̄chǵ Boundary
  -  Marian Lake Watershed
-  Arctic Drainage Area
  -  Great Slave Lake Drainage Area

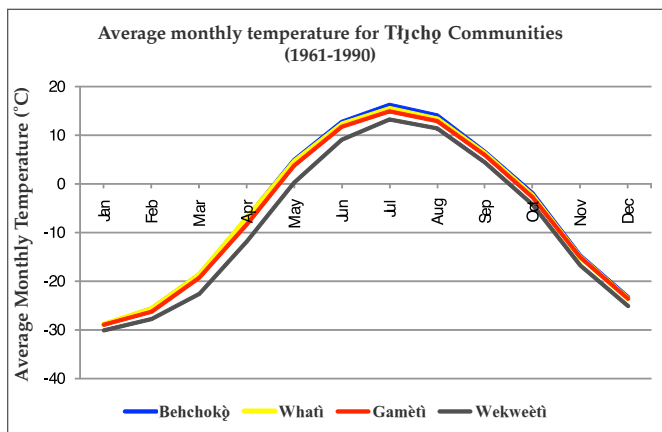
Maps may not be to scale.

## 4.2.4 Climate

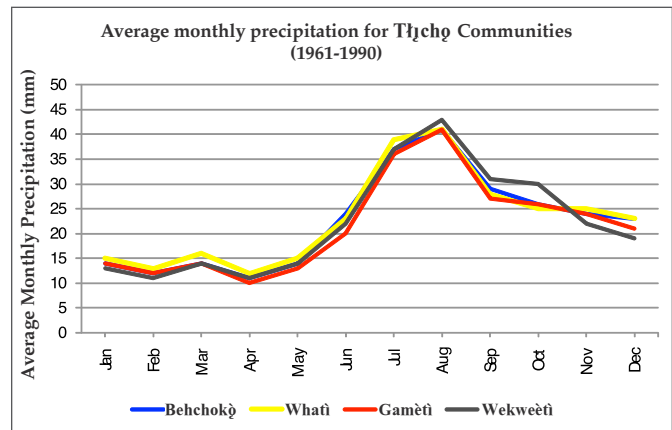
The mean annual temperature, the mean annual precipitation and the mean annual snowfall indicators can describe the climate associated with Tłı̨chǫ lands. These climatic conditions establish the short growing season, which in turn determines the diversity in vegetation communities. The Taiga Plains and Taiga Shield have been described as ‘the land of little sticks’, featuring longer, cold winters and shorter cool summers, which limit tree and other plant growth, resulting in large areas of permanently frozen soil. The following table highlights the average climatic conditions on Tłı̨chǫ lands.

Mean Annual Temperature	Mean Annual Precipitation	Mean Annual Snowfall
-10°C to -5°C	250 mm to 500 mm	100 cm to 500 mm

Average monthly climatic conditions (generated by use of Climate WNA Version 4.6) are summarized in the following two figures and show the strong seasonality and range in temperature and precipitation for Tłı̨chǫ communities.



Wange, T., A. Hamann, and Spittlehouse, D., 2010. University of British Columbia. Vancouver. BC.



Wange, T., A. Hamann, and Spittlehouse, D., 2010. University of British Columbia. Vancouver. BC.

## 4.2.5 Forest Disturbance and Succession

Forests succession refers to the natural change in plant and animal communities that occur over time as forests age and mature. The boreal forest is a fire dependent ecosystem and wildfires are a critical natural disturbance regime that regenerates boreal forest communities.

Within the last century intensive management of Canada’s southern boreal forests has meant that fire – perceived as a destructive force – has been aggressively suppressed. A modern understanding of boreal forest ecology has shown the benefits to allowing natural wildfires to occur.

## 4.2.6 Wildlife

Different land uses have a range of impacts on the biophysical environment. Land use planning requires the selection of social, economic and ecological valued ecosystem components and indicators in order to identify and monitor the relative costs and benefits of alternative land use decisions. A ‘valued component’ is defined as a specific aspect of the environment that is considered important on the basis of economic, social, cultural, community, ecological, legal or political perspectives. An indicator is a characteristic of the ecological (or social) setting that is used to describe, measure, monitor and manage a valued component.



Although there is a wide diversity of fish and wildlife on Tłı̨chǫ lands, central wildlife species, such as caribou, are often selected as both valued ecosystem components and key indicators due to their importance for people and as pointers of overall ecosystem health. Additional work may be undertaken to evaluate, identify and select other wildlife species as suitable ecological indicators. Defining an appropriate set of indicators early in the planning process is important because it will influence many subsequent decisions, such as study area boundary, classification of landscape and footprint types, and what kind of information inputs will be required, such as telemetry data and/or natural disturbance data.

## **Caribou**

Migratory barren-ground caribou and boreal woodland caribou are the two subspecies that occur on Tłı̨chǫ lands. Recorded traditional hunting trails, as identified by Tłı̨chǫ Elders, through Mǫwǫhì Gogha Dè Nǫttèè are illustrated on Map 10.

### ***Migratory Barren-ground Caribou***

Migratory barren-ground caribou are a cultural keystone species; they have shaped the cultural identity of Tłı̨chǫ over millennia. They can also represent a meaningful indicator species for land use planning because of their important role in northern ecosystem processes. Barren-ground caribou affect the food chain of northern ecosystems through their simultaneous roles as large migratory grazers and primary prey for carnivores. There are two migratory barren-ground caribou herds that occupy on Tłı̨chǫ lands on a seasonal basis: the Bathurst herd and Bluenose East herd.

#### *Bathurst Herd*

The Bathurst herd is of significant importance to Tłı̨chǫ language, culture and way of life. The Tłı̨chǫ are still largely dependent upon barren-ground caribou for food and clothing, and crafts in the modern era.

Every year, pregnant cows from the Bathurst herd migrate towards the Arctic coast to calving grounds in the area around Bathurst Inlet in Nunavut. The herd generally returns to Tłı̨chǫ lands in the fall for the

breeding season and occupies an extensive area through winter and early spring. In recent years, the herd has wintered largely on Tłı̨chǫ lands around the community of Wekweèti.

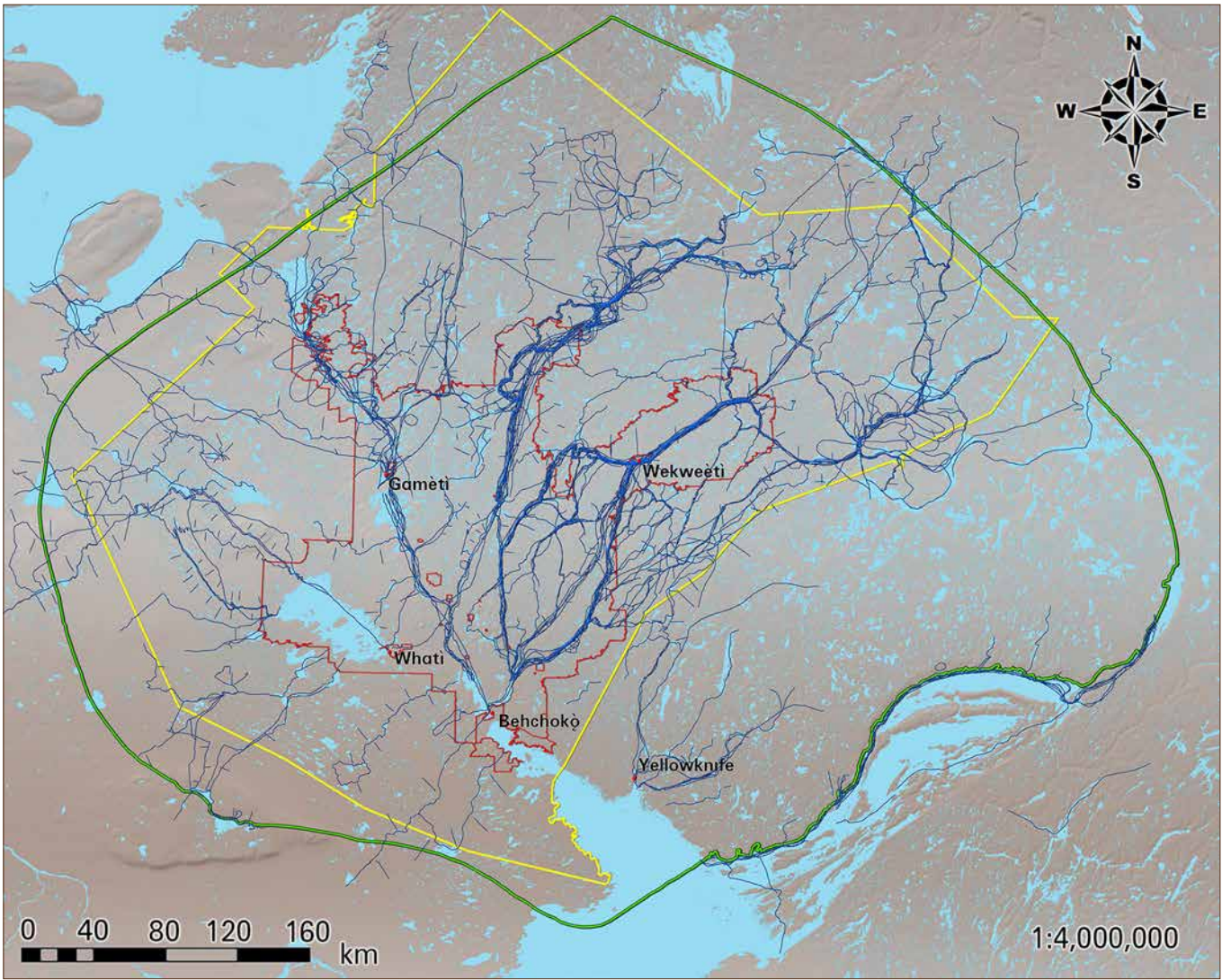
The Bathurst herd experienced a significant decline from approximately 126,000 in 2006 to 32,000 in 2009. The 2012 photo-census survey showed that herd numbers have remained generally the same. Since 2009, the Tłı̨chǫ Government, the Government of the Northwest Territories, the Wek'èezhì Renewable Resources Board and Tłı̨chǫ people have been working together in adaptive co-management. Management actions have included reduction of total harvest, including subsistence harvest by First Nations and predator management strategies to help the Bathurst herd recover. These initial efforts to reduce harvesting have placed hardships on the Tłı̨chǫ, but reflect a deep respect and commitment to ensuring that barren-ground caribou continue to persist and thrive on the land.

#### *Bluenose East Herd*

Particularly in recent years, with the decline of the Bathurst herd, the Bluenose East herd has become increasingly important to the Tłı̨chǫ people, although they have traditionally hunted this herd depending on its location in the winter.

The Bluenose East herd migrates north to its traditional calving ground west of Kugluktuk and spends most of the summer period in Nunavut before returning south of Great Bear Lake in the fall; throughout winter the herd is found within both Tłı̨chǫ lands and the Sahtu region. A survey of the Bluenose East herd in spring 2010 estimated the population size at approximately 98,000. Although size and trend of the herd is better than the Bathurst, caution must also be exercised with this herd.





### Map 10 Traditional Trails through Mowhi Gogha Dè Nijtlèè

- Mowhi Gogha Dè Nijtlèè Boundary
- Wek'èezhìi Boundary
- Tłı̄chǫ Boundary
- Tłı̄chǫ Traditional Trails



Mowhi Gogha Dè Nijtlèè Boundary as drawn is for illustrative purposes only.

### **Boreal Woodland Caribou**

Boreal caribou are also of significant importance to Tłı̨chǫ. Boreal caribou live primarily within the Taiga Plains Ecoregion of Tłı̨chǫ lands and require large areas of functional habitat comprised of mature to old-growth forests, and extensive complexes of peatlands and muskegs. 'Functional' boreal caribou habitat is characterized by forested communities that: 1. Are sufficiently old to provide winter forage (i.e. lichens); 2. Have comparatively small areas of young forest and human caused impact, such as roads, seismic lines and clearings; and 3. Are of sufficient size so that individual caribou can occur in small groups at low density and are able to avoid predators. Recent studies of boreal caribou within the greater Mackenzie Valley have shown that average home ranges are approximately 2,100 to 2,500 km<sup>2</sup> in area. (eg. Nagy, J.A., et al., 2011. *Subpopulation structure of caribou (Rangifer tarandus L.) in arctic and subarctic Canada. Ecological Applications*. 21: 2334-2348.)

Management actions directed at conserving boreal caribou and its habitat would benefit many species that share the same habitat requirements within the boreal forest. Identifying and managing disturbances on caribou ranges is an important strategy towards recovering and maintaining self-sustaining local populations of boreal caribou across Canada.

Land Protection Directives in Chapter 6 provide further guidance on how potential impacts of development proposals on wildlife, harvesting and caribou on Tłı̨chǫ lands will be considered.

## **4.3 Existing and Future Land Uses**

### **4.3.1 Traditional Use**

Tłı̨chǫ traditional uses of land, such as hunting, trapping, fishing, harvesting plants and berries, and timber harvesting, have been secured in the Tłı̨chǫ Agreement. These 'traditional uses' are affirmed in this

Tłı̨chǫ Land Use Plan and any application for land use will have to consider the deep connection Tłı̨chǫ have to their ability to exercise traditional use of their land.

As a result, the impact of developments on wildlife habitat, habitat for migratory birds and fish will be a key consideration in any decision to allow future uses on Tłı̨chǫ lands.

### **4.3.2 All-season Road**

The community of Behchokò is currently the only Tłı̨chǫ community connected by an all-season road. Highway 3, under the administration and control of the Government of the Northwest Territories, provides a link to Yellowknife, the economic centre of the Northwest Territories. This provides Tłı̨chǫ citizens access to employment opportunities and other important social and economic benefits available outside of the community. The all-season road to Behchokò also provides important infrastructure that can add to the potential for future uses on Tłı̨chǫ lands.

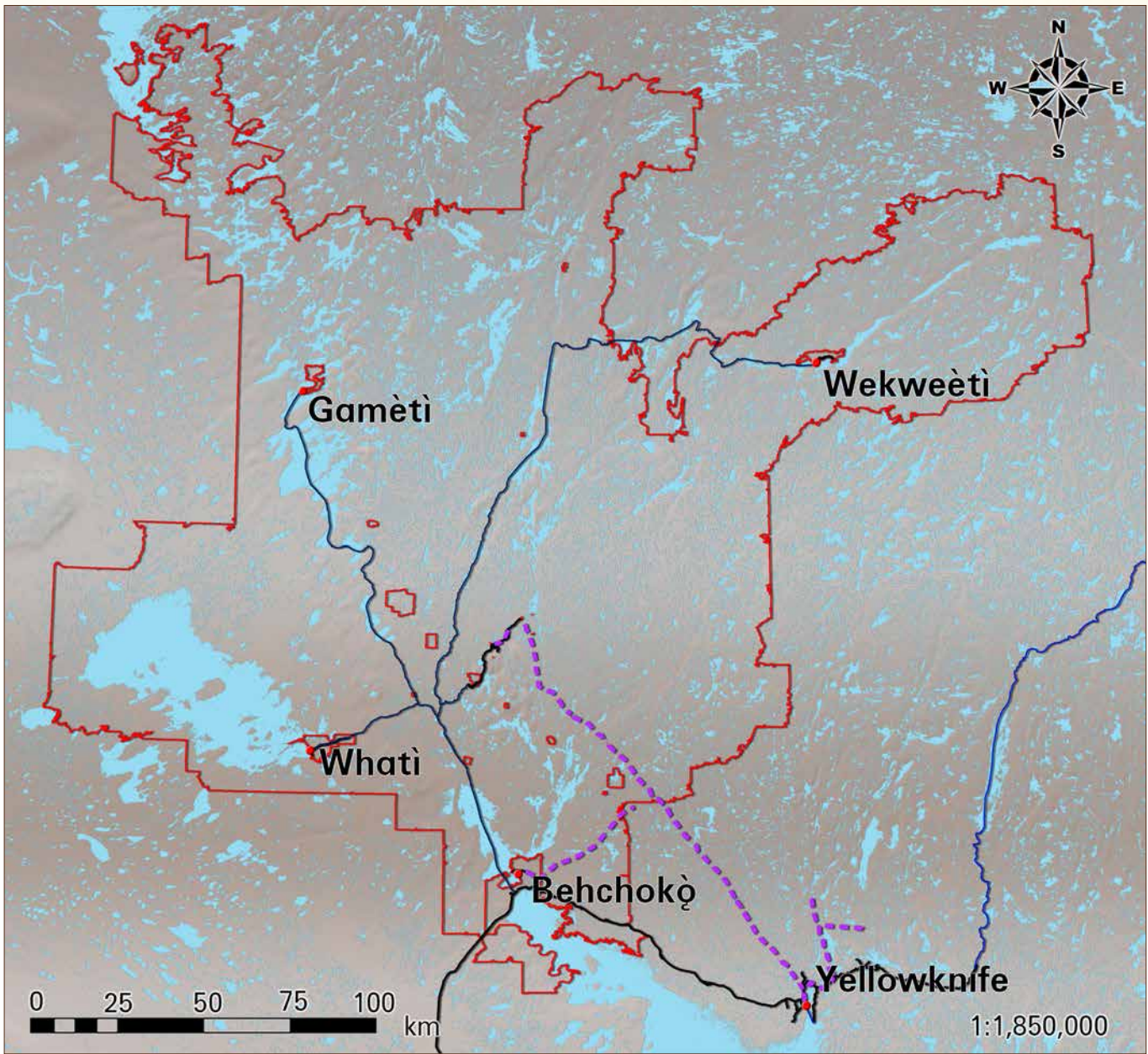
### **4.3.3 Winter Road**

Whatì, Gamèti and Wekweèti are dependent upon a system of winter ice roads for transportation to and from the communities. The winter roads to the communities, to which the Government of the Northwest Territories has a right of access, provide a vital economic and transportation link to the rest of the NWT and to each other. The extent of the winter ice road system is shown on Map 11.

### **4.3.4 Power Generation and Utility Corridors**

Electricity is generated at four hydro-electric facilities on the Snare River. The location of transmission lines related to these facilities is shown on Map 11. These transmission lines carry electricity to Behchokò and to Yellowknife. As a 'clean' energy source, there may be potential for further hydro-electric power production on Tłı̨chǫ lands.





**Map 11** Infrastructure in Tłı̄chǫ Lands

- █ Tłı̄chǫ Boundary
- █ Winter Roads
- █ NWT Highways
- █ Transmission Lines



Mòwǫ́ Gogha Dè Nı̄ttèè Boundary as drawn is for illustrative purposes only.

Maps may not be to scale.



### 4.3.5 Cabins

There are a number of cabins and camps found throughout Tłıchq lands. In particular, cabins and camps are found along Highway 3, between Behchokò and Yellowknife. Cabins, as opposed to permanent residences, are used for seasonal and/or traditional purposes.

### 4.3.6 Tourism

Tourism has the potential to provide economic benefits to Tłıchq citizens. Ecotourism and cultural tourism are both growing markets worldwide and are expected to become increasingly popular in the North as access and travel becomes more convenient and affordable. Ecotourism – touring natural habitats in a manner meant to minimize ecological impact – can be beneficial as it can help to protect Tłıchq lands at the same time as providing local benefits for Tłıchq. Guided hiking, canoeing and air travel would form the basis for ecotourism experiences. The rich history and traditions of the Tłıchq can offer opportunities to build cultural tourism as well.

Other tourism endeavours include commercial hunting and fishing lodges as well as outfitters, cultural tours and wilderness guides. Currently there is one tourism operation on Tłıchq lands, which is a fishing lodge on Lac la Martre.

### 4.3.7 Resource Development

Over the years, there has been mine development on Tłıchq lands. A number of former mine sites are located both on Tłıchq lands and on land excluded out of the block of Tłıchq lands. Prospective and exploratory research conducted near these sites and across Tłıchq lands suggests that resource extraction opportunities may exist within the Tłıchq boundary.

In addition, there may be renewable resource opportunities, such as hydroelectric, biomass, wind and solar power.

Land Protection Directives set out in Section 6.1 offer further guidance on how proposals for resource development on Tłıchq lands may be considered.

## 4.4 Cumulative Effects

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Cumulative effects are changes to the biophysical, social, economic and cultural environments resulting from the combined effect of past, present and future anthropogenic activities and natural events. Cumulative effects management means taking a long-term, holistic view of the impacts of development over time and space. Land uses need to be considered in terms of cumulative effects on the greater ecosystem, which can include habitat loss, fragmentation and harmful alteration. In order to practice cumulative effects management, indicators must be identified so that they can be used to track changes in the environment.

An indicator is a measurable signal that is monitored to determine the effect on the overall environment. Air quality, wildlife habitat and water quality are all examples of indicators.

Thresholds must be then set for each indicator. A community must ask itself how much change it is willing to live with in order to move forward with economic development. The answer to these questions will result in a determination of the thresholds of acceptable change that is based on both science and local values and knowledge. Land Protection Directives in Section 6.3.A provide further guidance on how cumulative effects will be considered.

# 5 Tłıchǫ Land Protection Zones

## 5.1 Zones for Tłıchǫ Lands

The Tłıchǫ Government has developed a zoning regime that is unique, in part because the Tłıchǫ Government has chosen to implement a variation on the use of the common zoning terms of ‘permitted’ and ‘non-permitted’ land uses. As noted in Chapter 1, the Land Use Plan for Tłıchǫ lands is focused ONLY on the large, contiguous block of Tłıchǫ lands, and is not the product of a multi-party exercise that necessarily reflects the views of a range of stakeholders.

The ‘starting point’ for zoning is land protection. Land protection is directly related to the protection of Tłıchǫ culture and way of life. As noted in Chapter 1, the Tłıchǫ

Government introduced a moratorium on development in order to allow important work and discussion on the Tłıchǫ Land Use Plan to proceed. The moratorium was for the protection of Tłıchǫ lands. Land protection continues. Zones that set out encouragement or discouragement of land uses build on this foundation.

All Tłıchǫ lands are protected. The various zones indicate the level of protection required as well as setting out the values which provide the rationale for the levels of protection within Tłıchǫ lands. The goal and objectives of each zone further assist in providing this rationale. While all areas of Tłıchǫ lands require protection measures, zones also acknowledge opportunities where sustainable use of the land can provide benefit for Tłıchǫ. This approach to zoning does not require the same level of regulation – the ‘black and white’ zoning – that may form the zoning regime for other jurisdictions and land owners. The Tłıchǫ approach to zoning is generally to ‘encourage’ or ‘discourage’ development proposals.

The establishment of zones for Tłıchǫ lands provides the necessary information on where land use activities may be encouraged, discouraged or prohibited. The zones:

- a) Reflect the Elders’ experience on the land and traditional knowledge;
- b) Are intended to support harvesting activities of Tłıchǫ people; and
- c) Protect the sacred places, important cultural areas and trails, and heritage resources located throughout Tłıchǫ lands.

## 5.2 Land Protection Directives for Tłıchǫ Lands

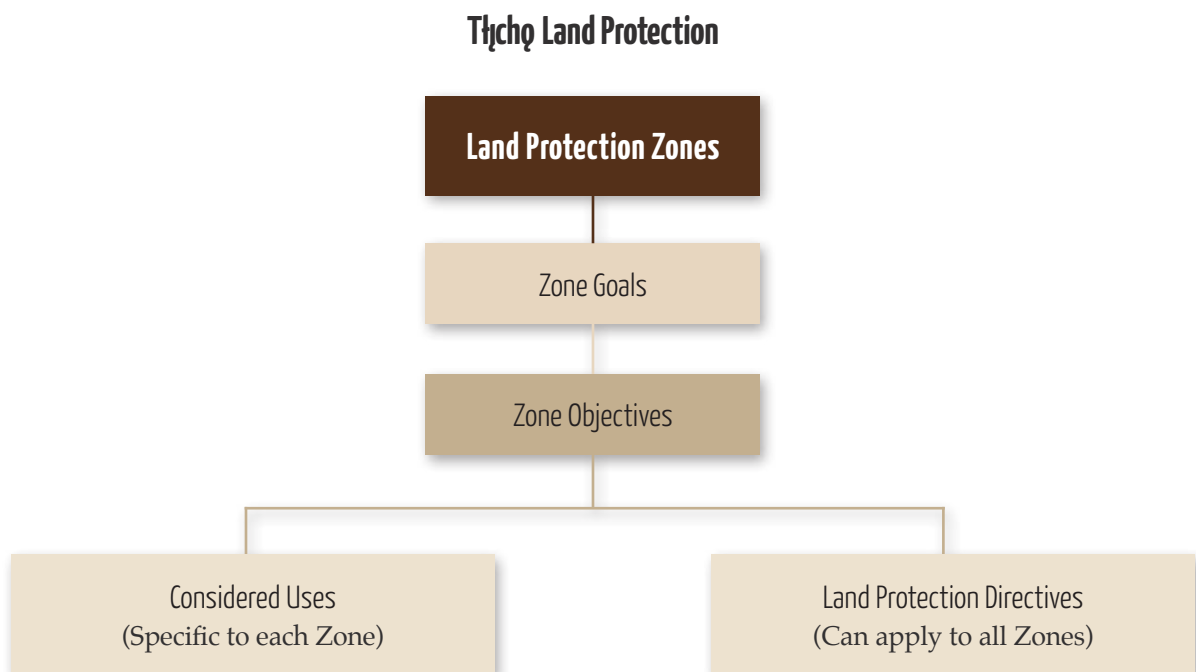
Before the Tłıchǫ Government grants land use permission, it will have regard to the Land Protection Directives (LPDs) as set out in this Land Use Plan.

Land Protection Directives are policies that work together with zoning to provide a framework for the

consideration of land use permissions by the Tłıchǫ Government. The term ‘conformity requirement’ is not used in this Tłıchǫ Land Use Plan. A conformity requirement may suggest an ‘as of right’ situation that does not fully address the Tłıchǫ approach to managing land use. ‘Land Protection Directives’ are considered a more appropriate approach for the protection of Tłıchǫ lands. The Land Protection Directives are set out in Chapter 6.

## 5.3 General Provisions

Generally, land use permissions are required prior to activity or development on Tłıchǫ lands. Land use permissions are used by the Tłıchǫ Government to indicate the conditions under which proposals may proceed. Some proposals will necessarily require review by regulatory authorities. Permissions are granted based on the zoning and Land Protection Directives set out in this Land Use Plan.





### 5.3.1 Access to Tłıchǰ Lands

Chapter 19 of the Tłıchǰ Agreement provides for certain situations where people can access Tłıchǰ lands without a land use permission being granted. This access is referred to as 'bare access'. It does not include or allow for the taking of any resources from Tłıchǰ lands.

In those situations where a person may exercise a right of access, the Tłıchǰ Agreement says that the access is subject to the condition that the person:

1. Does not cause any damage to Tłıchǰ lands and is responsible for any such damage;
2. Does not commit any mischief on Tłıchǰ lands; and
3. Does not significantly interfere with the use and peaceable enjoyment of Tłıchǰ lands by a Tłıchǰ citizen or the Tłıchǰ First Nation.

### 5.3.2 Activities Exempt from the Requirement for Land Use Permissions

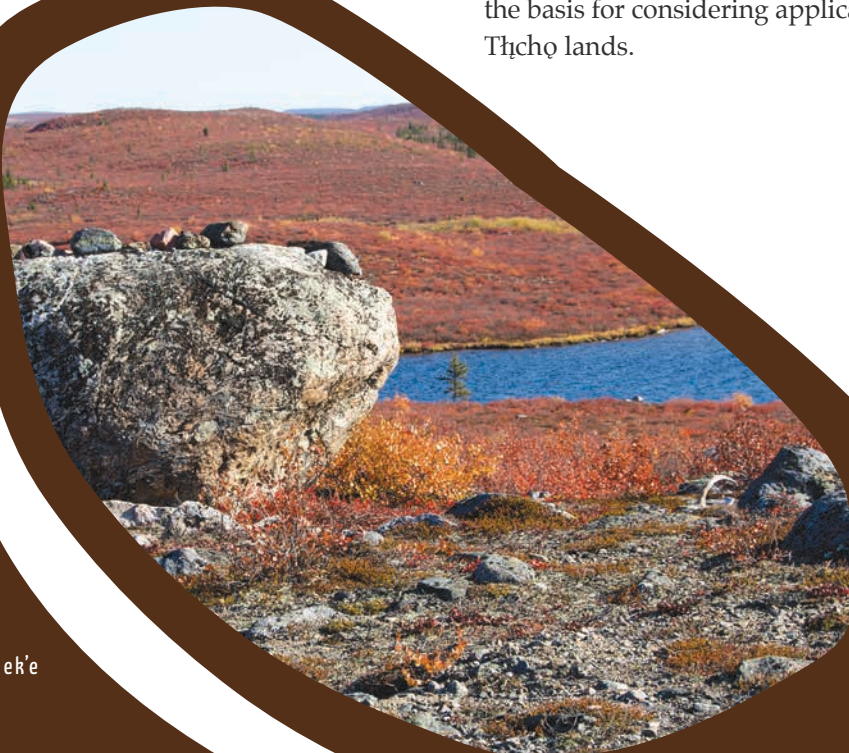
The following activities are exempt from the requirement for any land use permissions as set out in this Plan:

- a) Traditional land use and occupancy by Tłıchǰ, including:
  - i) Hunting, trapping and gathering of berries and plants,
  - ii) Travel over the land,
  - iii) Development and use of cabins required for the pursuit of traditional land uses; and
- b) Activities carried out in response to an emergency, law enforcement, national defense or similar activities as provided for by the Tłıchǰ Agreement.

## 5.4 Tłıchǰ Land Protection Zones

The location of each Tłıchǰ Land Protection Zone is set out on Map 12. As the total area of Tłıchǰ lands is very large, the exact location of zone boundaries will be determined by the DCLP. Applicants may be requested to assist in providing information required to make such a determination.

The zones set out in the Tłıchǰ Land Use Plan are the basis for considering applications for the use of Tłıchǰ lands.



*Edzo's Rock – the place where peace was made with the Akaitcho.*

### The Tłıchǰ Land Protection Zones are:

- **Wehexlaxodiale (Land Use Exclusion Zone)**
- **Dèk'èasiñzedàà wehoodia (Habitat Management Zone)**
- **Gowhadǰ Yek'e t'ıı k'e (Traditional Use Zone)**
- **Tłıchǰ Nawoo Ké Dét'ahot'ıı (Cultural Heritage Zone)**
- **Asıı Haxowıı Gha Enehatǰ (Enhanced Management Zone)**

#### 5.4.1. Wehexlaxodiale (Land Use Exclusion Zone)

##### Description

There are particular places found on Tłıchǰ lands which are of critical importance for Tłıchǰ culture and heritage. These sites are places where the connection between Tłıchǰ culture and heritage and the land are very strong and in need of full protection. In order to ensure this full protection, a zone consisting of these sites as well as appropriate buffers is established as Wehexlaxodiale. Wehexlaxodiale is shown on Map 12 and includes:

- Gots'ǰkàtı
- Hoòdoòdzoo

##### *Gots'ǰkàtı (Mesa Lake)*

The place name in Tłıchǰ means the lake where cloud berries are found. This lake is on the trail to Tatsǰtı. There are four portages on the trail between Mesa Lake and Tatsǰtı, and two dehtı (lakes that a river runs through) extend along that trail.

Gots'ǰkàtı is a very special place because, in the past, it was where people stored their meat (as they went further towards the barren lands). It was known as the 'freezer', as the site was used to keep caribou meat for when people returned from the barren lands. There are graves and it was even a place where some were born. There is a lake with the name Nıht'èhtıa on either side of Gots'ǰkàtı (Mesa Lake).

Being on a travelled route, Gots'ǰkàtı (Mesa Lake) became an area of great importance to Tłıchǰ history.

In particular, it is known as the place where peace was made between ǰèdzèè (Edzo) and Akaitcho, which ended years of fighting between their people.

Elders have identified Gots'ǰkàtı as the site of peacemaking that avoided further bloodshed for the Tłıchǰ. Any evidence in this area needs to be protected to preserve its place in Tłıchǰ history.

##### *Hoòdoòdzoo (Wolverine Hill or Sliding Hill)*

Hoòdoòdzoo, or 'Sliding Hill', is one of the most sacred sites linked with *Yamozhah*. Amongst Tłıchǰ, the well-known legend of *Yamozhah* and his dealings with the wolverine at Hoòdoòdzoo has helped to preserve the knowledge of this place.

Located on a large bedrock ridge, Hoòdoòdzoo consists of a 'slide', measuring one metre in width and 30 metres in length. Lichens, which cover the surrounding rock, have been rubbed off the section of the hill used for sliding. The hill is where the Tłıchǰ used to go and slide down the hill – to do so would determine how long the person would live. It was a place where people could become 'medicine men'.

While the sliding hill is a significant site, the viewshed from the site is also critical and, as such, also requires protection.

Protection of this site from development activities is part of the recognition and remembering of the Yamozah era in Tłıchǰ history.

##### Goal

To protect sites that are fundamentally linked to Tłıchǰ history and heritage from future development.

##### Objectives

In order to protect these sites for all time:

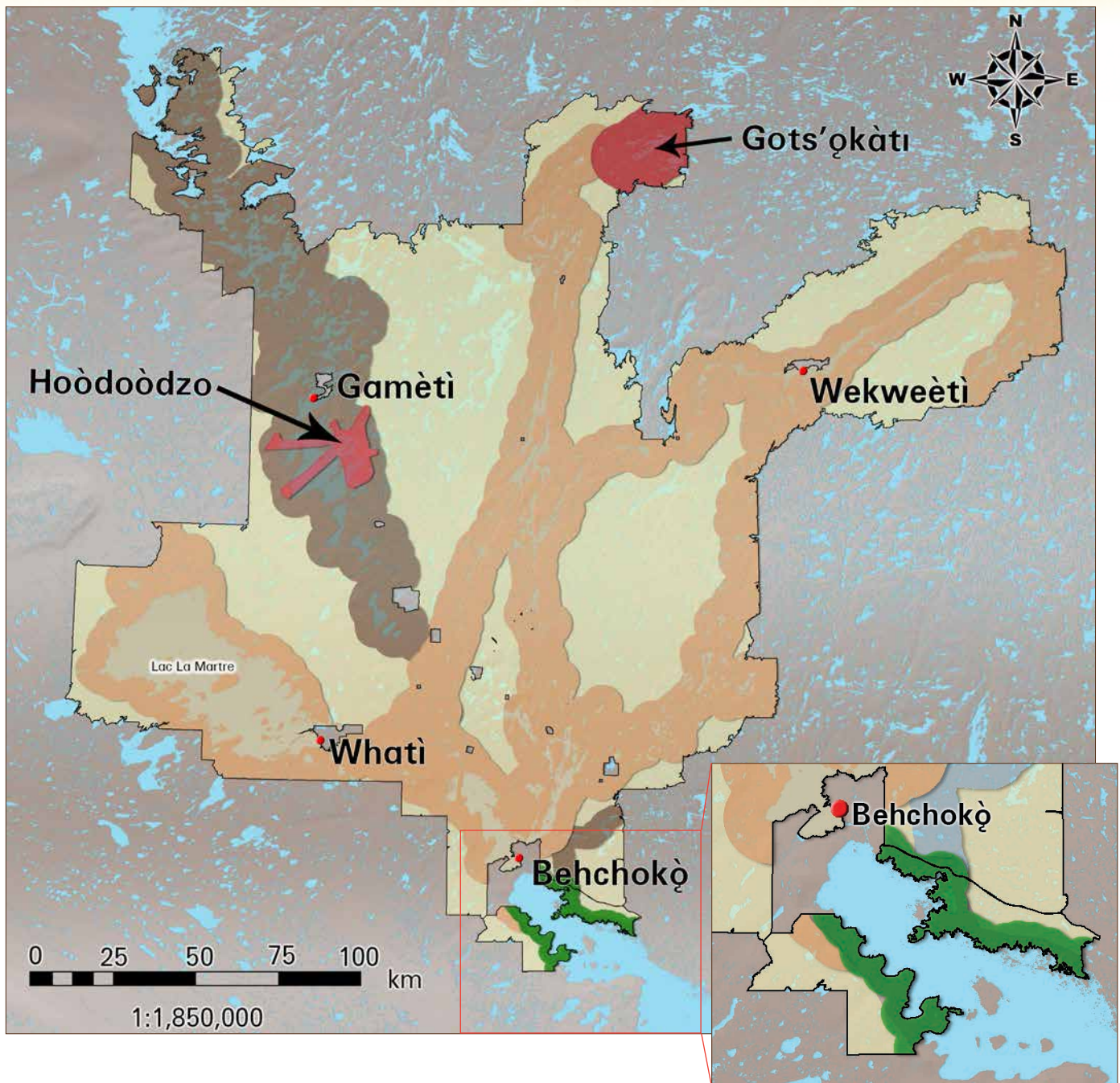
- a) Development proposals shall not be considered; and
- b) Areas within this zone may be considered for further protection measures.

##### Land Uses Considered

In order to protect sites that are fundamentally linked to Tłıchǰ history and heritage from future development, the following land uses will be considered:

- a) Camp or cabin;
- b) Non-exploitive scientific research; and
- c) Transportation corridor.





Map 12 Tłıchǫ Land Protection Zones

- Wexehłaxodiale  
(Land Use Exclusion Area)

Dèk'èasiıredaà wèhǫǫdia  
(Habitat Management Zone)

Gowhadǫ Yek'e t'ıı k'e  
(Traditional Use Zone)
- Tłıchǫ Nawoo Ké Dét'ahot'ıı  
(Cultural Heritage Zone)

Asıı Haxowıı Gha Enehatoǫ  
(Enhanced Management Zone)

Maps may not be to scale.



## 5.4.2 Dèk'èasi?edaà wèhòodia (Habitat Management Zone)

### Description

A Protected Area Strategy (PAS) developed through a multi-party process has identified areas which are ecologically significant in that they provide habitat for a variety of birds, animals and fish. The area, Dìnàgà Wek'èhodi, extends along the shores of the North Arm of Great Slave Lake. The PAS does not apply to private lands within Wek'èezhù. However, the Tłıchǫ Government supports the goals of this process and this Land Use Plan continues the protections proposed in Dìnàgà Wek'èhodi to those Tłıchǫ lands set out as the Habitat Management Zone shown on Map 12. In addition to the ecological significance, elders have also noted important traditional use and cultural values of this zone.

### Goal

To protect selected areas of permanent or seasonal wildlife and bird habitat on Tłıchǫ lands.

### Objectives

The objectives for the Habitat Management Zone are to:

- a) Restrict land uses in order to preserve and protect these areas; and
- b) Encourage further research and review that may assist in:
  - Providing improved protection measures for existing sites, and
  - The identification of further sites that would benefit from habitat protection measures.

### Land Uses Considered

In order to protect areas of ecologically significant wildlife habitat, only the following land uses may be considered:

- a) Camp or cabin;
- b) Non-exploitive scientific research;
- c) Transportation corridor; and
- d) Eco/cultural tourism.

## 5.4.3 Gowhadǫ Yek'e t'ı k'e (Traditional Use Zone)

### Description

While the Tłıchǫ have travelled and used all the land, the Tłıchǫ Gowhadǫ Yek'e t'ı k'e (Traditional Use Zone) is an area traditionally used by Tłıchǫ. It is centred on the İdaà Trail, which is an ancestral trail that follows waterways and watershed areas. The İdaà Trail goes further back in history than Monfwi's trails and is an area of present-day use. It includes areas for hunting, trapping and fishing as well as a number of spiritual sites, burial sites, cabins, caribou trails and canoe routes. These areas include many of the best sites for traditional activities.

### Goal

To preserve the İdaà Trail by protecting the land, waterways and watersheds for continued traditional use by Tłıchǫ.

### Objectives

The objectives for this zone are:

- a) To preserve lands that Tłıchǫ use to practice traditional activities;
- b) To remember the ancestral trails of the Tłıchǫ;
- c) To protect spiritual and burial sites; and
- d) To promote and share traditional knowledge related to these lands with all Tłıchǫ.

### Land Uses Considered

In order to preserve the İdaà Trail for the continued traditional use by Tłıchǫ, the following land uses are considered:

- a) Camp or cabin;
- b) Non-exploitive scientific research;
- c) Transportation corridor;
- d) Eco/cultural tourism;
- e) Hydro power generation; and
- f) Utility corridor.

#### 5.4.4 Ṯchq Nawoo Ké Dét'ahot'ii (Cultural Heritage Zone)

##### Description

Nawoo Ké Dét'ahot'ii (Cultural Heritage Zone) is connected to Chief Monfwì. Monfwì occupies a central place in Ṯchq history. Elders have said that Monfwì's trails – where he walked and travelled – are crucial to Ṯchq history. Monfwì led his people along the trails where caribou could be found and the people were fed and survived hardships and strife. These trails need to be protected and remembered for future generations. Ṯchq identity is closely associated with being able to remember and travel on those trails in the future.

The lands in this zone largely have not been associated with development proposals as well as non-traditional activities. These lands are a fundamental part of Ṯchq heritage and identity.

##### Goal

To preserve Monfwì's trails by protecting the land from activities that interfere with the integrity of Monfwì's trails.

##### Objectives

The objectives for the Cultural Heritage Zone are to:

- a) Protect Monfwì's trails;
- b) Preserve the caribou trails associated with Monfwì;
- c) Allow Ṯchq to travel Monfwì's trails to honour their past and respect their historic leader; and
- d) Promote the continued sharing of stories and knowledge of Monfwì's trails.

##### Land Uses Considered

In order to protect the integrity of Monfwì's trails, the following land uses are considered:

- a) Camp or cabin;
- b) Non-exploitive scientific research;
- c) Transportation corridor;
- d) Eco/cultural tourism;
- e) Hydro power generation; and
- f) Utility corridor.

#### 5.4.5 Asii Haxowii Gha Enehatq (Enhanced Management Zone)

##### Description

Asii Haxowii Gha Enehatq (Enhanced Management Zone) is an area where there may be opportunities for sustainable economic development. This zone encompasses areas of land and water that falls in between the traditional trails and key cultural areas within Ṯchq lands. This is an area where there should be potential for a balance between continued protection of the environment and consideration of sustainable economic development proposals.

##### Goal

To provide for the consideration of a range of development proposals that may have the potential to create economic opportunities for Ṯchq.

##### Objectives

Objectives for this zone are to:

- a) Identify potential opportunities for a range of development proposals;
- b) Encourage sustainable, managed economic development; and
- c) Ensure a comprehensive review of proposals for development.

##### Land Uses Considered

In order to consider a range of development proposals that may have the potential to create economic opportunities for Ṯchq, the following uses are considered:

- a) Camp or cabin;
- b) Non-exploitive scientific research;
- c) Transportation corridors;
- d) Eco/cultural tourism;
- e) Hydro power generation;
- f) Utility corridor;
- g) Quarries;
- h) Commercial forestry;
- i) Hunting and/or fishing lodge;
- j) Mineral exploration;
- k) Mines and mineral development;
- l) Oil and gas exploration; and
- m) Oil and gas extraction.



Land Uses Considered	Wexhlaxodiale <i>Land Use Exclusion Area</i>	Dèk'èasiìredaà wèhoodia <i>Habitat Management Zone</i>	Gowhadó Yek'e t'ii k'e <i>Traditional Use Zone</i>	Tìjchò Nawoo Ké Dèt'ahot'ii <i>Cultural Heritage Zone</i>	Asii Haxowii Gha Enehatò <i>Enhanced Management Zone</i>
Camp or cabin	○	○	○	○	○
Non-exploitive scientific research	○	○	○	○	○
Transportation corridors	○	○	○	○	○
Eco-cultural tourism		○	○	○	○
Hydro-power generation			○	○	○
Utility corridor			○	○	○
Quarries					○
Commercial forestry					○
Hunting and fishing lodge					○
Mineral exploration					○
Mines and mineral development					○
Oil and gas exploration					○
Oil and gas extraction					○

# 6 Tłıchq Land Protection Directives

Along with the Land Protection Zones outlined in Chapter 5 there are further land protection measures that will be used by the Tłıchq Government to address a range of issues that may arise in the consideration of proposed activities and development on Tłıchq lands. These issues are addressed through the application of specific Land Protection Directives.

The Land Protection Directives in this Chapter reflect Tłıchq priorities about renewable resource management and the environment. The potential impact on renewable resources is a central consideration for all proposals for activity or development. Protection measures for renewable resources are directly related to the goal of protecting Tłıchq culture and way of life.

Fundamental to Tłıchq land protection measures is an acknowledgement of the need for continued environmental protection. Protection measures are focused on elements of the environment and on the continued ability of Tłıchq to use the resources provided by the land.

The Land Protection Directives are arranged in order to identify expectations for:

- a) Proponents of development on Tłıchq lands;
- b) Further activities and Study by the Tłıchq Government; and
- c) Partners in the management of Tłıchq lands.

It is anticipated that not all Land Protection Directives will be applicable to all applications for land use. As such, it will be left to the DCLP to determine the applicability of each Land Protection Directive. This determination will be based on the potential impacts of each application for land use.

While regulatory bodies, such as the Wek'èezhì Land and Water Board and the Wek'èezhì Renewable Resources Board, will assist in addressing a range of resource and environmental concerns, the Land Protection Directives will provide potential conditions for review by these regulatory bodies. The DCLP will refer any permission granted, along with any conditions set out in the granting of the permission, to the appropriate regulatory bodies.

In considering all proposals for activity or development, the Tłıchq Government will be guided by the following Land Protection Directives.

## 6.1 Land Protection Directives for Proponents of Development on Tłıchq Lands

### Impacts on Wildlife and Harvesting

Wildlife and their habitat must be protected to ensure the continuation of Tłıchq culture and heritage.

#### Land Protection Directive 6.1.A

In order to ensure the protection of Tłıchq culture and heritage, through continued care and attention to the environment, proponents of development or land use activity on Tłıchq lands may be required to show that any proposed development has minimal impact on:

- a) Wildlife and their habitat, including habitat for migratory birds; and
- b) Trap lines and winter trails.



## Water Quality

Water is a fundamental element that helps to define Tłı̨cho lands and the quality of water within Tłı̨cho lands must be protected. Chapter 21 of the Tłı̨cho Agreement sets out authorities and rights with respect of the use of water and the deposits of waste in water.

### Land Protection Directive 6.1.B

Proposed developments and activities may have a range of impacts on the quality, quantity or rate of flow of water on Tłı̨cho lands.

As part of this consideration, the proponent may be required to identify:

- a) The watershed within which the proposed activity or development is located;
- b) Any existing or proposed future uses in the watershed; and
- c) Potential impacts of the proposal.

Further elements of this consideration may include the need to show how the impact is minimized through the management of footprints and disturbances as a result of development.

## Forest Management

Proposals for forestry activity on Tłı̨cho lands may provide important opportunities for sustainable development of alternate energy sources.

### Land Protection Directive 6.1.C

In order to ensure that proposals for forestry activity will be sustainable, proposals will be measured by the degree to which they:

- a) Are small-scale, community-based and contributes to local jobs, economic development and local value-added enterprise;
- b) Protect cultural heritage sites and features, and does not unduly disrupt traditional land uses;
- c) Are undertaken in a manner that minimizes impacts to wildlife habitats; and
- d) Ensure continued access to timber for local non-commercial needs, including firewood and building materials.

A forest management plan may be required to confirm that these objectives are met.



## Tourism

Tourism has the potential to both celebrate Tłchq cultural heritage and create economic opportunities for Tłchq people and businesses. Tourism activities range from guided tours across the land and water to outfitting, resort and lodge developments. With respect to harvesting wildlife for commercial purposes, the authorization of the Tłchq Government is required. In the development of any tourism activity on Tłchq lands there is the opportunity for visitors to gain an insight into Tłchq culture, history and way of life.

### Land Protection Directive 6.1.D

Applicants for access to Tłchq lands for the purpose of carrying out tourism activities will be encouraged to submit proposals that maximize benefits and jobs for Tłchq, while at the same time respect and promote Tłchq culture, history and way of life.

## Ecological Representation

Ecosystem-based management integrates scientific knowledge of ecological relationships towards the general goal of protecting ecosystem integrity and diversity over the long term. The ecosystem-based management approach also incorporates the values of human needs and desires within the limits of socially, biological and economically acceptable risk.

Ecological representation is a science-based method used to help maintain ecological diversity on Tłchq lands. Ecological representation means protecting what is unique, but also what is common. It means protecting different types of habitats (e.g. terrestrial, freshwater) at both broad and finer level scales (e.g. ecosystems, species, populations) and different life stages (e.g. young forest, old growth).

Since ecological diversity (also referred to as biodiversity) is complex and there are many elements that are still not understood, science looks at soil, terrain, climate and water body characteristics to determine the

distribution of species. Protecting a subset of all broad landscape and habitat features within Tłchq lands will help protect the majority of species to persist in the long term. In this way it will help to protect the ecological diversity of the ecoregions within Tłchq lands.

Two types of ecological features were used in the ecological representation analysis:

- Physiographic units (e.g. valleys, hills, plateaus, etc.); and
- Land cover (e.g. vegetation types).

Because there are many different physiographic units and land cover types within the ecoregions in Tłchq lands, a computer program can be used to identify areas of land that incorporate as many different combinations of these ecological features as possible within the ecoregions in Tłchq lands.

In order to truly protect ecological diversity, these representative habitats require a high level of protection so they can remain healthy and persist into the future.

### Land Protection Directive 6.1.E

Ecological representation analysis is an important method, based on science, that helps protect the ecological diversity of the ecoregions within Tłchq lands. This method may be used by the Department of Culture and Lands Protection to assist in the management of Tłchq lands, e.g. for assessing and recommending applications for development.

### Land Protection Directive 6.1.F

Applicants may be encouraged to gather information and expertise to further quantify ecologically significant matters related to a specific site proposed for development.

## **Tłchq Land Use Guidelines**

In order to ensure the continued protection of Tłchq lands, the Tłchq Government will develop environmental and cultural guidelines for the protection of Tłchq lands. The guidelines will provide direction on the responsible use of the land, water, resources, fish and wildlife, environmental stewardship and the use of traditional knowledge.

### **Land Protection Directive 6.1.G**

In order to ensure the responsible use of Tłchq lands, applicants approved for a land use will be required to follow Tłchq Land Use guidelines.

## **Resource Development**

Along with a focus on the protection of traditional land uses, the Tłchq Government recognizes the possibility of resource development in appropriate locations on Tłchq lands. Resource development will need to include benefits for Tłchq and the Tłchq Government, such as employment, revenue and training opportunities. In some cases, there have been negative social and environmental impacts from past resource development. Therefore, there will always be a need for careful consideration of the impacts of proposed developments on Tłchq lands.

### **Land Protection Directive 6.1.H**

The Tłchq Government shall consider opportunities for resource development on Tłchq lands. However, consideration of any resource development proposal shall focus on striking a balance between the need for protection of Tłchq traditional land uses, heritage and culture and the need for economic opportunities for Tłchq.

### **Land Protection Directive 6.1.I**

There shall be a full analysis of the environmental, cultural and socio-economic impacts of resource development proposals. Proposals must be able to show that the development would provide substantial benefits for Tłchq.

### **Land Protection Directive 6.1.J**

Where a proponent proposes an activity or development that is not listed as a considered land use in the cultural heritage or traditional use zone, the proponent will be requested to show how the activity or development proposed can be carried out in a way that has minimal impacts on the ecological and cultural values for which the zone was established.

If a proposed activity or development that is not listed as a considered land use in any zone is considered by the Tłchq Government, the proponent may be requested to ensure that appropriate measures are in place to minimize impacts on zone values.

In considering the proposal, the Tłchq Government will also be guided by:

- The purpose of the Land Use Plan;
- The goals and objectives of each zone;
- Matters related to the protection of the environment and wildlife; and
- The extent and adequacy of any buffers around protected values within the zone.

Depending on the scope of the proposed activity or development, the proponent may also be required to undertake public engagement to inform residents of the proposal.



## 6.2 Land Protection Directives for Further Activities and Study by the Tłıchǫ Government

### Caribou

Tłıchǫ respect and commitment to sustain barren-ground and boreal caribou extends beyond management of hunting and includes the broader and longer-term issues of managing traditional, industrial and recreational land use activities on Tłıchǫ lands. The Tłıchǫ Government recognizes that sustaining healthy barren-ground caribou and boreal woodland caribou into the future will require foresight, which will integrate the collection and sharing of knowledge to manage the combined effects of:

- a) Natural disturbances and cycles in caribou abundance;
- b) Human activities arising from hunting and land use; and
- c) A changing climate.

### Land Protection Directive 6.2.A

The Tłıchǫ Government will develop a strategy of permitting and managing land uses within seasonal caribou ranges that link disturbances to the land, best management practices and recommended mitigation with the type of activity that is undertaken. The strategy will seek to minimize impacts to caribou and caribou habitat, and consider, in part, the herd's status and levels of disturbance at larger spatial scales (for example the entire herd range).

### Land Protection Directive 6.2.B

In partnership, the Tłıchǫ Government will develop and implement an integrated approach to planning, monitoring and managing land use activities that support long-term conservation and resilience of migratory caribou on Tłıchǫ lands.

### Land Protection Directive 6.2.C

In partnership, the Tłıchǫ Government will work to implement the National Recovery Strategy for Boreal Woodland Caribou.

### Cumulative Effects

The Tłıchǫ Government is committed to cumulative effects management. In doing so, the Tłıchǫ Government will take a long-term, holistic view of the impacts of development over time, and over the area of Tłıchǫ lands and the wider biophysical and socio-economic environment.

### Land Protection Directive 6.2.D

The Tłıchǫ Government shall limit the number of resource projects occurring at one time in order to reduce the negative impacts on:

- a) Wildlife and wildlife habitat;
- b) Biophysical environment;
- c) Tłıchǫ citizens;
- d) Tłıchǫ traditional land uses; and
- e) Tłıchǫ culture and way of life.

Decisions about the said limit will consider the cumulative effects monitoring, assessment and management framework for valued ecosystem components referred to in Land Protection Directive 6.3.A

## Climate Change

The elders and others who travel the land have begun to notice the effects of climate change. There is much to learn about how climate change will impact Tłı̨chǫ and Tłı̨chǫ lands.

### Land Protection Directive 6.2.E

When new information is found in relation to climate change an amendment to the Land Use Plan may be considered, including strategies relating to adaptation and mitigation.

## Traditional and Scientific Knowledge

The Tłı̨chǫ Government will seek out the best available knowledge to assist in the evaluation of proposals for development on Tłı̨chǫ lands. Such knowledge will be sought through the continued collection of information from traditional sources and from focused scientific investigations.

In order to provide timely decisions on land use permissions and to have up-to-date knowledge available for Tłı̨chǫ lands, Elders' knowledge shall be regularly updated on DCLP mapping resources.

### Land Protection Directive 6.2.F

Elders' knowledge shall be used in the review of all proposed development in order to ensure special sites are researched, identified and protected prior to any approval of development.

### Land Protection Directive 6.2.G

As not all sites of cultural importance are clearly recorded or presently known, the Tłı̨chǫ Government may require those proposing development or land use activity on Tłı̨chǫ lands to involve Tłı̨chǫ Elders and/or DCLP staff in the review of existing information and possible collection and documentation of Tłı̨chǫ cultural heritage resources.

### Land Protection Directive 6.2.H

In an effort to provide the best possible information for the protection of Tłı̨chǫ heritage and culture, the Tłı̨chǫ Government may, in its sole discretion, consider opportunities to partner with other agencies and/or those proposing development to undertake field research, with the goal of updating information about Tłı̨chǫ lands.



## 6.3 Land Protection Directives for Partners in the Management of Tłı̨chǫ Lands

### Cumulative Effects Framework

#### Land Protection Directive 6.3.A

The Tłı̨chǫ Government will seek opportunities to work in partnership to develop a cumulative effects monitoring, assessment and management framework for valued ecosystem components. Regulatory bodies are encouraged to consider cumulative effects, including cause and effect relationships, with a focus on the following:

- a) Anthropogenic and natural impacts on wildlife, water quality and quantity, and aquatic plants and animals;
- b) Relationships between caribou and land use activities, with focus on range utilization in response to surface disturbance;
- c) The cumulative impacts of exploration and development activities on caribou herd population status, trends and viability;
- d) The cumulative surface disturbance impacts and potential effects on habitat quantity and quality, and quality for valued species;
- e) Cumulative impacts on Tłı̨chǫ / Aboriginal culture and way of life; and
- f) Impacts on human health and community well-being.

### Contaminated Sites

Contaminated sites are areas of land that have, prior to August 4, 2005, been damaged or contaminated, resulting in hazards to the environment or to human health or safety. Some of the existing contaminated sites on Tłı̨chǫ lands are listed in the Tłı̨chǫ Agreement.

There are also sites within the block of Tłı̨chǫ lands that were not included as Tłı̨chǫ lands because of

contamination. Given their location, these Crown lands may have harmful effects on water and on nearby Tłı̨chǫ lands.

The clean-up of contaminated sites, including any water that may have been polluted at these sites, is a priority for the Tłı̨chǫ Government. This includes the need to remediate contaminated sites both on Tłı̨chǫ lands and on those Crown lands that are close to Tłı̨chǫ lands.

It is expected that those Crown lands that were not transferred to Tłı̨chǫ due to contamination will be returned to the Tłı̨chǫ once these lands are remediated satisfactorily.

#### Land Protection Directive 6.3.B

The remediation and clean-up of contaminated land is a priority for the Tłı̨chǫ Government, both on previously identified sites as set out in the Tłı̨chǫ Agreement and on other sites that may be discovered. The Governments of Canada and Northwest Territories will be encouraged to:

- a) Make the remediation of contaminated sites a priority;
- b) Provide the resources necessary to ensure timely clean-up; and
- c) Provide economic benefits to the Tłı̨chǫ as a result of efforts to clean-up these sites.

### Community Protection from Forest Fires

The Tłı̨chǫ Government recognizes that although forest fires are important to the health and growth of the forest, fires may also threaten valued structures and areas of forest, and also compromise safety of citizens and their homes within Tłı̨chǫ communities.

#### Land Protection Directive 6.3.C

The Tłı̨chǫ Government will work in partnership with Tłı̨chǫ community governments to establish common approaches for forest fire management and protection measures.



### Third Party Interests

Part 2 of the Appendix to Chapter 18 of the Tłı̨chǫ Agreement identifies a number of third party interests on Tłı̨chǫ lands. The Tłı̨chǫ Agreement states that the management responsibility for these interests (which are primarily in the form of leases) lies with the Government of Canada.

#### Land Protection Directive 6.3.D

While the Tłı̨chǫ Land Use Plan may not apply to all instances of existing third party interests on Tłı̨chǫ lands, it is the intent of the Tłı̨chǫ Government that, where applicable, the provisions and zoning and Land Protection Directives of the Tłı̨chǫ Land Use Plan shall be recognized and shall provide direction to rights holders and regulators in the consideration of proposals for development on these lands.

### Non-Tłı̨chǫ lands

Within the block of Tłı̨chǫ lands there are several parcels of land that are not owned by the Tłı̨chǫ Government and to which the Tłı̨chǫ Land Use Plan does not apply. These parcels have been referred to as 'donut holes'. Some of these parcels of land are privately owned and others are held by the Government of Canada. These parcels are set out in Appendix 2 to Chapter 18 of the Tłı̨chǫ Agreement.

#### Land Protection Directive 6.3.E

While existing land ownership is acknowledged, it is the understanding and intent of the Tłı̨chǫ Government that the zoning and Land Protection Directives of the Tłı̨chǫ Land Use Plan provide guidance to land owners and regulators in the consideration of proposals for development on these lands.



# 7. The Future

Keeping the promises we have made...

*"In many ways, the Land Use Plan represents our promises we have made to ourselves about managing our lands. If there is no action to ensure these promises are kept, then the promises we have made are not meaningful."*

– Tłıchq LUPWG quote

## 7.1 Implementation of the Tłıchq Land Use Plan

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The Tłıchq Land Use Plan will remain as the focus for the management of Tłıchq lands. It will guide the Tłıchq Government in matters related to future consideration of the use and management of Tłıchq lands. As well, the Tłıchq Government will interact with other regulatory bodies in ensuring effective use and management of Tłıchq lands.

The Tłıchq Agreement provides for a cooperative approach in ensuring that Tłıchq lands are protected and respected. The Wek'èezhì Land and Water Board and the Wek'èezhì Renewable Resource Board have an important role in contributing to the protection of Tłıchq lands. As emphasized throughout the Tłıchq Land Use Plan, protection of Tłıchq lands is essential for the protection of Tłıchq culture. As well, permissions from the Tłıchq Government regarding proposals for the use of Tłıchq lands are required prior to the approval of any permits required by the Boards.

The Tłıchq Government will implement the Tłıchq Land Use Plan in a consistent way to ensure respect for its land protection directives, guidelines and requirements.

## 7.2 The Regulatory Framework

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Since the establishment of the Wek'èezhì Land and Water Board and the Wek'èezhì Renewable Resource Board in 2005, the Tłıchq Government, Canada and the GNWT, along with these regulatory bodies, have established a working relationship based on an understanding of their mutual jurisdictions within a cooperative framework for sound land and water management in Wek'èezhì. This working relationship is the foundation upon which the Tłıchq Land Use Plan will be implemented.

Generally, Tłıchq Government support for access to Tłıchq lands is required prior to any decisions by the WLWB on the issuance of land use permits and/or water licenses. The day-to-day working relationship amongst all parties will need to be applied to Tłıchq lands as the Tłıchq Land Use Plan is implemented. When considering proposals for development on Tłıchq lands, the Tłıchq Government may engage the advice and expertise of the Wek'èezhì Land and Water Board and/or Wek'èezhì Renewable Resource Board. Permissions for activity or development on Tłıchq lands will be subject to conditions to be included as part of any issuance of land use permits or water licenses by the Wek'èezhì Land and Water Board.

## 7.3 Exercising Full Control

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Anyone interested in using Tłıchq lands may begin the process by seeking information and advice from the DCLP before formal submission of an application. The scope of discussion required will depend on land use being proposed.

Applicants will be expected to review the Tłıchǫ Land Use Plan and supporting guidelines with the DCLP staff to confirm the requirements for obtaining Tłıchǫ Government permission to use Tłıchǫ lands. Applications for permission to use Tłıchǫ lands will be made to the DCLP. The DCLP will develop and make available the necessary forms and guidelines to be used for all applications. Where the DCLP requests, the location of the proposed activity or development shall be provided.

### Process for the Review of Development Proposals on Tłıchǫ Lands

<b>Preliminary Discussions and Information Sharing</b>	Opportunity to explain important information about Tłıchǫ lands to applicants.
<b>Application</b>	The formal review process by the DCLP begins.
<b>DCLP Review</b>	Tłıchǫ Land Use Plan zoning and Land Protection Directives applied; possible community engagement and discussions with regulatory boards.
<b>Tłıchǫ Government Decision</b>	Where a permission is granted, the decision would include conditions.
<b>Regulatory Board Review and Permitting (If application is supported by the Tłıchǫ Government)</b>	Implementation of Tłıchǫ Government conditions as well as others arising in regulatory board review process.

#### Land Protection Directive 7.3.A

The Department of Culture and Lands Protection will receive and process applications for access for the use of Tłıchǫ lands. For more complex land use proposals, the DCLP may work with regulatory bodies to develop Terms of Reference for technical studies which may be required. In these situations, applicants may be required to share in the cost of these studies.

## 7.4 Economic Development and Tłıchǫ Lands

Potential economic benefits for Tłıchǫ that may result from proposals for development on Tłıchǫ lands will be an important consideration in the application review process.

#### Land Protection Directive 7.4.A

Prior to a decision by the Tłıchǫ Government regarding an application for a land use permission, those proposing to use Tłıchǫ lands, depending on the scale of the application, may be required to work with the Tłıchǫ Government, Tłıchǫ community governments and/or Tłıchǫ businesses to maximize the economic benefits to communities, businesses and residents.

#### Land Protection Directive 7.4.B

The Tłıchǫ Government will engage with community governments, relevant community organizations and government departments in order to seek opportunities for a common economic development strategy.

It is expected that there will be considerable business opportunities arising in relation to the use of Tłıchǫ lands. Business plans and development proposals (including those that may be developed by the Tłıchǫ Investment Corporation and its companies) will be required to respect the rules of the Tłıchǫ Land Use Plan.



### Land Protection Directive 7.4.C

The Tłıchǫ Government will encourage the Governments of Canada and the Northwest Territories to develop partnerships and work with Tłıchǫ businesses to build capacity through training and financial assistance.

### Land Protection Directive 7.4.D

The Governments of Canada and the Northwest Territories, working through the NWT Geoscience Office, are encouraged to cooperate with communities to carry out non-renewable resource assessments of Tłıchǫ lands.

## 7.5 Community Engagement

Community engagement will be an important element in the process of proposals review.

### Land Protection Directive 7.5.A

As part of its review of proposals for the use of Tłıchǫ lands, the Tłıchǫ Government will consider the required amount of community engagement and information sharing.

### Land Protection Directive 7.5.B

Peer reviews of any technical studies may be required and the costs of such review may be recovered from the proponent.

Guidelines will be developed that formalize the procedures for community engagement on proposals for development on Tłıchǫ lands. The guidelines will recognize that engagement and information requirements will vary depending on the type and scale of development. These guidelines may propose that funding be made available by the proponent of a development to facilitate community participation in the review of an application proposal to use Tłıchǫ Land.

## 7.6 Communication

An important part of land management and administration is the timely and accurate distribution of information concerning proposed and approved activity on Tłıchǫ lands to all Tłıchǫ citizens.

Updates on proposed activities and existing development will be provided at sessions of the Tłıchǫ Government Assembly. Where appropriate, details on both activity and planning and development policies will be available on the Tłıchǫ Government website.

### Land Protection Directive 7.6.A

The Department of Culture and Lands Protection will monitor and provide regular updates on permitting activity on Tłıchǫ lands.

### Land Protection Directive 7.6.B

Copies of the Tłıchǫ Land Use Plan will be made available through the Department of Culture and Lands Protection and on the Tłıchǫ Government website for all interested parties. A 'plain language' version of the Land Use Plan will be provided, as resources permit.

## 7.7 Inspection and Enforcement

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Inspectors from Aboriginal Affairs and Northern Development Canada are responsible for inspecting and enforcing terms and conditions of land use permits and water licenses issued by the Wek'èezhìi Land and Water Board. Other government departments and agencies have inspectors and may have responsibilities relating to the terms and conditions of a land use permit or water license.

The Tłı̨chọ Government may be required to follow up on enforcement matters arising from access agreements and/or authorizations provided as part of a development proposal.

### **Land Protection Directive 7.7.A**

The Tłı̨chọ Government supports the monitoring of activities on Tłı̨chọ lands. Where required, the Tłı̨chọ Government shall ensure that corrective actions are taken.

### **Land Protection Directive 7.7.B**

A respectful working relationship between inspection authorities and the Tłı̨chọ Government will be developed in order that inspection priorities may be established. The Tłı̨chọ Government may also pursue opportunities in establishing partnerships in inspection functions with government departments and agencies.

## 7.8 Additional Information and Study of Tłı̨chọ Lands

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The Tłı̨chọ Land Use Plan has been developed after lengthy and detailed application of principles and objectives relating to Tłı̨chọ heritage and culture. It is also based on a significant amount of background information about the land, water and resources.

However, it is acknowledged that further information is required about Tłı̨chọ culture and heritage, as well as environmental data, for the continued protection and management of Tłı̨chọ lands.

### **Land Protection Directive 7.8.A**

The Tłı̨chọ Government will support the further investigation of subject areas that would provide more knowledge for better management, including:

- Wildlife habitat;
- Cumulative impact monitoring framework development within Mowhì Gogha Dè Nı̨łłèè; and
- Additional information with respect to the geology of Tłı̨chọ lands.

Studies undertaken in these and other areas shall incorporate both traditional knowledge and modern science. The Tłı̨chọ Government will encourage partnerships with the Governments of Canada and the Northwest Territories, agencies and prospective developers in advancing this work. The results of further study may require updates and/or amendments to the Land Use Plan.

## 7.9 Changing and Updating the Plan

Tłıchǫ have responded to changes that have occurred on the land over the years and the Tłıchǫ Land Use Plan is expected to respond to changes as well, through maintaining and updating its provisions. Maintaining the Tłıchǫ Land Use Plan will involve making minor changes or minor revisions when needed. Updating means conducting scheduled reviews and/or incorporating new knowledge, priorities and information.

There are three ways to accommodate changes to the Plan:

### **Plan Variance:**

A variance may be requested when minor changes to the Plan are required. Minor changes are those that:

- Do not compromise the goals or objectives of the land use designation;
- Would result in minimal environmental, cultural and economic consequences; and
- Would not result in a precedent (likely to lead to a number of similar requests).

### **Plan Amendment:**

An amendment to the Tłıchǫ Land Use Plan may be required in order to:

- Improve the clarity of the Tłıchǫ Land Use Plan and thereby contribute to a better decision-making process; and

- Address a new land use or new information, or to update the Plan in respect of decisions regarding improvements to land management (for example, a decision to expand the boundaries of an ecologically sensitive area).

Plan amendments are expected to involve substantive research and discussion prior to a decision being made by the Tłıchǫ Government.

### **Plan Review:**

A Tłıchǫ Land Use Plan review is a formal process, initiated by the DCLP, for the re-evaluation of the entire Plan. In reviewing the Tłıchǫ Land Use Plan some important questions may include:

- Do the purpose and goals still reflect Tłıchǫ values?
- Is the Plan achieving the vision and goals of the individual zones?
- Have there been any exception or amendment requests that signal a need for a change?
- Is there new information available that needs to be considered in land use decisions?
- Are there new land uses, issues or major projects on the horizon that need to be addressed?

This review should be undertaken every five years. Considerable research, review and engagement will be involved in the review process.



## 7.10 Implementation Through Action

The Tłı̨chǫ Government will ensure that the Tłı̨chǫ Land Use Plan protects Tłı̨chǫ lands for the benefit of all Tłı̨chǫ. To that end, the Chiefs Executive Council, on the advice of the DCLP, is responsible for:

1. Developing policies and procedures for the administration and management of Tłı̨chǫ lands;
2. Setting out the levels of authorization for various decision-making matters and execution of instruments (permits, leases, licenses, etc.) related to the administration and management of Tłı̨chǫ lands;
3. Prescribing the form for any document that may be required in the administration and management of Tłı̨chǫ lands;
4. Developing environmental and cultural guidelines for direction on the responsible use of the land, water, resources, fish and wildlife, and environmental stewardship as well as the use of traditional knowledge;
5. Prescribing the fees for applications and authorizations relating to the administration and management of Tłı̨chǫ land;
6. Prescribing the days and hours that the DCLP office is required to be open to the public; and
7. Developing policies and procedures respecting any other matter that is considered necessary for carrying out of the purposes this Tłı̨chǫ Land Use Plan.



# Glossary

**Cabin:** A small dwelling typically built using local resources and used typically for temporary or seasonal purposes.

**Camp:** A location where people temporarily dwell in tents or other temporary structures while travelling on the land.

**Commercial Forestry:** The harvesting of commercially viable forest resources, where logs or wood products are sold commercially.

**Community Engagement:** The communication and outreach activities a proponent is required to undertake with Tłıchǫ communities prior to and during the operation of a project, including closure and reclamation phases.

**Eco-cultural Tourism:** Responsible travel in naturally and culturally rich locations that conserves the environment, and improves the well-being and promotes the understanding of Tłıchǫ.

**Ecological Representation:** The preservation of a full range of ecosystem types within a given geographic area as a strategy to maintain overall biodiversity and ecosystem integrity.

**Geological Assessment:** The assessment of landforms and mineral resources within a given geographic area that discloses a full range of geological units. Geological units may be identified by age, lithology, thickness, colour, weathering, erosion and drainage patterns.

**Hydro Power Generation:** The production of electric energy using water turbines propelled by the energy of flowing or falling water. Hydroelectric power may be produced from dams or using installations that capture the flow created by watercourses, waterfalls or marine tides.


**Hunting/Fishing Lodge:** Dwellings positioned in locations favourable to hunting or fishing. Hunting/fishing lodges may range from temporary huts to permanent structures designed to accommodate several guests and provide all-inclusive holiday packages.

**Mines and Mineral Development:** The extraction of minerals from deposits and their separation from waste material using a variety of mining techniques.

**Mineral Exploration:** The sequential process of locating commercially viable mineral deposits.

**Non-Exploitive Scientific Research:** Not-for-profit investigation based on scientific methods of data collection, whose procedures and outcomes adhere to recognized ethical parameters of non-exploitation.

**Oil and Gas Exploration:** Consists of the locating, testing and delineation of underground or underwater petroleum and natural gas deposits using exploration geophysics. Techniques used in oil and gas exploration range from gravity, magnetic and passive seismic survey to more detailed seismic surveys and, if selection criteria are met, to exploration wells.



**Oil and Gas Extraction:** The recovery, primary refinement for transportation, and transportation to refinement facilities of petroleum and natural gas from underground or underwater deposits. Oil and gas extraction includes drilling, completion of wells, field gathering pipelines, and well facilities for the storage and preparation of oil and gas, and the shipment from producing properties to refinement centres through pipelines or other forms of transportation.

**Quarries:** Extraction of rock materials by digging, cutting or blasting and associated crushing. Quarries include pits for the excavation of fill material, such as gravel, sand, clay and topsoil.

**Tłıchq Land Protection Zones:** Mapped sub-areas of Tłıchq lands that contain distinct values and, within which, consistent management direction is to be applied.

**Transportation Corridor:** May contain a seasonal road and/or an all-weather road in a largely linear geographic area defined by landforms, existing and forecasted travel patterns that provide access to multiple locations. Elements of the transportation corridor may include a roadbed, ditches, pullouts as well as new and existing development required for the building and maintenance of that infrastructure, such as borrow pits and quarries.

**Utility Corridor:** A largely linear geographic area dedicated to the transport of energy or water, sewage, fiber optics, cable and telephone. This definition includes the underground or aboveground infrastructures required for the transport of utilities as well as the new and existing development required for the building and maintenance of the right-of-way.









## Tłıchǫ Government

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