



Wildlife, Lands and Environment Department

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Attn: Amanda Hanson
Director, Technical Services
Nunavut Impact Review Board
PO Box 1360
Cambridge Bay, NU X0B 0C0

Re: Sabina Community Roundtable Pre-hearing Conference - Akaitcho Submission

Lutsel K'e appreciates the opportunity to be included in this review, as it is very timely considering the recent developments in regards to the Bathurst caribou herd. We have an elder from Lutsel K'e participating on behalf of our community, though our concerns are clear in regards to this proposed development. In June of 2014, the Department of Environment and Natural Resources (ENR) with the Government of the Northwest Territories (GNWT) conducted their annual reconnaissance survey of the Bathurst caribou calving grounds, an area of the barren lands directly adjacent to Sabina's proposed Back River project. The results of the survey were startling.

The GNWT has estimated that there are fewer than 4000 breeding females in the Bathurst herd. This number has declined from 14,000 in just two years from 2012. The GNWT and Aboriginal Governments from both the NWT and Nunavut convened a Technical Working group to analyze herd survey results and propose a short-term action plan for mitigating this decline. One of the key recommendations from the group was to work collaboratively across jurisdictions and limit cumulative impacts on caribou stemming from harvesting, climate change, and industrial development.

This recommended action is not a knee-jerk reaction to one-time statistics. Since 2009 First Nations groups like the YKDFN have responded to reports of herd studies and voluntarily taken measures to reduce their harvesting impact on the Bathurst herd. Beginning in 2010, the YKDFN in collaboration with the GNWT agreed to a harvest allocation system that limited the Aboriginal harvesting within the traditional hunting grounds of the Dene. This restriction occurred contrary to Aboriginal Constitutional and Treaty rights, but was agreed to temporarily, recognizing a need for conservative action.

Despite this effort on the part of Aboriginal groups, and despite the sacrifices of the individual families who have endured a restriction to their natural way of life, we have yet to see the benefit of our hardship. Our actions and sacrifices do not appear to be

making a difference toward improved health of caribou herds, a realization which is beyond discouraging. Yet, we are not prepared to give up.

As watchers of the land, Dene elders have a good analogy for describing the impacts of development – particularly within the caribou calving grounds. They ask, what happens when you come across a birds nest, perhaps containing eggs, in the forest and you disturb it, or see it has been disturbed? The answer, of course, is that mother bird will abandon the nest and not return; even if it means the eggs will not survive.

The calving grounds are the caribou nesting area. The place they return to every year to birth their young. Disturb that area, and what draws the caribou to that place for calving will be lost and with it, new calves each spring. Mature caribou will not get pregnant if there is no safe place to rear calves. This is a trend that land users and biologist alike are already observing.

These most recent survey results show that it is not only the harvest of caribou by Aboriginal people that is impacting the herds; there are other cumulative factors. We must work alongside regulators and industry to realize our goal of allowing the Bathurst herd to recover.

Beyond the considerations for the Bathurst caribou, are increasing concerns of further pressures on other herds, such as the Beverly and Ahiak caribou. Development in the Bathurst calving grounds could not only be the final straw for the Bathurst herd, but by association, the Aboriginal harvest in the NWT will suffer, and as a result, there will be increased harvest pressures on other herds as the Aboriginal people of the NWT will be forced to go elsewhere to practice their way of life, and attain much needed country foods. The loss of the Bathurst herd has far reaching effects, impacting Aboriginal people from the west of the territory to the east.

With the accumulating scientific data and traditional knowledge of Bathurst caribou reaching unprecedented lows in health and population, it is clear that we are at a critical time for strong mitigative actions to salvage what is left of the caribou. Aboriginal people in the NWT have sacrificed our way of life and we are seeking some equivalent sacrifices from government and industry for the sake of our future generations.

Specifically we are seeking what has been sought for several years, and that is a moratorium on all development in the calving and post-calving grounds, on both sides of the border. We have reviewed the available information on the Back River Project, and regardless of mitigative action, the presence of such a large scale operation like this in the most critical of caribou habitat, with the current state of the Bathurst caribou, will certainly and severely impacts our constitutionally protected rights.

As a result, the Lutsel K'e Dene cannot consent to this project at such a vulnerable time for the caribou, and we hope and expect that the Nunavut Impact Review Board will support our attempt to return our caribou to healthy population numbers.

We do what we can to protect our herd for the future, but we cannot be the only people to sacrifice what we desire so that our children can practice the lifestyle we have been living for thousands of years. Though we understand that business and governments require economic development as a source of income, our people require caribou for our emotional, spiritual, and physical health, so we believe that if we can put our needs on hold for the time being, surely government and industry can do the same.

Sincerely,



Chief Felix Lockhart
Lutsel K'e Dene First Nation

- c. Tara Arko, Technical Advisor, NIRB
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