



**Dehcho First Nations**  
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**To:** Herb Norwegian, Grand Chief; DFN Leadership  
**From:** Michael Nadli, Chief Negotiator  
**Date:** Wednesday, November 29, 2023  
**Subject:** Dehcho Process – Negotiations Sessions Kakisa November 21 – 22, 2023

Dehcho Process negotiations occur monthly. Some sessions are held in person and some virtually. The three parties at the negotiating sessions are the Dehcho First Nations (DFN), the Government of Northwest Territories (GNWT), and Canada. Between negotiation sessions, regular negotiator calls address the logistics and operations of the negotiating sessions.

From November 21 to 22, 2023, Ka'a'gee Tu First Nation hosted in-person negotiation sessions. Our negotiations were also hosted virtually for members across the Dehcho to participate. Mahsi Cho to Chief Lloyd Chicot and Ka'a'gee Tu First Nation for the hospitality and hosting of our sessions this month. Outlined below are the highlights of the sessions.

### **Remote and In-Person Participants in Negotiations Sessions**

The Dehcho Negotiations Team has worked to provide transparency in our negotiation sessions. While in Kakisa, members of the Dehcho had the opportunity to join the negotiation sessions remotely from home, or in person. Our team would like to thank all the members who joined our sessions.

The feedback from members and communities has been positive, and they appreciated listening in and observing what was happening at the sessions. The negotiation team looks forward to continuing to provide transparency and the ability for Dehcho communities and members to watch, participate, and listen to the negotiation sessions. If you or members would like to provide further feedback please contact Bryan Strong at [dfncommunications@bryanstrong.ca](mailto:dfncommunications@bryanstrong.ca).

### **Virtual Town Hall Forums**

Our last virtual town hall was on October 12, 2023. A general overview was provided to Dehcho members who joined the town hall. Following the presentation, a fruitful discussion happened, based on the questions submitted by DFN members. We will continue to provide Virtual Town Hall Forums in the evenings to provide updates and engage in conversation with members about the Dehcho Process. The next Virtual Town Hall is **on Wednesday, November 29, 2023, from 7:00 PM to 8:30 PM**. We hope to see leaders and members continue to engage in these forums to discuss the Dehcho Process.

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## **Community Tours**

During October, the Dehcho Negotiations Team and Grand Chief Herb Norwegian began community tours to provide community updates on negotiations and receive feedback from members. We have been able to meet with Naha Dehe Dene Band, Fort Simpson Métis Local, Tłtshets'éhk'edélı First Nation, Sambaa K'e First Nation, and K'atl'odeeche First Nation. We look forward to arranging a date and time to meet with the remaining communities. The remaining community visits will be virtual due to budget constraints and the delays in the winter roads due to the warm weather.

Mahsi Cho to all the communities who met with us. The feedback and questions provided allowed the team to give insight and bring it back for further discussion. We look forward to providing more updates and engagement with the communities.

## **Candidate Forums**

The GNWT election was on November 14. Congratulations to the elected Dehcho MLA Sheryl Yakeleya and Nahendeh MLA Shane Thompson. Dehcho First Nations hosted all candidates forums in Fort Providence and Fort Simpson in early November. These forums allowed leaders and community members to engage in questions to provide insight into the candidate platforms. The Dehcho Negotiations Team looks forward to opportunities to engage with the elected officials to move the Dehcho Process forward.

## **Dehcho Land Use Plan**

### *Termination Clause*

Dehcho First Nations Negotiations prefers to remove the termination clause from the draft Interim Dehcho Land Use Plan, as we do not believe it is needed. Canada and the Government of Northwest Territories (GNWT) want to “clarify” the Termination Clause. Grand Chief Norwegian and instructed the negotiation team to focus on the other outstanding issues relating to the DLUP, which may extinguish the termination clause when the other problems are solved.

GNWT believes the termination clause is in the interim plan as a guide to the parties during the Plan development stage but will not appear as text in any legally effective Plan.

### *Special Infrastructure Corridor (Pipelines)*

The Special Infrastructure Corridor deals with pipelines and oil and gas. The current corridor is adjacent to the Sambaa'Ke Candidate area and runs north of Wrigley. The Mackenzie Gas project referenced in this section has expired licenses as of a couple of years ago. Therefore, the project is no longer up for discussion. Due to this, should the idea of a Special Infrastructure Corridor not continue in the draft plan, or should the corridor remain as is, continue, or change? The current pipeline identified through the land use plan is quite out dated.

From the GNWT perspective, we can support having a corridor or text in the plan that says if a proposal makes sense, it's allowed subject to getting all the proper permits and everything else it needs. Just because there's a corridor on the plan doesn't mean there's automatically going to be a pipeline there.

The DFN argues that it does not make sense to approve something for a project that no longer exists. Instead, parties should work on a general Plan wording that would specify the criteria to be met for any pipeline corridor to be approved. This proposed way of looking at the corridors would have merit for all parties to consider.

### Community Boundaries

The Land Use Plan is designed to apply outside of community boundaries, but many community boundaries are vague and undefined.

The GNWT has received correspondence from Nahanni Butte and other communities about their community boundaries. Nahanni Butte has been working on developing a proposal to establish a revised community boundary.

Some concerns have been expressed about the Plan going for public review with unclear or outdated community boundaries, however the DFN believes that the review will be another opportunity for communities to provide feedback about where their boundaries should be.

### **West Point First Nations Working Group**

The West Point First Nations Working Group discussion has been deferred until the Dehcho Negotiations Team can meet with WPFN to discuss further. Our team has contacted WPFN to arrange a meeting to discuss and provide a community update.

### **Métis Equality Working Group**

The Métis Equality Working Group has been deferred until the Dehcho Negotiations Team can meet with Fort Providence and Fort Simpson Métis to discuss further. Our team has contacted the Métis to arrange a meeting.

### **DCRMA (Dehcho Resource Management Authority)**

Currently, lands and resources in the Dehcho are managed by Canada and the GNWT and managed under confusing system of many laws (including the MVRMA) and many resource management boards. For more than 25 years, Dehcho First Nations have proposed the creation of a single Dehcho Resources Management Authority to manage all lands and resources, including land use planning, permitting, renewable and non-renewable resource management and environmental assessment, under the direction of a Dehcho Government.

The DFN team is developing an AIP chapter on resource management under a DCRMA.

Further discussion needs to happen about how much autonomy a DCRMA will have to create its policies and procedures to govern itself.

Further conversations will happen around:

- 1) Composition of DCRMA
  - a. How are members appointed?
  - b. Who do they represent?
- 2) Oil and Gas authorizations
  - a. If/how can they be incorporated within a DCRMA?
- 3) Role of DCRMA in considering/respecting/acting in accordance with Treaty Rights
- 4) Shared Stewardship and land ownership
  - a. How Indigenous title will be described in a Dehcho Agreement
  - b. Role of DCRMA and decision-making with respect to plants and trees
- 5) Budgets and funding for DCRMA
  - a. If/how multi-year predictable funding can be tied to the DCRMA

#### **Next Steps/Actions Items**

- Review format of Record of Conclusions and provide feedback as needed
- Work on Lands Working Group Terms of References
- Work with West Point First Nation to determine a mutually agreeable Terms of Reference, which will be shared at the negotiation sessions
- Work with the Métis locals to determine a mutually-agreeable Terms of Reference, which will then be shared at the negotiation sessions
- Identify areas of the Agreement-in-Principal (AIP) that are waiting on the Constitutional Working Group (CWG)
- Work on DCRMA chapter before sharing with other negotiation teams at future sessions.
- Send memo to the Dehcho Land Use Planning Committee (DLUPC) outlining position on the Zoning of Edézhíe
- Communicate to parties on the community tour sessions on the negotiations updates

## **Schedule**

- Monday, December 4<sup>th</sup>, 2023 Elders Youth Conferences – Fort Simpson, NT
- Tuesday, December 5<sup>th</sup>, 2023 to Thursday, December 7<sup>th</sup>, 2023 Annual General Assembly – Fort Simpson, NT
- Wednesday, December 13<sup>th</sup>, 2023 Negotiators Call
- Monday, December 18<sup>th</sup>, 2023 to Wednesday, December 20<sup>th</sup>, 2023 Virtual Negotiations Sessions
- Week of January 22, 2024 Negotiations Sessions Hybrid in Yellowknife
- Week of February 26, 2024 In-person Negotiation Sessions, location TBD
- March 27 – 28 2024 or Week of April 8, 2024 Virtual Negotiation Sessions