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July 27, 2018

Heather Bourassa, Chair

Sahtu Land Use Planning Board

PO Box 235

Fort Good Hope, NT X0E OHO

**RE: Process for Amending the Sahtú Land Use Plan**

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Thank you for the opportunity to provide comments on the scope of potential amendments to the Sahtú Land Use Plan ("the Plan"). The Behdzi Ahda" First Nation ("BAFN") provides the following comments and recommendations.

**BAFN Recommendations:**

The BAFN wishes to ensure that amended Plan reflects:

- that the BAFN intends to complete the first module of a self-government agreement in 2019, and as the Delà Got'ine Government, expects to play a more significant role in accordance with this status in the review, revision and approval process for future plans; and,
- the expectations of the BAFN, as it transitions to the Delà Got'ine Government, to exercise responsibilities for community planning in and around the community of Colville Lake.

These goals are of critical importance to the BAFN. It is accordingly the view of the BAFN that the amendments to the Plan should include:

1. Provisions for an additional zone under the Plan that anticipates the evolving jurisdictions resulting from self-government over community lands; and
2. Procedures for reviewing and approving the plan must reflect the changes in Sahtú governance both at a community and regional level, as we transition from being organized in land corporations and bands under the Indian Act to self-governing Nations, and provide opportunities for self-governing Nations to participate on the same basis as other Approving Authorities in the review and approval of the revised Plan.

**Discussion:**

*Community Use Zones*

As noted, the BAFN intends to complete the first module of a self-government agreement (“SGA”) in 2019. We expect that the SGA will provide for the transfer of lands in and around Colville Lake as part of a new community boundary to the Delà Got’ine Government, and jurisdictions over the land use planning and permitting in respect of such community lands. Additionally, the DGG will exercise local and municipal services jurisdictions in and around the community.

BAFN proposes that lands, adjacent to the community boundary and identified for community use around Colville Lake should be treated in a manner analogous to the Proposed Conservation Initiative (PCI) under the current plan, which anticipate future designations.

We note that the existing Plan at section 2.5(e) addresses exemptions for municipal infrastructure that would otherwise be prohibited by zoning:

*“Lands immediately adjacent to community boundaries provide a variety of services for communities including access, granular resources, power (e.g. wind or hydro), existing and future infrastructure (airports, water, sewage facilities, telecommunications), and land for future community expansion. It is important that the Plan provide for the future growth of communities and their access, infrastructure and service needs.*

*Accordingly, the following land uses, when located outside of community boundaries, are exempt from CR #1 – Land Use Zoning (e.g. exempt from the prohibitions on quarrying, power development, and forestry in Conservation Zones):*

- a) the development of new municipal infrastructure necessary for community use or service;*
- b) activities authorized under a municipal water licence; and*
- c) the removal of quarry material, as needed for municipal operations and the construction of municipal infrastructure.*

BAFN recommends that rather than dealing with municipal infrastructure needs outside of community boundaries through an *exemption*, the Board should instead provide for a new *designation* within the Plan.

Accordingly, BAFN intend to bring forward recommended revisions to the Plan that will provide for a “Community Use Zone” designation to anticipate and accommodate new community boundaries for Colville Lake and the changing authorities of our community under self-government.

*Amendment Process Considerations*

The Board's January 2018 "Look Back, Look Forward" scoping document notes the changes in practice and institutional organization within government and co-management partners. We support the 14 February 2018 submissions of the Déljñę Got'jñę Government on this issue, and expect that the Board will give consideration to how the revisions and amendment process for the Plan will address the implementation of self-government agreements within the Sahtù region by providing opportunities for self-governing Nations to participate on the same basis as other Approving Authorities in the review and approval of the revised Plan.

We look forward to your response.

Máhsi,



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Alvin Orlias

Sub Chief

Behdzi Ahda First Nation



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David Codzi

President

Ayoni Keh Land Corporation

cc:

Charles Mcneely, Acting Chair SSI

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