

Granular Resource Requirements for Proposed Mackenzie Valley Pipelines:

Technical Papers and Workshop Proceedings

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SECTION 9.

DISCUSSION PANEL "C"

**LAND CLAIMS AND BORROW SUPPLY:
ABORIGINAL PERSPECTIVE**

SAHTU LAND CLAIM AND BORROW RESOURCE ISSUES

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President

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I'd like present a quick review of where we are in terms of the Sahtu land claim. As you are well aware, the Sahtu has come to an agreement with the government on the Sahtu claim. We're having a special assembly next week in Fort Good Hope to have the first run through with our communities. The Sahtu Tribal Council represents four Indian bands and three Metis locals in five communities. These communities include Fort Franklin, Fort Norman, Norman Wells, Fort Good Hope and Colville Lake. Although our negotiators agreed on the main elements of Sahtu claim on January 10, nothing was signed or initialled by our Chief Negotiator, Norman Yakeleya, who was undecided when we first started negotiating regional claims. He decided to bring it back to our people before signing or initialling any final agreement. It was decided that we should discuss it at a special assembly and if we had approval from the boards and the locals, we'd bring it forward for ratification. That's the process that we'll go through next week in Fort Good Hope. I'm expecting between 30 and 50 people from the other Sahtu communities to gather in Fort Good Hope. If the claim is acceptable to our community representatives, we will bring it up for ratification in late April, 1993.

I will now provide an overview of the main elements of the claim. As indicated under the old Dene/Metis comprehensive agreement, the Sahtu got to select about 9,800 square miles of land quantum in the Sahtu region with 700 square miles being subsurface. We would have collective ownership of 70,000 square miles of land that would be selected by the claimant regions. Although the Sahtu people were always supportive of a comprehensive claim for all Dene/Metis in the NWT and the Mackenzie Valley, we did have some concerns on how the claim was going to be implemented. The main concern that we had was that we would create a large bureaucracy of Dene/Metis in Yellowknife. Everything was being centralized and very little authority was being exercised at the community and regional levels. But those were issues that we were to work out internally.

When the Dene/Metis comprehensive claim broke

apart, a lot of people saw that as weakening of the parent organizations. The Sahtu took a different position. We and the Gwich'in took a position two years ago that the parent organizations were never to speak on land claims or constitutional issues on our behalf. We would speak on those issues ourselves. I think it's all part of self-awareness. As the regions get stronger, we are able to act collectively and will be much stronger than having one person speak on behalf of each of the regions on issues that a lot of regions are disagreeing on in the first place.

When we start negotiating a regional claim, one of the things that we discussed with our people is that, as far as the money goes, if we can get that increase that's great, but the land is the key issue in Sahtu negotiations. The mandate that myself and my negotiators received from the Sahtu region people is that we have to try and increase the land quantum. We've increased the quantum of the Sahtu claim by up to 16,000 square miles. As far as the dollars go, we've been able to increase that up to \$75,000,000 payable over a 15-year period.

One of the key issues in the claim is the issue of management. We must have representation on the various management boards. There are some issues that we weren't able to make very much headway on and one of these issues is self-government. The other thing is that we don't have participation agreements that the Inuvialuit have in their agreements, as well TFN has in its agreements. The government has always taken a position with the Dene/Metis that they would not negotiate participation agreements with us and that those would be worked out under Northern Accord negotiations. We have letters from the Minister of Indian Affairs and the Territorial Government Leader indicating that as soon as the claims negotiations are finalized, our provisions and benefits to the Sahtu claim will kick in.

As far as our time schedule--ratification is expected on April 26 - 29 and cabinet will deal with it in late May or early June. Then we've got our fingers crossed that the claims settlement legislation will be passed

through Parliament before an election is called. We've got a very tight time schedule. The priority work that has to be done for the next 6 to 8 months is ratification. This involves working with our communities to try to inform our people as much as possible. I also have been working to try and complete an implementation plan by March 31. The other thing that's going on right now is land selection. We didn't start our lands until about 4 weeks ago. We decided to leave the main elements of the Sahtu agreement to the end. We didn't deal with the land quantum, financial compensation or subsurface resources until now. We wanted to get all of the small issues out of the way. We've had land selection meetings in Fort Good Hope, Fort Franklin and Fort Norman.

The main problem areas are along the corridors of the Mackenzie River and the Great Bear River. The big problem here is the gravel sites. In our claim, we did not identify any gravel sources in our claim like the Gwich'in. We are taking a harder line on gravel sites. Our position has always been that we want to sit down with the government to negotiate this issue. We know the public, mainly our own people, need gravel resources for airports and roads. We have no problem in terms of ensuring that the supply is there. We must remember that there is not that much economic activity at the community levels and that we will secure any economic resources our communities that we can. In the next few weeks, we will know where we stand in terms of all the gravel sites along the Mackenzie River corridor and the Great Bear River corridors. I'm not sure exactly how much gravel resource is going to be included in the claim settlement.

The way that we are proceeding as far as the implementation of our claims is quite different than the way the Gwich'in are approaching things. The Gwich'in have a strong centralized organization and the Sahtu has taken a completely different approach. We want to have the authority exercised at the community level and to do this we are proposing to

delegate authorities from the tribal council.

We don't have collective ownership of the land base at the regional level. The Sahtu region is basically divided into three aboriginal districts. Fort Good Hope district, which includes Fort Good Hope and Colville Lake. They have had a group trapping area in that area since the 1950s. It's a pretty established area. The Fort Norman District would include Fort Norman and Norman Wells, while Fort Franklin is a district by itself. We decided that the land quantum would be divided equally among the three aboriginal districts. So, Fort Good Hope and Colville Lake together as a district will get 5,333 square miles. Norman District will get the same amount, and Fort Franklin will get a similar-sized land base. Although the land will be owned by either the community or by the communities in the aboriginal districts, any benefits on subsurface lands would be shared equally by all the communities. For benefits on surface lands, the community that lets control of the lands will get the benefits up to a certain amount and then beyond that, it is to be shared equally between the other communities. Although we have community or aboriginal district land ownership, we still want to share the wealth so it won't create a situation where one community is rich and the others are poor.

Under the Gwich'in claim, they are able to create a regional land and water board but with the option that if the territorial board has established sometime down the line that the territorial board would apply. However, the territorial board's influence would not be as strong as region's. That is the same position the Sahtu has taken. A working committee has been formed between two governments and the Gwich'in in terms of discussing how this can be implemented. We've been involved in those discussions and our position is still that we should have a regional land and water board established and then later on when the territorial land and water board is established for the Mackenzie Valley we would participate in that process.

Note: The text of this presentation has been transcribed from an audio-tape recording of the workshop presentations. If necessary, we would suggest that the reader verify the accuracy of these comments with the presenter.